

THE UNIVERSITY OF MISSISSIPPI



2015-16

# The University of Mississippi

## Creed

The University of Mississippi is a community of learning dedicated to nurturing excellence in intellectual inquiry and personal character in an open and diverse environment.

As a voluntary member of this community:

- I believe in respect for the dignity of each person.
- I believe in fairness and civility.
- I believe in personal and professional integrity.
- I believe in academic honesty.
- I believe in academic freedom.
- I believe in good stewardship of our resources.
- I pledge to uphold these values and encourage others to follow my example.

“As soon as you are matriculated, you are a part of the University and ‘Ole Miss’ is your Alma Mater. You are fully entitled to the rights and privileges which she offers, and responsible now for the upholding of her good name.”

*1931-32 M Book*

# Preface

## The University of Mississippi *M Book*

The University of Mississippi is dedicated to supporting and sustaining a safe and scholarly community of learning dedicated to nurturing excellence inside and outside of the classroom. The University Creed identifies community values to foster and maintain a safe and scholarly community, and the spirit of the Creed is incorporated into every University policy and procedure.

From the time of application for admission through the actual awarding of a degree, students accept the rights and responsibilities of membership in the University's community. Students are expected to uphold community values by exercising a high standard of conduct at all times. Each student has a duty to become familiar with University values and standards reflected in University policies, and each student has a duty to honor University values and standards reflected in University policies.

The *M Book* contains many of the University's values and standards. Annually, the Office of the Dean of Students and the Office of Conflict Resolution and Student Conduct publish the *M Book* to assist students with understanding their rights and responsibilities.

While the *M Book* is a compilation of many different policies, it is an abbreviated guide of University policies and not a complete digest of all policies. For a complete listing of policies, please visit the University Policy Directory.

## University Policy Directory

<https://secure4.olemiss.edu/umpolicyopen/index.jsp>.

The University of Mississippi Policy Directory is a collection of policies governing the University. The policies listed in the University of Mississippi Policy Directory are official and subject to change at anytime. Each policy is distinguished by a code made up of two sets of letters and two sets of numbers. The first three letters distinguish the University division; for example **DSA** stands for **Division of Student of Affairs** and **ADM** stands for **Administration and Finance**. The second set of letters represents the department area within that division. For example, **DS** represent the **Office of the Dean of Students**, and **FA** represents **Financial Aid**. The two sets of numbers represent the individual policies within that department or area. When one sees the policy **DSA.DS.400.001**, the division responsible for the policy is the **Division of Student Affairs**, the department responsible for the policy is the **Dean of Students**, and **400.001** outlines the University policy regarding the official **Recognition of Student Organizations**.

*Use this book as a guide but be sure to check the Policy Directory for all current and updated policies at the University of Mississippi.*

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# Section I

## Academic Policies, Standards, and Regulations

Academic regulations are published in the online Catalog (<http://catalog.olemiss.edu>). Policies published in the Undergraduate Catalog are a digest of the academic rules of the University of Mississippi. The catalog is a guide created for the convenience of students. The University of Mississippi reserves the right to:

1. change or withdraw courses;
2. change the fees, rules, and scheduled for admission, registration, instruction, and graduation; and
3. change other regulations affecting the student body at any time.

Implicit in each student's enrollment with the University is an agreement to comply with the University's rules and regulations. The University may modify rules and regulations as needed to properly carry out its educational responsibility.

## Academic Conduct and Discipline

### ACA.AR.600.001

#### Academic Discipline

The broad purpose underlying student discipline is to order University living in such a way that the interests of the student body as a whole and of the individual members are best served. The University's responsibility extends to the conduct of all students of the University. The University reserves the right to sever the connection of any student with the University for appropriate reason. When a situation of a disciplinary nature arises, every effort is made to discover the reasons underlying the behavior in question so that constructive steps for the future may be taken. The standards of conduct and disciplinary procedures are stated in detail in the *M Book*.

#### Academic Conduct

**Standards of Honesty** • The University is conducted on a basis of common honesty. Dishonesty, cheating, or plagiarism, or knowingly furnishing false information to the University, are regarded as particularly serious offenses. Disruptive behavior in an academic situation or purposely harming academic facilities also is grounds for academic discipline.

**Disciplinary Procedures** • In the College of Liberal Arts and in the Schools of Accountancy, Applied Sciences, Business Administration, Education, and Journalism and New Media, faculty members handle cases of academic dishonesty in their classes by recommending an appropriate sanction after discussion with the student. Possible sanctions include: failure on the work in question, retake of an examination, extra work, grade reduction or failure in the course, disciplinary probation, or suspension or expulsion from the University. An appeals process is available to the student. A more complete statement concerning definitions, offenses, penalties, and grievance procedures is found below.

The Schools of Engineering, Law, and Pharmacy, deal with disciplinary infractions through their student bodies, which maintain Honor Code systems.

## Examples of Academic Misconduct

*Plagiarism.* Plagiarism is a serious offense in which someone else's work is presented as one's own. There are many forms of plagiarism. Plagiarism takes place when published material is copied verbatim or paraphrased without appropriately citing the source of material, and is not limited to copying the exact words from published material. Forms of plagiarism include, but are not limited to, copying published material verbatim, paraphrasing the work of another without properly citing that work, keeping the content and/or structure of another's work and changing the words, and unfairly using material, such as taking large portions of another's work without substantial addition of one's own ideas or commentary. (For more specific examples of plagiarism, please visit <http://www.plagiarism.org>.) In addition to these examples of plagiarism, a student who copies another's homework, copies answers to test questions, or allows someone else to do work for him/her on homework or tests also violates the standards of honesty and fairness and is subject to academic discipline.

*Using someone's work.* A student who misrepresents the work of another as his/her own is engaging in academic misconduct. For example, handing in a paper purchased from a term paper service, using a paper prepared by another, or engaging another person to take a test (class-related or standardized, such as the GRE) in his/her stead, are examples of academic misconduct. This type of academic misconduct applies to all disciplines and fields of study.

*Knowingly allowing someone else to represent your work as his/her own.* By letting someone else use your work, there are at least two people involved: the person who does the work and the person who falsely represents that work as her or his own. Both are subject to academic discipline.

*Gaining or attempting to gain an unfair advantage.* Violations of the University's standards of honesty include possession, or an attempt to gain possession, of a test prior to its being given. An attempt to gain possession does not imply that one must physically have an original of the test or assignment. Other violations include, but are not limited to, accessing computer files; breaking or entering a locked or unoccupied office in an attempt to gain an unfair advantage; using a cell phone or other device to obtain materials from websites or other students; using reference materials that have not been allowed by the instructor; using handwritten or printed notes during a "closed book/closed notes" test; stealing books or other materials from the Library, Museums, Computer Center, or other University facilities; removing pages from University owned books or journals; and/or employing bribery, intimidation, or harassment in an attempt to gain unfair advantage.

*Giving false information or altering documents.* Falsely attesting that work has been accomplished when it has not been, falsely attesting that functions or classes were attended that were not attended, and altering answers to test questions after the tests have been graded and returned are examples of giving false information. Altering grade report forms or changing grade forms or class rolls, either in their physical or electronic (computer file) form, and altering, falsifying, or misusing any other University documents also constitutes a violation of expected standards of honesty. Falsifying research data or other scientific misconduct also may be considered a violation.

*Disruptive behavior.* Disorderly behavior that disrupts the academic environment violates the standard of fair access to the academic experience. Some examples of disruptive behavior are purposeful acts, such as "shouting down" a seminar speaker, physically or verbally harassing an instructor or fellow student, or engaging in any type of disruptive behavior in a class situation that interferes with the ability of the professor to teach or other students to learn.

*Harm to the facilities that support the academic environment.* A student who purposely harms the facilities that support the academic environment may be subject to academic discipline. Damaging books, laboratory equipment, computers, and other facilities violates the standard of fair access to the academic experience.

*Violations are not limited to the areas and examples given.* The academic discipline procedure may be invoked whenever the principles of honesty and fairness are violated and/or the facilities that support the academic environment are harmed. The examples given above are illustrative only (it is impossible to delineate or cite every possible violation), and any act that violates the principles of honesty and fairness may be subject to academic discipline. Some acts, such as sabotage of another student's work or sabotage of an instructor's records, may not fall neatly into any one of the six areas listed above but are subject to academic discipline if found damaging to the academic environment at The University of Mississippi.

## **Procedures Related to Academic Misconduct Charges**

### **Faculty Discussion with Student**

When a faculty member believes that a student has committed an act of academic dishonesty, he/she shall seek to discuss the alleged violation with the student as soon as possible and give the student an opportunity to explain. If the faculty member still believes the student committed an act of academic dishonesty after discussing the matter with the student, the faculty member may recommend an appropriate sanction, such as grade reduction, retake of a test or examination, extra work, failure in the course, suspension, expulsion, or a combination of these or other sanctions. The faculty member shall inform the student of the recommended sanction either within the communication described above or a separate communication. Note that if the student does not respond to communications from the faculty member, the matter may still proceed.

### **Initiation of Case and Notification to Student**

In the event that a) a sanction beyond probation (see the list of possible sanctions) has been appealed by a student, b) the appeal has not yet been resolved, and c) it is the period for course grade reporting, an instructor should submit an I (incomplete) course grade. The Registrar's Office will contact the instructor to finalize the course grade after the case has been finalized. If the student does not appeal a sanction or if an appeal has been resolved before the grade reporting period, the instructor should submit a course grade that includes the upheld or non-appealed sanction.

If the alleged violation occurred outside of the structure of a course, e.g., comprehensive exams, the appropriate faculty member, or program, department, or college/school official, shall initiate the case within the myOleMiss system by accessing Students > Academic Discipline > Initiate Academic Discipline Case.

Initiating an academic discipline case requires the person initiating the case to provide a written report of the alleged incident, including information regarding the communications with the student described above, as well as indicate the recommended sanction. The faculty member also is asked to indicate whether the student accepted the sanction. If there are documents related to the case, the system provides the faculty member with directions on how to upload those documents, and such uploaded documents become a part of the case that is accessible online through the myOleMiss portal.

Once a case is initiated, email notifications of the matter are automatically sent by the online

system from a Provost's Office representative to the following: the student, faculty member initiating case, department chair, dean of the school or college in which the course was offered (if initiated case was related to a course), student's academic dean (if different from above or alleged violation not associated with a course), Provost's Office representative, and chair of the Academic Discipline Committee. For cases that include a recommended sanction of probation, suspension, or expulsion, the following also will receive the email notification: Registrar's Office representative(s), the provost, and the vice chancellor for student affairs. If the case initiated involves the alleged actions of a graduate student, the dean of the Graduate School will receive the email notification as well. The email will contain a link to the accessible case information online. If the instructor of record is a graduate student, he/she may need to access the system with the assistance from his/her department chair.

In addition to the email notifications referenced above, if the recommended sanction is probation or suspension, the provost shall direct the registrar to inform the student of the sanction imposed via letter. If the recommended sanction is expulsion, the provost shall inform the chancellor and the chancellor shall direct the registrar to inform the student of the sanction imposed via letter. The registrar will send such letters to the student's current mailing address with copies to the faculty member, department chair, and appropriate dean(s).

## **Challenge of Sanction by Student**

The student may challenge the sanction recommended by a faculty member by logging onto the page linked in the email notification and submitting a written appeal through the online system within 14 calendar days of the case being initiated. The student's written appeal request shall state, as simply as possible, why the faculty member's decision is unacceptable. Failure to make an appeal within this 14-day time period shall constitute a waiver of the appeal right and shall result in the sanction becoming final as recommended and the case is considered complete, except as noted below in cases in which the sanction includes probation, suspension, or expulsion.

If the alleged violation of the academic discipline policy occurred as part of a course, the student may not drop the course. If a student drops the course following the incident on which the case is based, whether before or after the initiation of the case by the faculty member, the student will be re-enrolled by Registrar's Office staff. If the incident on which the case is based occurred prior to the University's deadline for course withdrawals and the student wishes to request an allowance to drop the course, that request must be made as part of the student's written appeal. To reiterate, such requests will be considered only when the alleged incident occurred prior to the University's deadline for course withdrawals. Further, even if the timing is appropriate under the University's deadline for course withdrawals, such requests will be granted only in extenuating circumstances including, but not limited to, dismissal of the case or minor sanction. If a student is allowed to withdraw from the course, Registrar's Office staff will effectuate the withdrawal in the system. If it is determined that the student committed an act of dishonesty and the student is allowed to withdraw from the course, the case will remain within the academic discipline system and the Academic Discipline Committee, or appropriate party, will have the right to implement a non-course related sanction. In making a determination to allow a student to withdraw from a course, the Academic Discipline Committee will consider the documentation in the case and level of sanction(s), and also will consult with the instructor of the course regarding the student's status and progress in the course at time of alleged incident. If the incident on which the case is based occurs after the University's deadline for course withdrawals, the student may only withdraw if the case is dismissed and the University's late withdrawal policy will apply.

## **Academic Discipline Committee Procedures**

If a student presents a timely appeal, the appeal will be reviewed by the Academic Discipline Committee, whose membership includes faculty, staff, and students, and the composition of which as of the beginning of any academic year may be found in the myOleMiss portal by accessing the Committees > Standing Committees menu. The Academic Discipline Committee first shall review the appeal to determine whether a formal hearing is warranted. The chair of the Academic Discipline Committee may appoint a three-person subcommittee to make this determination or ask the full committee to participate in that part of the review. If the Academic Discipline Committee determines that a hearing is not warranted, then the full committee shall vote, based upon written statements and documentation submitted by the student and faculty member, on whether to uphold the recommended sanction, dismiss the case, decrease the sanction, or increase the sanction.

If the Academic Discipline Committee determines that a formal hearing is not warranted, the chair of the Academic Discipline Committee shall enter that decision, along with the determination regarding the sanction, into the online system, which will generate another set of automatic emails to those who received the initial email notifications regarding the case. The decision of the Academic Discipline Committee may then be viewed as part of the case by logging into the page linked in the email.

If the Academic Discipline Committee determines that a formal hearing is necessary, the chair of the Academic Discipline Committee will work with the student and members of the Academic Discipline Committee to arrange a time and place for the hearing. If a student appeals and the sanction involves suspension or expulsion, the student will be granted a hearing automatically.

## **Advocate/Legal Counsel and Witnesses**

The student and faculty member initiating the case shall be permitted, at his/her expense, to have an advocate or legal counsel provide support for him or her at the hearing and through all other stages of the academic discipline process. The role of the advocate or legal counsel shall be limited to an advisory capacity only. The advocate or legal counsel may not make opening or closing statements, question witnesses, make oral argument, or otherwise speak a party's behalf or to the party during the hearing process. The student or faculty member initiating the case may present witnesses or other evidence, question opposing witnesses, and make opening and concluding statements on his/her own behalf. The student and faculty member initiating the case shall provide the chair of the Academic Discipline Committee, within 72 hours prior to the hearing, the names of any advocate, legal counsel, and witnesses, as well as documentation he or she intends to present at the hearing that is not available or been uploaded through the online system.

## **Recording of Committee Hearings**

Hearings before the Academic Discipline Committee shall be recorded. The recording shall be preserved until the time for all avenues of appeal available to the student have expired. At the student's request, and at his/her own expense, copies shall be made available.

## **Approval of Sanction Possibilities**

The Academic Discipline Committee shall have the right to approve the faculty member's recommended sanction, impose a lower sanction or no sanction (i.e., dismiss the case), or impose a harsher sanction than recommended by the faculty member. Sanctions available to

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the Academic Discipline Committee may include, but are not limited to, one or a combination of the following penalties:

- (a) The student receives a reduced grade, F, or zero on the assignment.
- (b) The student receives a reduced grade or an F in the class.
- (c) The student is required to take another test or examination.
- (d) The student is required to submit another term paper, computer project, etc.
- (e) The student is placed on academic disciplinary probation.
- (f) The student is suspended.
- (g) The student is expelled.

## **Vote of the Academic Discipline Committee**

To find a student responsible to a violation of the Academic Conduct and Discipline policy, a majority vote of the members of the Academic Discipline Committee hearing the case is required based on the preponderance of the evidence standard. The chair of the Academic Discipline Committee shall upload a written decision through the online system within five working days of the completion of the hearing. The written decision shall contain findings of fact and conclusions. Entering the decision into the online system will generate another set of automatic emails to those who received the initial email notifications regarding the case. The decision of the Academic Discipline Committee may then be viewed as part of the case by logging into the page linked in the email. Decisions of the Academic Discipline Committee are final, and no further appeal may be made, unless the final sanction includes suspension or expulsion.

Sanctions including probation must be reviewed by the provost. If the final sanction following appeal to the Academic Discipline Committee includes suspension or expulsion, student shall have the right to appeal this sanction in writing to the chancellor within five working days of the student's receipt of the written decision of the Academic Discipline Committee's, or, if the case was initiated against a graduate student, of the dean of the Graduate School (see next paragraph). The chancellor shall review the record and make a written decision upon the record as submitted. The student and his/her representative are not entitled to present additional evidence and argument to the chancellor. Upon making a decision, the chancellor shall notify the student, faculty member, department chair, appropriate dean(s), chair of the Academic Discipline Committee, representative(s) of the Registrar's Office, and provost, of his/her action.

In cases involving graduate students, a committee finding that no act of academic dishonesty was committed is final, but the dean of the Graduate School shall review all committee decisions recommending sanctions and penalties, including decisions recommending the penalties of probation, suspension, or expulsion. In reviewing the committee's decision, the dean of the Graduate School shall consult with the dean of the college or school in which the course was offered, and, if different, the dean for the graduate student's degree program. The dean of the Graduate School's review of the committee's decision shall be on the record and without any right by the graduate student or his or her counsel or representative to present additional evidence or argument. The dean of the Graduate School shall, by written decision, affirm, modify, or reverse the committee's action within 10 working days of his or her receipt of the committee's written decision. The dean of the Graduate School shall notify the graduate student, faculty member, department chair, appropriate dean(s), chair of Academic

Discipline Committee, representative(s) of the Registrar's Office, and provost, of his or her written decision

## **Written Report of Outcome**

If the sanction is suspension or expulsion, the provost shall provide a written report of the outcome to the student, faculty member, department chair, appropriate dean(s), the registrar, and the vice chancellor for student affairs. This written report shall not be provided until the appeals process is completed.

## **Attendance in Class Pending Outcome of Appeal**

A student may not drop a course when an academic discipline case has been initiated. A student who has been informed that a grade penalty of failure in course has been imposed shall be immediately dismissed from the class involved unless the student plans to appeal the penalty. In the event of an appeal, the student may continue to attend the class until the appeal process has been concluded. If the appeal occurs at the end of a term, the faculty member will assign the student a grade of I (incomplete) while the appeal is pending. If the imposed sanction is expulsion or suspension, the student also has the right to continue in the course until the review by the Committee and appeal are exhausted, unless a determination is made by the provost that continuation in the course will significantly compromise the learning environment for other students or the safety of individuals.

## **Penalties**

The range of sanctions for an academic discipline infraction is given in an above section. These sanctions may be given in combination. In the case of expulsion, the student also will be assigned a failing grade in the associated course. In the case of suspension, the grade assigned for the associated course will be determined by the provost upon consultation with the Academic Discipline Committee and instructor. An expulsion will take effect immediately upon exhaustion of the review by the Committee and appeal to the Chancellor; if this occurs in the middle of a semester, the expulsion will terminate enrollment in all courses. In the case of a suspension, if the review and appeal is exhausted in the middle of a semester the provost will determine whether the student can continue in other courses.

Many departments have strong policies against plagiarism, and syllabi for courses often contain a statement indicating that the academic discipline sanction for the commission of any offense is failure in the course. However, other penalties, such as failure an assignment, repeating the assignment, reduction of course grade, academic disciplinary probation, suspension, and/or expulsion, may be recommended by a faculty member or the Academic Discipline Committee. In the case of repeat offenders, the Academic Discipline Committee, the provost or the dean of the school/college of the student involved may seek to impose additional penalties.

Under Policy Code ACA AR 200.003, "The forgiveness policy cannot be used to remove grades given for reasons of academic discipline." Thus, if an academic discipline case is upheld and the resulting sanctions include either failure in the course or reduced grade in the course, with the resulting final grade in the course is a C-, D, or F, the student may repeat the course, but may not invoke the forgiveness policy to remove the first grade. For a lesser sanction, such as failure or reduced grade on assignment, repeating the assignment, or probation, the student may repeat the course and invoke the forgiveness policy. Consequently, if the

infraction occurs on a test or assignment that is a major component of the course grade, the more appropriate sanction should be failure in the course or reduced grade in the course

## **Academic Disciplinary Probation**

When a grade penalty is not appropriate, probation may be imposed. Probation constitutes a warning that is noted in the academic discipline database for the student. Subsequent violations of academic discipline regulations by the student may result in suspension or expulsion. The duration of any disciplinary probation period will ordinarily be for the remainder of the student's association with the university. However, a shorter term of probation may be recommended, which would be subject to approval by the provost in the case of undergraduates or the approve of the dean of the Graduate School in the case of graduate students. The provost or the dean of the Graduate School shall notify the student of his or her decision of the sanction of probation, with copies to the faculty member, department chair, appropriate dean(s), and Registrar's Office representative(s), and chair of the Academic Discipline Committee. Academic disciplinary probation does not appear on a student's transcript.

## **Academic Suspension**

Suspension results in the exclusion of the student from classes and other specified privileges or activities for a definite period of time. The duration of any suspension or any condition(s) or penalty(ies) recommended shall be in proportion to the seriousness of the violation and subject to the approval of the chancellor. All suspensions shall be permanently noted on the student's transcript. The chancellor shall notify the student of his or her decision, with a copy to the faculty member, department chair, appropriate dean(s), provost, Registrar's Office representative(s), and chair of the Academic Discipline Committee.

## **Expulsion**

The student is deprived of his or her opportunity to continue at the University in any status. The penalty of expulsion is subject to the approval of the chancellor, who shall notify the student of his or her decision, with a copy to the faculty member, department chair, appropriate dean(s), provost, Registrar's Office representative(s), and chair of the Academic Discipline Committee. A notation shall be placed on the student's transcript.

## **Academic Grade Appeal Policy and Procedure** **ACA.AR.600.002**

The grade appeal policy and procedure is designed to provide an undergraduate or graduate student at The University of Mississippi with a clearly defined avenue for appealing the assignment of a course grade, following the posting of final grades, that he/she believes was based on prejudice, discrimination, arbitrary or capricious action, or other reasons not related to academic performance. The student's request for a grade appeal must be taken successively to the instructor, the chair of the department (or director of the program) in which the grade was given, and the dean of the school or college to which the department belongs, with a possible resolution of the conflict at any stage. Either the student or the instructor may appeal a decision made at the dean's level. This formal grade appeal will be reviewed by the Academic Appeals Committee and by the vice chancellor for academic affairs.

A final grade is the instructor's evaluation of the student's work and achievement throughout a semester's participation in a course. Factors upon which the final grade may be based include: attendance; recitation and class participation; written, oral, and online quizzes;

reports; papers; final examinations; and other class activities. There is a presumption that the instructor who has conducted the course is professionally competent to judge the student's work, and in the absence of convincing evidence to the contrary, has evaluated it fairly. In all cases, the complaining student shall have the burden of proof with regard to all allegations in his/her complaint and in his/her request for review or hearing. If a party fails to pursue any step of the grade appeal procedure within its allotted time, the disposition of the case made in the last previous step shall be final. All correspondence and records shall be retained in the office in which the complaint is finally resolved

A grade appeal cannot be based upon differences in grade assignments between multi-section courses, whether or not the course sections are taught by the same instructor

This policy and procedure below applies to students and courses taught on the main campus, off-campus centers, and online. In the following outline, time periods in Steps 1 and 2 are in calendar days and the time periods apply to intersession and Summer terms, as well as Fall and Spring semesters. Written appeals may be transmitted electronically. Individual schools may utilize different versions of the Steps 1 and 2 (e.g., if there are no department chairs within the school), but Steps 3-5 should be followed. If a graduate student wishes to appeal the results received on his/her comprehensive examination, he/she should contact the dean of the Graduate School for the appropriate policy.

The grade initially assigned by an instructor remains in effect, until and unless a change is determined by the appeal process.

## **Outline of Grade Appeal Procedure and Time Schedules**

**Step 1. Informal Consultation with Faculty Member.** This must be initiated within 30 calendar days of the posting of the course grade for viewing by students. The instructor's decision, whether a denial of the appeal or other resolution, must be completed within 15 days of receiving the appeal.

**Step 2. Appeal to the Department Chair.** If a student wishes to appeal a grade further, he or she must submit a written appeal to the chair of the department (or director of the program) in which the course is being appealed, with a copy submitted to the chair of the department in which the student is majoring (if different), within seven days following the end of Step 1. The course-controlling department chair has 15 calendar days from receipt of the appeal to achieve resolution of the appeal.

**Step 3. Appeal to the Dean.** If a student wishes to appeal a grade further, he or she must submit a written request to the dean of the school or college in which the course was offered, with copies to the chair (or director) of the department and to the chair of the department in which the student is majoring (if different), within seven days following the end of the 15-day time period in Step 2. (In the case of a graduate student, this written appeal must be sent to the dean of the Graduate School.) The dean will then take action to have a Grade Appeal function appear within the student's (and instructor's, chair's, and dean's) myOleMiss portal. An email will be sent to each party, explaining that they are able to enter or upload the basis for the appeal/denial, including attaching pertinent correspondence and materials. The department chair must enter copies of correspondence and other pertinent material within five days of receiving this email. The dean must render a written decision within 15 days of receipt of the appeal.

**Step 4. Appeal to Academic Appeals Committee.** Either the student or the instructor may request a review by the Academic Appeals Committee. A written request, including the student's name, ID, the course/section, and instructor, must be submitted to the vice chancellor

for academic affairs (provost) via the myOleMiss Grade Appeal function within 15 days of the receipt of the dean's decision. The Academic Appeals Committee will then review the information provided to reach a recommendation.

**Step 5. Review by the Vice Chancellor for Academic Affairs.** The vice chancellor for academic affairs (provost) will review the recommendation by the Academic Appeals Committee and shall render a final decision on the appeal. The decision of the vice chancellor cannot be further appealed.

## Explanation of the Steps in a Grade Appeal

**Step 1. Informal Consultation.** The student shall first consult with the instructor in an effort to reach a satisfactory resolution of his or her appeal. It is a part of the professional obligation of members of the University faculty to meet with students who wish to avail themselves of this academic grade appeal procedure for the purpose of reviewing the grade assigned and attempting to resolve the matter. In the event that the student cannot schedule a face-to-face meeting with the faculty member, the student may attempt to consult with the instructor by email or phone, or the student may ask the department chair to schedule the meeting between the student and the faculty member. Informal consultation is a required first step, and no further grade appeal is permitted unless informal consultation is first attempted. The only exception to this procedure is when the faculty member no longer is employed by the University or is otherwise unavailable so that it is impossible to complete Step 1. In this case, the student may proceed directly to Step 2.

**Step 2. Appeal to Department Chair.** If the matter is not resolved in Step 1, the student may present an appeal in writing to the chair of the department (or director of the program) in which the course was offered.

The department chair shall attempt to resolve the appeal in consultation with the faculty member and the student within 15 calendar days of receipt of the written appeal. The department chair may consult with other faculty members of the department about the matter. (In any appeal to a chair/director, the student should send a copy of the appeal to the chair of the department of his or her major.)

**Step 3. Appeal to the Dean.** If the appeal cannot be resolved at the level of Step 2 within the 15-day prescribed time period, the student, within seven calendar days following the end of such period, may request in writing an appeal to the dean. Upon receiving a request for an appeal to Step 3, the dean will initiate an electronic record of the appeal using the myOleMiss portal. The student, instructor, and chair will be informed as to how to enter information, including the text of an appeal, correspondence records, and evidence, into an online system. The chair is responsible for entering the correspondence and evidence in his possession within five days. The student may enter the basis for his or her appeal, along with any evidence he or she wishes to present. Components of this written appeal, evidence, and correspondence will be made viewable to the student, chair, instructor, and dean. (In the case of a graduate student, the written appeal should be made to the dean of the Graduate School.)

The dean may use any resource available to the dean's office to resolve the grade conflict within a 15-day period following receipt of the appeal. The dean shall communicate his/her decision to the student, faculty member, and department chair. (If the student is majoring in a different school/college, the electronic records will be viewable by the latter dean and chair/director of the program in which the student is majoring.)

**Step 4. Appeal to the Academic Appeals Committee.** Either the student or the instructor may appeal the decision made under Step 3 within 15 days by submitting a written request, via the myOleMiss portal, to the vice chancellor for academic affairs, asking for a review by the Academic Appeals Committee. The request for a review by an Academic Appeals Committee should state the factual basis for the appeal of the dean's decision. This request for appeal is the primary document setting forth the contention of either the student or instructor that the decision made by the dean should be reversed. Therefore, this request for appeal should be carefully drawn and supported by attachments of all relevant documentary material.

Upon receiving a request for review of a grade appeal, the vice chancellor for academic affairs shall call to action the Academic Appeals Committee. This is a standing committee comprising four faculty members and three students, one of whom is at the graduate or professional level. The committee is chaired by an associate vice chancellor for academic affairs, serving in a non-voting capacity. Ordinarily, the faculty members serve three year, staggered terms and are appointed by the Faculty Senate from among the tenured or tenure track faculty members. The students are appointed by the Associated Student Body (2) and Graduate Student Council (1) and may serve terms that last up to three years. Alternates will be identified for both the faculty and student committee members, for replacement of the primary members who are unavailable for various reasons, including declared conflict of interest with parties in a case.

The chair of the Academic Appeals Committee shall appoint a subcommittee that shall review all written material for an appeal to determine if a formal hearing is warranted. If, in the opinion of the subcommittee, a formal hearing is not warranted, a decision on the appeal shall be made by the Academic Appeals Committee based upon written evidence submitted by the student and the faculty member. If the subcommittee finds that the student's or the instructor's request merits a hearing, the chair of the Academic Appeals Committee shall notify all parties (student, instructor, chair, and dean) in writing of the time and location of the hearing. The purpose of the hearing is to elicit information on which the committee may base a recommendation to the vice chancellor for action. It is not to be construed as a trial in a court of law. The hearing before the committee shall be closed and shall be limited to only the student, instructor, chair/director, and dean, as well as any witnesses who receive prior approval by the committee to attend. Both student and instructor may provide any additional written materials they desire, and the committee may request additional material if it deems such necessary. Both the student and instructor concerned shall be afforded the right to present witnesses or other evidence, question opposing witnesses, and make a concluding statement. No attorneys shall be permitted to represent participants in Academic Appeals Committee hearings. The Academic Appeals Committee shall audio record all hearings and preserve these audio files until all further avenues of appeal shall have expired. At the student's or faculty member's request, copies of the audio file shall be made available. When the committee has reviewed all documents and heard such testimony as it considers necessary to reach a conclusion, it shall adopt by majority vote a recommendation to be made to the vice chancellor for academic affairs. The recommendation should be either to sustain the action taken at the dean's level (Step 3) or to take some other action with respect to the grade that is being appealed. The committee may (1) recommend that the grade remain as it was originally assigned by the instructor, or (2) report that in the judgment of the committee the original grade was arbitrarily or capriciously assigned and recommend that another designated grade be given. The recommendation of the committee should be logged into the electronic record of the appeal and should be transmitted to the vice chancellor for academic affairs. The recommendation of the committee should contain as explicitly as the nature of the case

will allow the grounds on which the recommendation of the committee is based. The chair of the committee shall transmit copies of the committee's recommendation to the student, instructor, department chair/director, dean associated with the course, and department chair and dean associated with the student's major.

**Step 5. Final Decision by the Vice Chancellor for Academic Affairs.** The vice chancellor for academic affairs shall make the final decision, utilizing any resources to assist in deciding the appeal. The vice chancellor shall have the right to allow the assigned grade to stand or to raise or lower the assigned grade. He/she shall inform all parties involved, including the Academic Appeals Committee, of his/her final decision on the matter.

## Retention of Records

As part of the University's grade appeal procedure, faculty members are required to keep grade-related materials until the completion of the next regular (spring or fall) semester. Material that applies to an ongoing grade appeal process must be retained for six months following completion of the grade appeal process. Grade-related material refers to examinations, projects, term papers, records on grades, attendance records, electronic files, and other material that is used in the grading process and is not returned to the student. If materials are returned to the student, a student desiring to appeal must present any tests, examinations, term papers, or other graded material that form the basis for his or her appeal.

## Examinations and Last Week of Class ACA.AR.200.002

**Regulations Governing All Examinations** • A student's failure to appear for an examination without an acceptable excuse, inability to present valid identification, absence from the room during the course of an examination without the consent of the examiner, or attempting any portion of an examination without submitting his or her answers shall result in failure of the examination. Tardiness beyond 15 minutes forfeits a student's right to an examination.

**Final Examinations** • A final examination, to be given at the time posted in the examination schedule, is required in each undergraduate course, unless the appropriate chair and dean have approved an exception. A student who has three or four final examinations in one day may arrange with the course instructor to take the noon or 7:30 p.m. examination at another time. In order to give a final examination at any time other than that shown in the posted examination schedule, an instructor must have prior approval of the department chair and dean.

**Last Week of Class** The following guidelines exist to allow sufficient time for students and instructors to prepare for final examinations. These guidelines apply to the week preceding final examinations for undergraduate courses held during Fall and Spring semesters.

During the period of Wednesday through Friday of the last week of class, instructors are not to give exams, tests, or quizzes that contribute more than 10% of the final grade for a class. An instructor can obtain approval of the department chair and dean to give an exam, test, or quiz, of this weight, during this three day period. Instructors should return graded work and/or inform students of their grades on exams, tests, or quizzes prior to the beginning of finals week.

Exceptions to the above statement are automatically made for lab-based courses, technical writing courses, seminar courses that assign a term paper, and senior design courses that

assign a multi-faceted project in lieu of a final exam. Major projects of the above types, which contribute more than 10% of the final grade and which are due during this Last Week period, should be assigned in the syllabus at the beginning of the semester and any substantial change in the assignment should be made known to students before the drop deadline.

## **Credits and Grades**

### **ACA.AR.200.003**

**The Semester Hour** • A semester hour is a unit of credit earned for academic work that includes no less than one hour of classroom or direct faculty instruction AND a minimum of two hours of out-of-class student work for approximately fifteen weeks for one semester (or the equivalent amount of work over a different amount of time); OR a semester hour is a unit of credit earned for an equivalent amount of work, as required above, for other academic activities as established by the institution, including laboratory work, internships, practica, studio work, and other academic work leading to the award of credit hours. A typical three-hour course requires a minimum of 2250 contact minutes each semester. For courses taught in an online and/or asynchronous format, the amount of instruction and student work must be equivalent to that for a traditional course.

**Class Attendance** • The philosophy of the institution is that students who attend class learn more than those who do not attend regularly and that grades are a reflection of learning. Furthermore, the policy below affirms that faculty and students share important responsibilities for the quality of the overall in-class learning experience.

*Responsibility of instructors:* It is the responsibility of the instructor to determine the attendance guidelines that best promote learning in a particular course. On or before the first meeting of each class, the instructor is expected to articulate and inform students in writing via a course syllabus about specific class attendance requirements. Procedural information and best practices for constructing course attendance policies are given in the Guidelines for Class Attendance, which is posted on the institution's policy directory. In general, instructors should exercise fair and consistent standards in determining when to excuse an absence and/or when to provide accommodations for missed major exams and assessments. An excused absence or accommodation must be provided to students who miss class to observe a recognized religious day or to fulfill a civic responsibility (e.g., jury duty or military service).

*Responsibility of students:* It is the responsibility of the student to comply with the class attendance guidelines/policies and complete assignments, including those that involve out-of-class or online participation. Students are responsible for informing instructors in advance about anticipated absences. Students should recognize that individual sections of a course may be taught differently and that the attendance policy for individual sections of a course may not be the same.

Aside from the learning opportunities missed due to absences from class, there are cases when a class absence or multiple absences may result in a student being dropped from a course or dismissed from the University. Specifically,

Students must attend the first meeting of every course for which they are registered unless they obtain prior departmental approval. Without such approval, a student who is absent from the first class meeting may be dropped from that class by the dean of the school or college with the responsibility for the course.

A student who incurs excessive absences in a given course may receive a grade of F for the course, and, in addition, may be dismissed from the class upon recommendation of the

instructor and approval by the student's academic dean. When it appears to an instructor that a student has discontinued a class without officially dropping the course, the instructor will report this fact to the student's academic dean. The university reserves the right to dismiss from the university any student who has been excessively absent from multiple courses.

Faculty and staff who supervise student organizations and teams, including NCAA sports teams, are expected to schedule competitions and performances in such a way as to minimize the number of classes that students will miss. Names of participating students and the dates of class conflicts should be provided to the students' instructors prior to participation. Students and instructors should attempt to resolve potential conflicts regarding class attendance before the semester course withdrawal deadline. In cases where absence from class results from travel delays or the unanticipated continuation of participation in a competition, the student or supervisor should inform the instructor *within one business day* so that reasonable accommodations for absences due to university-sponsored activities can be made.

If a student informs an instructor in advance about an anticipated absence and the instructor decides not to provide an accommodation for a major exam or assessment, the student may appeal to the department chair or program director (or dean, when the instructor is chair or program director) who oversees the course. An appeal must be based on (a) failure of the instructor to articulate a policy, (b) failure of the instructor to follow the articulated policy, or (c) failure by the instructor to offer a reasonable accommodation for a documented absence that caused a student to miss an assessment that is worth 20% or more of the course grade.

**Pass-Fail Grading for Exercise and Leisure Activity Courses** • The pass-fail basis is the only grading available for all one-hour (EL) exercise and leisure activity courses.

**Grade Symbols** • A final grade is the instructor's evaluation of a student's achievement throughout a semester's work in a course. Factors upon which the final grade may be based include attendance, recitation, written and oral quizzes and tests, reports, papers, the final examination, and other class activities. The evaluation is expressed according to the following letter ABCDF letter system, with + and – adjustments possible for certain letter grades.

Passing Grades		Failing Grades	Other Marks
A	Excellent	F Failure	I Incomplete
A-			IP In Progress
B+	W Withdrawn		
B	Good		X Audit
B-			
C+	Satisfactory		
C			
C-			
D	Lowest passing grade		
P	Pass		
Z	Credit granted		

**Grade Points and GPA** • The grade-point average (GPA) is computed by dividing the number of A, B+, B, B-, C+, C, C-, D, F-graded hours attempted at The University of Mississippi into the total number of grade points earned at the university. Grade points per credit hour are assigned as follows: A = 4.0; A- = 3.7; B+ = 3.3; B = 3.0; B- = 2.7; C+ = 2.3; C = 2.0; C- = 1.7; D = 1.0; F = 0. For the purpose of certain prerequisites and degree requirements, a B average and C average are defined as a GPA of 3.00 and 2.00, respectively, unless a more specific requirement is indicated. Independent study courses are not included in the semester-based GPA calculation.

**F Grade** • The grade of F is recorded if the student has failed on the combined evaluation of work through the semester, or if the student officially withdraws from the course after the course withdrawal deadline and was failing the course at the time of withdrawal.

**P Grade** • The grade of P is recorded for a student who earns a passing grade after enrolling in an exercise and leisure activity course on a pass-fail basis. P grades are not used in computing the student's GPA. F grades recorded for pass-fail course work are, however, computed in the GPA as F grades. The P grade is not used in determining whether a student qualifies to graduate with academic honors.

**Z Grade** • The Z grade is given to a student who earns a passing grade in certain courses for which the traditional grades of A, B, C, and D are deemed inappropriate. Courses for which the Z grade is authorized are denoted in the catalog listings; ABCD grades are not awarded in these courses. The Z grade is also given for advanced placement credit, for credit by examination as in the College Level Examination Program, for credit earned in some Study Abroad courses, for credit based on Armed Forces experiences, and for credit earned in a course for which a student has appropriately exercised the "Z grade option" described below.

Z grades are not used in computing a student's GPA; F grades recorded for Z-graded course work are, however, computed in the GPA as F grades. The Z grade is not used in determining whether a student qualifies to graduate with academic honors.

**I Mark** • The temporary mark of I (incomplete) is given to a student when, for unusual reasons acceptable to the instructor, course requirements cannot be completed before the end of the semester. The instructor will submit an I Mark Assignment Form online during final grade submission, which will detail the work to be completed and the deadline for completion. This information will be conveyed to the student via email. COURSE FAILURE OR UNEXPLAINED CLASS ABSENCES MAY NOT BE USED AS REASONS TO ASSIGN AN I MARK. I marks are not computed in determining a student's GPA. If an I mark for an undergraduate student has not been changed to a regular grade before the course withdrawal deadline (the 30th day of classes) of the next regular semester (excluding summer terms), the I automatically changes to an F and is computed in the GPA. AN I MARK MAY NOT BE REMOVED BY FORMALLY ENROLLING IN THE SAME COURSE IN A SUBSEQUENT SEMESTER AT THIS UNIVERSITY OR ANY OTHER INSTITUTION.

**IP Mark** • The mark of IP (in progress) may be assigned to the first course in specifically designated course sequences whose nature is such that a regular grade would not be appropriate until the conclusion of the second course. Although a student's course load reflects registration for the first course, both credit hours and grade points for the work done in both courses are assigned only upon completion of the second course. The IP mark is permanent, but is not used in computing the student's GPA. Course sequences for which the IP mark is authorized are denoted in the catalog listings.

**W Mark** • The W mark is recorded if the student obtains authorization to withdraw from a course after the course withdrawal deadline and was not failing the course at the time of withdrawal. The W mark is not computed in determining the GPA.

**The Z Grade Option** • A current undergraduate student who is classified as a junior or senior may elect to take one course for credit toward the student's undergraduate degree that would ordinarily be graded on an A, B+, B, B-, C+, C, C-, D, or F basis but for which the student will receive either a Z or an F grade. Upon making this election, the student will receive a Z grade for the course if the student earns the equivalent of a C or higher in the course; otherwise, the student will receive an F grade. To make this Z grade election as to a particular course, the student must obtain the approval of the student's dean. The election

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may not be made as to the following courses: (1) a course that a student will use to satisfy university core curriculum requirements; (2) a course that a student will use to satisfy the required curriculum component of any major or minor course of study or any degree (that is, the courses specifically identified as required or the minimum semester hours in particular subjects or in a department indicated as required); and (3) a course that a student will use to satisfy any requirement of a major or minor course of study or degree that a minimum number of hours be taken in courses of a particular level or higher (e.g., 300 level or higher). If a student elects to take a course on a Z grade basis but then subsequently changes degree plans such that the course becomes one to which one of the foregoing exclusions apply, then the student must retake and receive credit for the course on an A, B+, B, B-, C+, C, C-, D, or F basis. A student who elects to take a course for a Z grade under this policy may rescind this election up through the last day for registering or adding classes, but not thereafter. Conversely, a student who registers to take a class offered on an A, B+, B, B-, C+, C, C-, D, or F basis but would be entitled to elect to take the class on a Z grade basis according to this policy may make this election up through the last day for registering or adding classes, but not thereafter.

**X Mark** • The mark of X is recorded for the student who enrolls as an auditor in a course and who fulfills all requirements established by the instructor for auditing students. If the student does not meet the requirements, no recording of the course is made to the student's permanent record. The deadline for changing one's status in a course to or from "audit" is the course withdrawal deadline.

**Change of Grade** • A course instructor may change a reported grade only if the original grade was incorrectly assigned due to clerical or computational error, or if a student meets the requirements for the removal of an I mark.

**Repeating a Course** • With the exception of courses that are specifically indicated to be repeatable for credit, students may repeat courses taken at the university according to the following requirements:

- the first or prior courses must have been completed with a grade of B-, C+, C, C-, D, F, Z or P;
- a course with an Incomplete grade cannot be repeated;
- a lower division course may be repeated twice (e.g., three attempts) and an upper division or graduate course may be repeated once; exceptions to these numbers of attempts must be approved by the chair of the department controlling the course;
- letter grades for all attempts will appear on the student's permanent academic record and will be calculated into the student's cumulative GPA (unless the Forgiveness Policy is invoked for the course);
- credit toward a degree will be granted only once;
- if a student passes a course at the university and then fails the course on a repeated attempt, the passing attempt will apply to degree requirements;

Individual schools may establish more restrictive requirements for their majors.

**The Forgiveness Policy** • An undergraduate student may improve his or her overall GPA by repeating a maximum of four courses (not to exceed 12 credit hours) in which the student received a grade of C-, D or F and requesting that the repeat grade be the only one counted in the GPA calculation. The repeat must be in the same course and must be taken at The University of Mississippi in fall 1992 or later. The student must file a Petition to Invoke

Grade Forgiveness Policy with the registrar, stating which courses are to be forgiven. For an upper division course, this Petition must be approved by the department/program chair controlling the course. Once the student has declared one or more course, different courses cannot be substituted at a later date. The forgiveness policy cannot be used to remove grades given for reasons of academic discipline. Forgiveness of a course grade will not change notations concerning academic standing or honors in the student's official record for the semester containing the forgiven course.

Although both courses will remain on the student's permanent record, the last grade received will be the one used to determine credit towards a degree and GPA. The first attempt will be recorded with both the grade earned and the symbol R to denote that it has been repeated. The recalculated GPA will be used for determining graduation honors.

The forgiveness policy does not apply to students enrolled in the professional program in the School of Pharmacy for grades received in required professional courses as designated in the curricula for the B.S. in Pharmaceutical Sciences and Doctor of Pharmacy degree.

## **Access to Students' Educational Records ACA.AR.700.001**

The Family Education Rights and Privacy Act of 1974 (FERPA or the Buckley Amendment) is a federal law that governs access to the students' education records. This law grants students guaranteed access to their educational records; such access includes the right to inspect and review educational records, the right to obtain copies of the records (a copying fee may be charged), and the right to challenge or supplement information on file in order to prevent flawed interpretation. Certain records (i.e., medical records) are not deemed to be educational records and are therefore not accessible to students. Additionally, the Buckley Amendment prohibits the disclosure of "personally identifiable information" to third parties without the prior written consent of the student. Exceptions may be made only for university officials and others with legitimate educational interests. The university may disclose "directory information" unless the student notifies the university to the contrary. Directory information is defined as a student's name, address, telephone number, email address, date and place of birth, major field of study, student activities, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most previous educational agency or institution attended by the student. If you have questions about the law or want more information, please contact the Office of the Registrar at 662-915-7226.

## **Policy on the Dismissal or Change in Status of Graduate Students ACA.GS.100.003**

This policy describes the conditions and procedures, including appeals procedures, for the dismissal or change in admission status of a degree-seeking graduate student. A sanction of dismissal or expulsion, among other possible sanctions, may also result from academic discipline, non-academic discipline, or research misconduct proceedings. The policy below applies to students who are not meeting academic expectations and/or professional expectations within the degree program.

## **Good Standing, Probation, And Dismissal Or Change In Status Based Upon Failure To Meet Academic Performance Expectations On Degree Course Work:**

A graduate student must have a 3.0 gpa on all course work that is presented toward completion of a degree. A student is in good standing with respect to registration for an upcoming semester if he or she makes a 3.0 gpa on course work for the preceding Fall or Spring regular semester. A student whose grade point average is less than 3.0 for any regular semester will be placed on probation, and a dean's registration hold will be applied to the student's record. Such a student will not be allowed to register unless the academic department/program makes an affirmative recommendation to the Graduate Dean, who will then temporarily lift the hold. Without a written, favorable recommendation from the chair or graduate program coordinator of a department/program, a student on probation will be converted to an inactive status and must re-apply and be re-admitted to the graduate program in order to continue in the same or other program.

In addition, a student may be dismissed from a graduate program or have his or her admission status changed (e.g., from full-standing to conditional or non-degree seeking) if the student fails to meet specific course requirements of the department/program. These course requirements may have been specified for an individual student or may involve required grades in "core" courses. Ordinarily, these course expectations should be made known to the student before enrollment. In some circumstances, however, an appropriate faculty group, which may be the student's advisory committee or the graduate education committee of a department/program, may require additional course work based upon the student's performance in the program or failure to timely progress towards a degree.

If in the judgment of the appropriate faculty group a student fails to satisfy specific course or program requirements in a timely manner, the faculty group may recommend dismissal from a graduate program or change of status. This recommendation shall be forwarded by the graduate program coordinator or department chair to the Graduate Dean and to the affected student with an indication whether the chair or program coordinator concurs with the faculty recommendation. The Graduate Dean will act on the faculty recommendation and inform the student and the graduate program coordinator or department chair of the action taken. The decision of the Graduate Dean with respect to the faculty recommendation is not subject to

to appeal. Ordinarily, dismissal or change of status for failure to meet specific course requirements would take effect between semesters or enrollment periods. If a student is dismissed from a graduate program, he or she will be considered a non-degree II student and may re-apply to a graduate program.

## **Dismissal Or Change In Status Based Upon Failure To Meet Non-Course Work Academic Performance Expectations:**

In addition to graded courses, a graduate student is expected to pass examinations and perform research or other creative activities. A student may be dismissed from a graduate program if he or she fails to meet such expectations of the program. Departments/programs may establish non-course related academic performance expectations, such as whether or not a comprehensive examination may be repeated or timelines for research accomplishment or the successful completion of examinations. The advisor, graduate program coordinator, or department chair must provide reasonable warning to the student, in writing, about aca-

ademic performance deficiencies. Typically, these warnings would occur as part of a periodic review process for students in the program. An appropriate faculty group, which may be the student's advisory committee or the graduate education committee of a department/program, may recommend dismissal or change in the admission status of a student. This recommendation shall be forwarded by the graduate program coordinator or department chair to the Graduate Dean and to the affected student with an indication whether the chair or program coordinator concurs with the faculty recommendation. The Graduate Dean will act on the faculty recommendation and inform the student and the graduate program coordinator or department chair of the action taken. Ordinarily, dismissal or change of status for failure to meet non-course work academic performance expectations would take effect between semesters or enrollment periods. If a student is dismissed from a graduate program, he or she will be considered a non-degree II student and may re-apply to a graduate program.

The Graduate School has also established time limitations for master's, specialist, and doctoral degree programs. Students who do not complete degree requirements within the established time limits will be changed to non-degree seeking II status.

### **Dismissal Or Change In Status Based Upon Failure To Meet Professional, Ethical, And Behavioral Expectations:**

Graduate students are also expected to behave in a collegial manner and to adhere to the professional and ethical standards of the discipline. Students are expected to develop collaborative and collegial relationships with and to work with graduate faculty, students, and other professionals in research, academic, or professional settings. If in the judgment of the appropriate faculty group a student fails to meet the above expectations, or otherwise fails to act in ways that are consistent with the norms and standards of the profession or discipline, an appropriate faculty group may recommend dismissal or change in the admission status of that graduate student. This recommendation shall be forwarded by the graduate program coordinator or department chair to the Graduate Dean and to the affected student, with an indication whether the chair or program coordinator concurs with the faculty recommendation. The Graduate Dean will act on the faculty recommendation and inform the student and the graduate program coordinator or department chair of the action taken. Ordinarily, if a student is dismissed from a graduate program for the above reasons, he or she will be considered a non-degree II student and may re-apply to a graduate program. The judgment of the Graduate Dean may be to prohibit the individual from re-applying to some programs.

**Related Procedures:** This policy complements the University's policies on Student Academic Conduct and Discipline (ACA.AR.600.001), Grade Appeals (ACA.AR.600.002), the Appeal of a Comprehensive Examination (ACA.GS.400.003), and the Student Judicial (Non-Academic Discipline) process (DSL.SJ.100.001).

**Appeals Procedure:** The appeals procedure outlined below applies to dismissal and change in admission status cases involving failure to meet non-course work academic performance expectations and failure to meet professional and ethical expectations. The procedure does not apply to grade-based holds and dismissals, changes in status due to violation of time limitations, grade appeals for individual courses, academic misconduct or charges that are brought through the student judicial process. In the case of comprehensive examinations, the appeals process for the examination outcome initially follows a separate process. (See Appeal of a Comprehensive Examination (ACA.GS.400.003).) If the outcome of the examination appeal results in a dismissal or change in admission status, then the student may appeal as set forth herein.

An appeal must be based on evidence that the recommendation of the appropriate faculty group and/or the decision of the Graduate Dean were based on prejudice, discrimination, arbitrary or capricious action, or other reasons not related to academic or professional performance. There is a presumption that the faculty group and the Graduate Dean have acted with professional competence, and, in the absence of convincing evidence to the contrary, have evaluated the student fairly.

The steps for the appeal are as follows:

**Step 1. Appeal to a Graduate Student Appeals Committee:** Either the student, the graduate program coordinator, department chair, or graduate faculty member from the program may appeal the decision of the Graduate Dean within 15 days of receiving notice of the Graduate Dean's decision by submitting a written request to the Provost/Vice Chancellor for Academic Affairs. The Graduate Dean and, as applicable, the student or the graduate program coordinator or department chair must be provided a copy of the appeal request. The written request for an appeal must state the factual basis for the appeal of the Dean's decision. This appeal request is the primary document setting forth the contention by either the student or faculty that the decision by the Dean of the Graduate School should be reversed. Upon receiving a request for an appeal at this level, the Provost/Vice Chancellor for Academic Affairs will appoint an ad hoc Graduate Student Appeals Committee. This Committee will include: an at-large graduate faculty member who will chair the committee; three graduate faculty members, two of whom must be from the department involved; and three graduate students nominated by the Graduate Student Council leadership. The chair of this committee will first appoint a three-person sub-committee to review all written documents associated with the case to determine if a formal hearing is warranted. If, in the opinion of the subcommittee, a formal hearing is not warranted, the Graduate Student Appeals Committee may make its recommendation based upon written evidence submitted by the student, the faculty, and the Graduate Dean.

If the subcommittee finds that the student's (or faculty member's) request merits a formal hearing before the entire committee, the chair of the committee shall notify all parties (student, department chair, graduate program coordinator, involved faculty, and Graduate Dean) in writing of the time and location of the hearing.

The purpose of the hearing is to elicit information on which the committee may base a recommendation to the Provost/Vice Chancellor for action. It is not to be construed as a trial in a court of law. The rules of evidence shall not apply to the hearing, and the committee may base its recommendation on the sorts of information upon which institutions typically rely in making academic judgments. The hearing shall be closed. Both student and involved faculty may provide any written materials they desire, and the committee may request additional material if it deems such necessary. Both the student and faculty concerned shall be afforded the right to present witnesses or other evidence, question opposing witnesses, and make a concluding statement. No attorneys shall be permitted to represent participants. When the committee has reviewed all documents and heard such testimony as it considers necessary to reach a conclusion, it shall adopt by majority vote its recommendation to the Provost/Vice Chancellor for Academic Affairs. The chair of the committee shall send copies of the committee's recommendation to the Provost/Vice Chancellor for Academic Affairs, student, department chair or graduate program coordinator, involved faculty, and Dean of the Graduate School.

**Step 2. Final Decision by Provost/Vice Chancellor for Academic Affairs:** The Provost/Vice Chancellor for Academic Affairs shall make the final decision, utilizing any resources to assist

in deciding the appeal. The Provost/Vice Chancellor shall have the right to allow the dismissal or change in admissions status to stand or to change the decision of the Graduate Dean. He/she shall inform all parties involved, including the Appeals Committee members, of his/her final decision on the matter.

If a student appeals a dismissal decision, the student may petition the Dean for permission to enroll in a course pending appeal. The Graduate Dean may, in his/her sole discretion, determine if a student may enroll pending appeal. However, if the appeal is denied, then the student will be dropped from all courses that relate to the case, and relevant refund policies will apply.

**Inactive Students or Admission-Denied Applicants:** Individuals who were UM students at one time and have been converted to an inactive status and applicants who were denied admission have no guaranteed right to the above appeals procedure. Students who are inactive for one regular semester must submit an application for re-admission. Unless expelled from the University, an individual who has been formally dismissed from a graduate program may apply to another graduate program within the University.

*To be sent away from the University for cheating  
is a disgrace that will stigmatize a student in the  
eyes of his fellow students for life.*

—M-Book 1934-35

## Section II

### Non-Academic Policies, Standards, and Regulations

The University of Mississippi is an academic community comprised of multiple constituencies including students, faculty, and staff. Membership within the University community invokes certain privileges, rights, and responsibilities. This section, and the policies contained within it, focus on the opportunities, rights, and responsibilities of students at the University of Mississippi.

## Student Rights and Responsibilities

### Free Inquiry, Expression, and Assembly

#### DSA.DS.100.001

Students are encouraged to freely examine and exchange diverse ideas both inside and outside the classroom. In doing so, however, students and others must comply with other, generally applicable, University policies.

**Speaker's Corners:** To facilitate robust debate and the free exchange of ideas, the University has established high visibility areas on campus as "Speaker's Corners" that may be used by any person including non-students and other campus guests. This use may be without permission from the University so long as the area has not been previously reserved or scheduled for a particular function, no sound amplification is used, and the participants do not violate other University policies. Designated Speaker's Corners include:

- a) the edge of the Union Plaza adjacent to the Grove,
- b) the area surrounding the flagpole in the Lyceum Circle, and
- c) the plaza in front of Fulton Chapel.

Although it is not necessary for a person using one of the designated Speaker's Corners to obtain prior permission from the University, the University encourages such persons to contact the Office of the Dean of Students for scheduling purposes to minimize possible conflicts.

Nothing in this section shall be interpreted as limiting the right of student expression elsewhere on the campus so long as the expressive activities or related student conduct do not violate any other applicable University policies.

**Organized Student Demonstrations:** If a student or student organization intends to initiate, sponsor, or host a demonstration or event that may draw a large crowd, require security, impede pedestrian or vehicular traffic, include a parade, march, or other similar activity, or pose a substantial risk of disrupting the functioning of the University or of violating any other University policy; the University requires the student or student organization to contact the Office of the Dean of Students in advance of the activity and complete a written Event Registration form, and if appropriate, a Grounds Use Request form. A representative of that Office will work with the requesting student or student organization to either meet the request or find a suitable time and location that balances the rights of the requesting student or student organization with the rights of others and the University's educational mission. The purpose of this policy is not to designate University streets and common areas as a public forum or to accommodate demonstrations or protests by those who are not part of the University community (non-students and other campus guests). Rather, the purpose of this policy is to promote and facilitate student expression while allowing the University

to make any necessary arrangements (such as arranging parade route, providing security) to assure such activities do not interfere with the University's mission and operations or with the rights of others. Should an outside group wish to conduct an organized demonstration or to demonstrate in areas other than one of the Speaker's Corners, the group should seek the sponsorship of a recognized student organization.

**Handbills, Posters, Flyers, Banners, and Signs:** Building mayors or other University officials may designate areas in classrooms and or in or around University buildings for students or student organizations who wish to post handbills, posters, flyers, banners, signs, and other similar items on campus. However, The University of Mississippi prohibits the posting or display of these items by students or student organizations outside of these designated areas, including on the exterior of any University building, telephone/utility pole, tree, sidewalk, window, trash can, or any other exterior surface located on the campus, including vehicles. Requests to post fliers within on-campus housing must be submitted to the Department of Student Housing.

**Use of Chalk on Sidewalks:** The University of Mississippi limits the use of sidewalk chalk, sidewalk art, or other sidewalk chalk displays to University messages in support of University sponsored events or activities. Sidewalk chalk should not be used on University structures and buildings, including but not limited to steps, verandas, porches, columns, and monuments.

## **Right of Privacy – Personal Information**

### **DSA.DS.100.002**

The Family Educational Rights and Privacy Act of 1974 (FERPA or the Buckley Amendment) is a federal law that governs access to students' educational records, which are records that contain information directly related to a student that are maintained as official working files by the University. Under FERPA, students have the right to gain access to their educational records, and such access includes the right to inspect and review the records, the right to obtain copies of the records (a copying fee may be charged), and the right to challenge or supplement information on file. Public or "directory" information about a student that may be released to anyone upon request includes the student's name, address, email address, telephone listing, academic major, dates of attendance, awards received, participation in officially recognized activities and sports, and weight and height of a member of an athletic team. Students may request that the University not release directory information by completing a FERPA block form in the University's Registrar Office.

Pursuant to FERPA, once a student reaches 18 or attends a postsecondary institution, parents no longer have access to their children's educational records, unless the student is claimed as a dependent as defined by Section 152 of the Internal Revenue Code of 1986 or the student provides the University with written consent to allow such disclosure. The only exception to this rule is in the case of violations of the University's alcohol and drug policies by students under age 21. In such cases, information regarding the violation may be released to parents, regardless of whether the student is considered a dependent or independent student.

In general, the University will not release information contained in a student's educational records to a third party without written consent of the student. Prior written consent from the student is not required, however, under the following circumstances:

- If it is directory information and the student has not requested that such information be withheld;

- To the parents of a student classified as dependent under the Internal Revenue Code;
- To the parents of a student who violated the University's alcohol or drug policies, if the student is under age 21;
- To University officials who have a legitimate educational interest;
- To officials at another institution in which the student seeks to enroll;
- In connection with a health or safety emergency if necessary to protect the student or others;
- To financial aid lenders checking enrollment status for loan purposes;
- To authorized representatives of the following:
  - Secretary of the United States Department of Education;
  - Office of the United States Comptroller General; and
  - State and Local Education authorities as part of an audit or program review.
- In response to a court order and/or subpoena after reasonable effort to notify eligible student (unless ordered not to contact the student by the Court); or
- To an alleged victim of any crime of violence or non-forcible sex offense, the final results of the University conduct proceeding regarding such an alleged offense.

## **Student Complaints**

### **DSA.DS.100.003**

Students at the University have the right to complain, whether verbally or in writing, regarding any area of academic or student life without fear of coercion, harassment, intimidation, or reprisal from the University or its employees. Students also have the right to expect a timely response to any complaint. Defamatory or baseless charges may cause a student to be held responsible for violations of University policies or for action through the courts.

Student concerns should be resolved at the lowest possible University unit that has the authority to act as quickly as practicable. Because no single process can serve the wide range of possible complaints, the University provides specific processes for responding to certain kinds of student complaints. Where University policy provides a specific complaint or grievance procedure, an aggrieved student should use that procedure.

Examples of established procedures for specific types of student complaints:

- University Conduct Process
- Traffic Appeals
- Grade Appeals
- Academic Discipline
- Financial Aid
- Mississippi Residency
- Sexual Harassment
- Discrimination
- Housing

- Scholarships
- Academic Standing.

## General Complaint Procedures for Students

Students may use the following procedures to formally question the application of any University regulation, rule, policy, requirement or procedure, **not otherwise covered by a more specific policy or procedure.**

**Step One:** The student should meet with the University decision-maker concerned to discuss the complaint and to attempt to arrive at a solution. This meeting should occur no later than 30 calendar days after the action which resulted in the complaint.

**Step Two:** If the student's complaint is not resolved at Step One, that student must, within 14 calendar days of the Step One meeting, submit a written complaint to the next level in the University's administrative structure (department chair, director or his/her designee in the administrative unit within which the complaint originated). The complaint must be signed and dated by the student. The name and title of the person to whom the request should be addressed can be obtained from the employee in Step One.

If the student's issue cannot be resolved by the Step Two administrator by telephone call or email correspondence, he or she shall make a reasonable effort to arrange for a meeting with the student and the employee within 14 calendar days from the date that the request is received. If this timeframe cannot be met, the Step Two administrator will notify all parties in writing and determine a mutually agreeable time. The meeting should be informal, with a candid discussion of the problem in an attempt to find a solution. The Step Two administrator may give an oral decision at the close of the meeting, or he or she may choose to take the matter under advisement. Typically, the Step Two administrator will render a final decision within 14 calendar days, informing all parties of the decision in writing.

**Step Three:** If the student wishes to appeal the Step Two decision, he or she may appeal to the dean or vice chancellor at the next level in the administrative structure of the University within 14 calendar days from the date of the Step Two written decision. The student may obtain from the employee in Step One or Step Two the name and title of the person to whom the request should be addressed.

The appeal must be in writing, signed and dated. Upon receiving this written appeal, the Step Three administrator will review all information concerning the complaint and appeal and render a written decision within 14 days from the date of receipt of the appeal. The Step Three administrator's decision is final.

In all cases, if the final decision requires any change to an official record of the University, the University employee must comply with all University regulations and procedures necessary to accomplish the change.

## Fourth Amendment Rights DSA.DS.100.004

Students at the University of Mississippi have the right to be secure from unreasonable or unauthorized search and seizure.

Students living in property on the University's campus maintain their Fourth Amendment rights guaranteed by the United States Constitution to be free from unreasonable search and

seizure of their property by law enforcement officials. However, officials of the University may enter a student's campus residence if such inspection is deemed to be in the best interest of the University, including for the purposes of maintenance, health and safety, or if there is a belief that University policy is being violated. Except in cases involving the service of a legal search warrant or situations relating to fire hazards, mechanical malfunctions, energy consumption, general maintenance of physical facilities, property control, and personal safety of the residents, no student's campus residence may be entered when no occupants are present.

## **Participation in Student Organizations** **DSA.DS.100.005**

Students at The University of Mississippi have the right to participate in student organizations and conduct social affairs.

The activities of student organizations operate under policies established by the Office of the Dean of Students and the Committee on Student Organizations. Responsibility for the conduct of such activities rests with the sponsoring organization. All organizations, fraternal or otherwise, are required to adhere to policies and standards of conduct prescribed herein by the University.

## **Missing Student Notification** **DSA.DS.600.001**

### **Definitions**

- A. Student:** For purposes of this policy, a student is any person currently enrolled on the Oxford campus.
- B. Residential Student:** a student who resides in on-campus housing under a housing contract/lease and is currently enrolled at the University.
- C. Greek Residential Student:** a student who resides in an on-campus Greek house.
- D. Missing:** A student may be considered missing if she or he is overdue in reaching home, campus or another specific location past the expected arrival, additional factors lead University staff to believe she or he is missing, and a check of the student's residence supports that determination.

### **Notification to Students**

Students will be given an opportunity during the fall term matriculation process to designate an individual to be contacted by the University if the student is determined to be missing. Returning and transfer students will be given an opportunity to provide this information during the fall term. The designation will remain in effect until changed or revoked by the student.

The form provided for designation will state the circumstances in which the designated individual will be contacted and will include a statement that the University is required by law to also notify the student's custodial parent or guardian if the student is under 18, and not an emancipated individual, at the time he or she is discovered to be missing. If a student is 18 years of age or older and has not designated an individual to be contacted in the event the student is missing, the University will contact the individual that the student listed as an

“emergency contact” at the time of enrollment. When a student is missing and the student failed to designate an individual to be contacted under those circumstances, university officials, in their sole discretion, may contact any person who they believe may have information about the student’s whereabouts.

## **Procedures for Reporting and for Investigating Missing Students**

**A. Confirmed as a Student:** Any University employee or student who receives information that a student is missing, and believes she or he is a student, must immediately report the information or evidence to the University of Mississippi Police Department (UPD).

**B. If the Person is a Student:** UPD will conduct a preliminary investigation to verify the situation and to determine the circumstances that exist relating to the reported missing student. If UPD determines that the student should be considered missing, an officer will contact the Office of the Dean of Students, the appropriate outside law enforcement agencies, and, if necessary, the Department of Student Housing to provide the relevant information. The Office of the Dean of Students will relay pertinent information to the Office of the Vice Chancellor for Student Affairs.

All pertinent law enforcement agencies, including, if known, those operating in the student’s normal routes of travel or hometown, will be notified and requested to render assistance; all law enforcement agencies involved will receive routine investigation status reports during the course of the investigation. If UPD determines that the student should be considered missing, the person making the initial report will be encouraged to make an official missing person report to local police.

**C. If the student is a “residential student” or a “Greek residential student,”** the Department of Student Housing or the Office of the Dean of Students (Greek residential student) will conduct a preliminary investigation to verify the situation and to determine the circumstances which exist relating to the reported missing student.

1. A staff member will attempt to contact the student via her or his telephone by using the number(s) provided.
2. If the student cannot be reached by telephone, a staff member will attempt to visit the on-campus room of the student in question to verify the student’s whereabouts and/or wellness, and, in some cases, deliver a message to contact a parent or family member who is searching for the student.
3. If the student is not at the room, but the room is occupied, an attempt will be made to gain information on the student’s whereabouts and/or wellness from the occupants.
4. If there is no response to a knock on the door of the residence hall room or there are occupants who do not know of the student’s whereabouts, a staff member will enter into the room in question, by key if necessary, to perform a health and safety inspection. The staff member will take note of the condition of the room and look for visible personal property (wallet, keys, cell phone, clothing, etc.) which might provide clues as to whether the student has taken an extended trip or leave from the residence hall.
5. If the student is not found in the residence hall room or Greek house, an attempt will be made to gain information on the student’s whereabouts from roommates, other members of the residential community, or other friends.

6. Staff members, at any step in the process, will report immediately any suspicious findings to UPD.
7. If these steps provide an opportunity to speak with the missing student, verification of the student's state of health and intention of returning to campus should be made. A referral, if needed, may be made to the University Counseling Center or other medical agency. Once the student is found, UPD will be contacted to apprise them of the student's state of health and well-being.

If all of these steps do not provide an opportunity to speak with the missing student or to learn her or his whereabouts, UPD will contact, within 24 hours of the student being reported missing, the designated contact person as outlined above.

## Conduct Rules and Regulations

### Smoke-Free Campus Environment

#### CHA.AM.100.108

Smoking is prohibited at all times, and at all locations of The University of Mississippi Oxford campus, including University-owned facilities, properties, and grounds. This includes but is not limited to the following:

The interior of all University-owned buildings;

- All outside property or grounds of the Oxford campus, including sidewalks, parking lots, recreational areas and partially enclosed areas such as walkways, breezeways, patios, porches, gazebos, tents and bus shelters;
- Within any University of Mississippi-owned vehicles, including buses, vans, shuttles, golf carts and all other University vehicles; and
- All indoor and outdoor athletics venues and facilities.

This policy applies to all faculty, staff, students, visitors, and contractors.

For purposes of this policy, "smoking" means inhaling, exhaling, burning, carrying or possessing any lighted tobacco product, including cigarettes, cigars, pipe tobacco, and any other lit tobacco products, including electronic cigarettes that emit smoke.

The University also prohibits littering the campus with remains of any tobacco products. Additionally, the University-controlled advertising, sale, or free sampling of tobacco products is prohibited on campus, regardless of the vendor.

Organizers and attendees at public events, such as conferences, meetings, public lectures, social events, cultural events, and athletic events using University-owned facilities, grounds, and properties are required to abide by University of Mississippi policy. Therefore, organizers of such events are responsible for communicating to attendees the policies of the University and for enforcing this policy.

**Communication:** Persons will be informed of this policy through:

- Signs posted in appropriate areas throughout the University
- Various University web sites including Human Resources, Alumni Affairs, Athletics, Health Center, Counseling Center, and others
- UM Smoke-Free Campus web site ([www.olemiss.edu/smokefree](http://www.olemiss.edu/smokefree))

- E-mail communication to all employees and students
- *The M Book*
- Other University publications and communications

**Respect and Responsibility:** The success of this policy depends on the thoughtfulness, consideration, and cooperation of smokers and non-smokers. All members of the University community share in the responsibility for adhering to and enforcing this policy. Any complaints should be brought to the attention of the appropriate University authorities and anyone who complains shall be protected against retaliation.

**Enforcement:** The responsibility for the enforcement and communication of this policy rests with all members of the University community and the University Police Department. Visitors, contractors, and other individuals on campus who are in violation of the policy should be reminded of the policy and asked to comply with our smoke-free campus policy.

All faculty, staff, and students who are in violation of this policy should be reminded of the policy and asked to comply. Refusal to comply with this policy could result in citations and fines. For complete information about policy enforcement, go to [www.olemiss.edu/smoke-free](http://www.olemiss.edu/smoke-free).

**Smoking Cessation Programs:** The Health Center and Counseling Center offer a range of smoking cessation and support programs for any member of the University community who desires to quit smoking. The University's employee health insurance plan covers the full cost for three months of cessation medications. To learn more about smoking cessation programs available to students and employees, please go to [www.olemiss.edu/smokefree](http://www.olemiss.edu/smokefree).

## Alcohol CHA.AM.100.101

As is true on most college and university campuses, many of the offenses committed against people and property at Ole Miss are a direct result of alcohol misuse/abuse. Such behavior interferes with the University's educational mission and shows a lack of respect for one's self, for others within the University community, and for the community at large. Thus, the University of Mississippi prohibits the **abusive** or **unlawful** sale, manufacture, possession, distribution, or consumption of alcohol.

Students, recognized student organizations, or others found in violation of this policy will be subject to campus disciplinary action, as well as potential civil liability and/or criminal prosecution (See "Two Strike" policy, DSA.SC.300.025, describing minimum campus sanctions for alcohol and other drug violations).

Visitors to the University campus who violate this policy may be subject to civil liability and/or criminal prosecution as well as other consequences in the discretion of the University. Such consequences may include, but are not limited to, limiting one's access to campus or campus events and losing season ticket privileges.

The following acts by individuals are prohibited by this policy:

1. It is unlawful, and therefore violates this policy, for any person under the age of twenty-one to possess or consume alcohol.
2. The University of Mississippi prohibits unlawful driving under the influence of alcohol.

3. The University of Mississippi prohibits inappropriate behavior that is a direct result of alcohol consumption. Any student or other person publicly intoxicated will be found in violation of this policy.
4. The distribution of alcohol without a permit is unlawful and thus a violation of University policy. Any possession of alcohol in plain view or unattended and unsecured alcohol shall be considered distribution in violation of this policy. Alcohol left unattended and unsecured or in plain view may be confiscated. The University prohibits the possession of items that provide for common distribution of alcohol on or in University property and buildings located on the University's campus. Examples include, but are not limited to, kegs, pony kegs, party balls, and other forms of common supply. Such items may be confiscated by the University.
5. Beer and light wines, as defined by Mississippi Code Annotated §67-3-3 (those alcoholic beverages commonly available for sale at grocery and convenience stores), are illegal in the portion of Lafayette County that lies outside the City of Oxford. Because most of the University's campus lies outside the City, distribution, possession, and consumption of beer and light wines are illegal on most of the University's campus.
6. Drinking games and rapid consumption techniques and devices (e.g., funnels, shots, etc.) by their nature promote abusive consumption of alcohol and thus violate this policy.
7. The University prohibits the possession and consumption of alcohol within administrative and academic buildings, except and unless when served under a lawfully issued permit.
8. It is unlawful, and thus violates this policy, to sell or consume alcoholic beverages 5% or greater alcohol by weight (alcohol that can only be purchased at package stores permitted by the state) within University athletics venues during intercollegiate athletics events.

For recognized student organizations, the following are violations of this policy:

1. Recognized student organizations may not serve or provide a common supply of alcohol by purchasing alcohol with organizational funds or facilitating the purchase of alcohol in any other manner (i.e. bar tabs, use of personal checking accounts, pooling of funds, giving one or more members a break on organizational dues and expenses, etc.). The presence of items that provide for common distribution of alcohol may be considered evidence of common supply by an organization. Examples include, but are not limited to, kegs, pony kegs, party balls, and other forms of common supply.
2. Multiple incidents by individuals that are potential violations of this policy at an event hosted by or on the property of a recognized student organization will be presumed to be an alcohol violation by the organization unless the organization demonstrates that it complied in good faith with the requirements of the policy regarding Registration of Student Organization Activities (DSA.DS.400.004).

## **Drugs and Drug Paraphernalia**

### **CHA.AM.100.102**

Drug use, including the misuse of prescription drugs, unfortunately is a prevalent problem at college and university campuses, and The University of Mississippi has not been spared.

The University unequivocally prohibits the use and possession of drugs on its campus. The specifics of the drug policy are outlined below.

1. Possession, Use, and Sale of Drugs and Drug Paraphernalia
  - a. The University of Mississippi prohibits the use, possession, distribution, sale, manufacture, and delivery of illicit drugs including the misuse of prescription medications, by members of its community. Illegal drugs, including prescription drugs for which the person does not have a valid prescription, are subject to confiscation.
  - b. The University of Mississippi also prohibits the possession, sale, and distribution of drug paraphernalia (including, but not limited to, pipes, bongs, roach clips, rolling papers, etc.). These items are strictly prohibited and are subject to confiscation.

Violation of this policy will result in disciplinary action and students may also be subject to criminal prosecution and/or civil liability.

2. The University of Mississippi also prohibits behavior that is a direct result of drug consumption, use, or abuse. Any student found to be visibly overcome by the use of drugs will be found in violation of University policy.
3. Information regarding a student's violation of the University's drug policy may be released to that student's parent, if the student is under the age of 21.

## **Presentation of Identification**

### **DSA.SC.200.001**

In order to identify community members, the University issues each student an identification card at the time of enrollment. Students must be in possession of their University identification card at all times, and they may be asked to present their identification card to enter and/or participate in university-sponsored events.

Students at the University of Mississippi are required to present their university identification to authorized university personnel upon request. Examples of authorized university personnel include, but are not limited to, the following: University Police Officers, security officials, faculty, staff, and residence hall staff. Students who fail to present their university identification to any university official may be subject to conduct charges and proceedings.

Any misuse of student identification cards by holders, or the use or attempted use by another person, may result in cancellation of privileges provided and conduct charges and proceedings. The loss or theft of student identification cards should be reported immediately to the I.D. Center, and a substitute card will be issued (a fee may be charged for this service).

## **Fraud or False Identification**

### **DSA.SC.200.005**

Students at the University of Mississippi will demonstrate of integrity by refraining from altering, falsifying, or misusing student documents or university documents, records, or forms of identification. Students will also refrain from misusing any state-issued or federally-issued identification (i.e., driver's license), including possessing a fake or fictitious identification, or possessing identification belonging to someone other than themselves.

Additional examples of fraud include, but are not limited to, the following: providing false information to the University, forgery, unauthorized alteration of any official documentation, misuse of a University official's signature, inappropriate use of a student identification card, misuse of information technology user id's and/or passwords, fraudulent misrepresentation or concealment of one's organizational affiliation(s) or sponsorship(s). Unauthorized use of the name of the University or the names of members or organizations in the University community also is considered fraud. Students who act inconsistently with this value and policy will be subject to conduct charges and proceedings.

## **Disregard for University Authority** **DSA.SC.200.010**

University officials at the University of Mississippi are dedicated to nurturing excellence in intellectual inquiry. When University officials are acting within the scope of their employment, students at the University are expected to comply with reasonable requests and to refrain from interfering with such requests. Examples of behavior that are inconsistent with this value and policy are the following:

1. failing to comply with reasonable and lawful directions or requests of university officials, including, but not limited to, campus police officers, security officials, faculty, and residence hall staff;
2. failing to comply with a written notice to appear during any investigation, conduct proceeding, or appeal procedure ;
3. falsifying, distorting, or misrepresenting information before a hearing body or any university official prior to or during any investigation, conduct proceeding, or appeal procedure;
4. refusing to respond to questions posed during any investigation, conduct proceeding, or appeal procedure; in addition to disregard for university authority, such refusal during a hearing also may lead to an adverse inference by the hearing body concerning the subject matter of the question posed, and this adverse inference, if applicable, may be one factor considered by the hearing body in making its decision;
5. disrupting or interfering with any investigation, conduct proceeding, or appeal procedure;
6. attempting to discourage an individual's proper participation in, or use of, conduct, complaint, or grievance processes;
7. attempting to influence the impartiality of a member of a conduct board or hearing body, the charging party, a witness, or victim prior to, during the course of, or after the conduct or other similar University proceeding;
8. harassing (verbal or physical) and/or intimidating a member of a conduct board or hearing body, the charging party, a witness, or victim prior to, during the course of, or after the conduct or other similar University proceeding;
9. failing to comply with or violating the terms of conduct sanction(s);
10. influencing or attempting to influence another person to abuse conduct, complaint, or grievance processes;

11. intentionally or recklessly submitting false accusations or charges through any university conduct, complaint, or grievance process; and
12. attempting to bribe or influence another person with an offer of money, gifts, or services to perform an act or provide a service contrary to university policy.

Students who act inconsistently with this value and policy will be subject to conduct charges and proceedings.

## **Disorderly Conduct** **DSA.SC.200.015**

As voluntary members of the University, students will not engage in behavior that disrupts the academic, research or service mission or activities of the University, or disrupts any activity or event of the University community. Some examples of behavior that are inconsistent with this responsibility include, but are not limited to, the following: conduct which causes a breach of the peace; lewd, obscene or indecent conduct; conduct which interferes with or disrupts activities or functions sponsored or participated in by the University or by members of the University community; interfering with or obstructing pedestrian or vehicular traffic; obstructing or interfering with ingress or egress of campus buildings or facilities; conduct which interferes with the rights of others; unauthorized use of electronic or other devices to take a phone or make an audio or video record of any person without his or her expressed or implied consent when such recording will demonstrate a lack of the respect for the dignity of another by being likely to cause injury or distress. Students who act inconsistently with this value and policy will be subject to conduct charges and proceedings.

## **Assault and Battery** **DSA.SC.200.020**

Students will demonstrate respect for the dignity of each person by refraining from conduct that physically harms, or attempts to harm, another. Examples of behavior that are inconsistent with this policy include, but are not limited to, the following: purposely, knowingly, or recklessly causing, or attempting to cause, bodily harm to another; purposely, knowingly, or recklessly placing another in fear of serious bodily harm; and intentional, reckless, or negligent conduct that threatens, or endangers, the health or safety of others. Students who act inconsistently with this policy will be subject to conduct charges and proceedings.

In addition to the University conduct process, the University of Mississippi provides a mechanism to address grievances that may arise over sexual harassment (including sexual assault and relationship violence) or alleged discrimination on the basis of race, sex, religion, veteran's status, age, national origin, or handicap as prohibited by Title VI and VII of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, and Sections 503 and 504 of the Rehabilitation Act of 1973. Incidents of harassment should be reported to the Office of Conflict Resolution and Student Conduct and/or the Office of Equal Employment and Regulatory Compliance.

## **Harassment** **DSA.SC.200.0025**

In the spirit of academic freedom and respect for the dignity of each person, students will honor the right of others to have an environment free of conduct that unreasonably

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interferes, hinders, or otherwise denies another a suitable working, living, or learning environment. Members of the University community should refrain from harassing others or creating an environment that denies others a suitable working, living, or educational environment.

For conduct to violate this policy, the conduct must be more than merely offensive; it must be so objectively offensive, pervasive, and/or severe that if repeated it would effectively deny the victim access to the University's resources and opportunities, unreasonably interfere with the victim's work or living environment, or deprive the victim of some other protected right. Examples of conduct prohibited by this policy include, but are not limited to, the following: intentionally inflicting severe emotional distress or harm; fighting words (words that actually tend to provoke immediate violent reaction); obscene, lewd, or lascivious conduct; defaming another (a false statement that harms the reputation of another); and speech or conduct based upon race, color, gender, sex, sexual orientation, gender identity or expression, religion, national origin, age, disability, veteran status, or genetic information that is so objectively offensive to effectively deny the victim access to the resources and opportunities of the University. Students who act inconsistently with this value and policy will be subject to conduct charges and proceedings.

This policy shall not be construed to impair any constitutionally protected activity, including speech, protest, or assembly.

In addition to the University conduct process, the University of Mississippi provides a mechanism to address grievances that may arise over sexual harassment (including sexual assault and relationship violence) or alleged unlawful discrimination on the basis of race, color, gender, sex, sexual orientation, gender identity or expression, religion, national origin, age, disability, veteran status, or genetic information as prohibited by Title VI and VII of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, and Sections 503 and 504 of the Rehabilitation Act of 1973. Incidents of harassment should be reported to the Office of Conflict Resolution and Student Conduct. Complaints related to sexual harassment (including sexual assault or relationship violence) should be submitted to the Title IX Coordinator (see University Sexual Harassment Policy ACA.EO.100.010).

## **Stalking, Including Cyber-stalking**

### **DSA.SC.200.030**

In honor of academic freedom, civility, and the respect for the dignity of each person, students will refrain from a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety, the safety of others, or suffer substantial emotional distress. This policy will not be construed to impair any constitutionally protected activity, including speech, protest, or assembly. When such conduct includes expression or speech, the conduct must be more than merely offensive; it must be so objectively offensive, pervasive, and/or severe that if repeated it would effectively deny the victim access to the University's resources and opportunities, unreasonably interfere with the victim's work or living environment, or deprive the victim of some other protected right. Students who act inconsistently with values identified in this policy will be subject to conduct charges and proceedings.

In addition to the University's conduct process, the University provides a mechanism to address grievances that may arise over sexual harassment (including sexual assault and relationship violence) or alleged discrimination on the basis of race, sex, religion, veteran's status,

age, national origin, or handicap as prohibited by Title VI and VII of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, and Sections 503 and 504 of the Rehabilitation Act of 1973. Incidents of harassment should be reported to the Office of the Dean of Students and/or the Office of Equal Employment and Regulatory Compliance.

## **Hazing** **DSA.SC.200.035**

Students and student organizations at the University of Mississippi will exercise integrity and respect for the dignity of each person by refraining from the act of hazing in any form. According to [hazingprevention.org](http://hazingprevention.org), hazing is any action taken or situation created, regardless of the person's willingness to participate, that causes embarrassment, harassment, ridicule, or risks emotional and/or physical harm to members of a group or team

Examples include, but are not limited to, the following:

- Requiring new members/rookies to perform duties not assigned to other members
- Socially isolating new members/rookies
- Line-ups and drills/tests on meaningless information
- Expecting certain items to always be in one's possession
- Asking new members to wear embarrassing or humiliating attire
- Expecting new members/rookies to perform personal service to other members such as carrying books, errands, cooking, cleaning etc.
- Sleep deprivation
- Forced or coerced alcohol or other drug consumption
- Forced or coerced ingestion of vile substances or concoctions
- Expecting illegal activity

Students who act inconsistently with this value and policy will be subject to conduct charges and proceedings. In addition to sanctions from the University conduct system, students and organizations who participate in or condone hazing may subject themselves to criminal prosecution and/or civil liability under.

## **Respect for Property** **DSA.SC.200.040**

As good stewards of resources, students at the University of Mississippi will abstain from the willfully abusing or damaging the property of others or the University. Examples of behavior that are inconsistent with this value include, but are not limited to, littering, vandalism, or defacing University property or the property of students, faculty, staff, and guests. It is expected that all members of the University community will treat the property of the University and of others with respect. Students will be held responsible for any destruction or damage to University or personal property and may face discipline through the University conduct system, as well as criminal and/or civil liability.

## **Theft**

### **DSA.SC.200.045**

As good stewards of resources, students at the University of Mississippi will honor the property rights of others. Examples of behavior that are inconsistent with this value include, but are not limited to, theft, attempted theft, identity theft, unauthorized possession of property of another, and possession, retention, or disposal of stolen property. Students who act inconsistently with this value and policy may be subject to conduct charges and proceedings, as well as criminal and/or civil liability.

## **Arson, Explosive Devices, and Emergency Equipment**

### **DSA.SC.200.050**

The unauthorized setting of fires, use of explosive devices, and misuse of emergency equipment are prohibited at The University of Mississippi. Below is a nonexclusive list of prohibited actions under this policy.

1. The University prohibits the attempt to set, the setting of, or the adding to unauthorized fires on University property.
2. Any student found willfully to have tampered with, damaged, or misused any fire protection equipment, initiated a false alarm, negligently discharged a fire extinguisher, or set fire in a residence hall or any other facility on the University campus may be expelled from the University and held responsible for the cost of all damages. In addition to disciplinary action through the University conduct system, students and/or their nonstudent guests who engage in such activity may be subject to criminal prosecution and civil liability.
3. Occupants of all University facilities have a responsibility to follow the directions and directives of the chief of the Oxford Fire Department, or a designated representative, and University personnel during fire emergencies as well as unannounced fire drills and practice evacuations. The failure or refusal to cooperate will constitute a breach of regulations and is subject to disciplinary action.
4. The University prohibits the possession, use, or threatened use of explosive devices, materials, or chemicals, including, but not limited to, firecrackers, cherry bombs, bottle rockets, and dynamite.
5. Any student found willfully to have tampered with, damaged, or misused any campus emergency protection equipment or initiated a false alarm may be expelled from the University and held responsible for the cost of all damages. In addition to disciplinary action through the University conduct system, students and/or their nonstudent guests who engage in such activity may be subject to criminal prosecution and civil liability.

## **Possession of Weapons**

### **DSA.SC.200.055**

The University of Mississippi recognizes the possession of weapons on campus or at University or student functions off-campus, by persons other than duly authorized law enforcement officials, other authorized persons, and those participating in University approved programs, creates an unreasonable and unwarranted risk of injury or death to its employees, students,

visitors, and guests, and further creates unreasonable and unwarranted risk of damage to property of the University and of its employees, students, visitors, and guests. Because of such dangers, the Board of Trustees of State Institutions of Higher Learning has prohibited the possession of weapons in any form by any person other than duly authorized law enforcement officials, institutional security officials, and other authorized persons regardless of whether such person possesses a valid permit to carry such weapons. (See IHL Board of Trustees Policies and Bylaws 1106—Firearms policy).

For purposes of this policy, a weapon is any dangerous instrument if it is used, attempted or threatened to be used, or is readily capable of being used to cause death or serious physical injury, including but not limited to the following: firearms (any weapon from which a shot, projectile, or other object may be discharged by force, whether operable or inoperable, loaded or unloaded), bombs, knives (except small, personal, pocket knives with a folding blade no longer than 3 inches, or culinary knives with blades of 4 inches or less used exclusively for food preparation), slingshots, etc. The possession of weapons in violation of this policy may subject one to criminal liability, removal from campus or campus events or facilities, employment discipline, and/or sanctions under the University conduct system.

## **Unauthorized Entry** **DSA.SC.200.060**

Students at the University of Mississippi will exercise personal and professional integrity by refraining from unauthorized entry to or use of a University facility and/or property. Examples of behavior that are inconsistent with this policy are the following:

1. 1. Unauthorized entry into or presence in University buildings or facilities or areas of buildings that are locked or closed to the student body and the public;
2. 2. Failure or refusal to leave University grounds, or a specific portion thereof, or a University facility when requested by an authorized University official; or
3. 1. Improper or unauthorized entry into a campus residence or University office.

Students who act inconsistently with this value and policy will be subject to conduct charges and proceedings.

## **Responsibility for Guests** **DSA.SC.200.065**

Students at The University of Mississippi have the responsibility to ensure that their guests on campus will behave in a manner consistent with community values and university policies. If guests violate university policies, students may be held responsible for the actions of their guests.

## **Noise Level Violations** **DSA.SC.200.070**

The University of Mississippi restricts noise or sound, whether amplified or not, that causes a disturbance to reasonable persons in the area, disrupts the academic, research or service activities or mission of the University, or disrupts any activity or event of the University community. There may be places and times at the University where this policy is more restrictive, i.e., within the residence halls during quiet hours. Whether a warning is given for such a

violation is at the discretion of the University official addressing the situation.

## **Amplified Sound on Campus**

To maintain a community of learning free of disruptions and disturbances, all events, gatherings, or activities wishing to have amplified sound, both indoors and outdoors, must seek approval in advance from the Ole Miss Union, Office of the Dean of Students, and/or authorized University administrative offices. With approval, amplified sound is permitted on Fridays from 5:00 p.m. until 11:59 p.m., on Saturdays from 12:00 p.m. until 11:59 p.m., and on Sundays from 2:00 p.m. until 9:00 p.m. Students and organizations who do not honor these guidelines may be subject to conduct charges and proceedings.

# **Sexual Misconduct**

## **DSA.SC.200.075**

### **INTRODUCTION**

The University of Mississippi strives to create a respectful, safe, and non-threatening environment for its students. This policy describes prohibited conduct and establishes procedures for responding to sexual misconduct incidents, where the respondent (the accused) is a student. The investigation and resolution of complaints involving a respondent accused of sexual misconduct are governed by this policy, while complaints of sexual misconduct by University employees are governed by Policy Number ACA.EO.100.010.

These incidents include sexual assault, sexual harassment and other unwelcome behaviors as explained below. Title IX of the Education Amendments of 1972 prohibits discrimination based on sex in education programs and activities; the University's Title IX Coordinator oversees policies and procedures that apply to complaints alleging sex discrimination (including sexual harassment, sexual assault, and sexual violence) by employees, students or third parties.

The Title IX Coordinator investigates sexual misconduct by students. Responsibilities performed in this policy by "the Title IX Coordinator" may be performed by the Title IX Coordinator, or by another University employee trained by, and acting under the supervision of, the Title IX Coordinator.

Community members who believe that they have experienced potential sexual misconduct from a student may submit a complaint against the respondent in writing or in person to the Title IX Coordinator, 270 D Martindale Hall (915-7045). Any University faculty or staff member, except those who work or volunteer in the on campus Violence Prevention Office and those with statutory privilege, including but not limited to those providing counseling or health care services through the University Counseling Center, Student Health Services, and/or Psychological Services Center, who is notified by a student of an incident of sexual misconduct by another student is to report the incident immediately (but not later than three calendar days) to the Title IX Coordinator. Individuals who work or volunteer in the on campus Violence Prevention Office, including front desk staff and students, can generally talk to a complainant without revealing any personally identifying information about an incident to the University. A complainant can seek assistance and support from these individuals without triggering a University investigation that could reveal the complainant's identity or that the complainant has disclosed the incident.

While maintaining a complainant's confidentiality, the Violence Prevention Office must report the nature, date, time, and general location of an incident to the Title IX Coordina-

tor. This limited report – which includes no information that would directly or indirectly identify the complainant – helps keep the Title IX Coordinator informed of the general extent and nature of sexual violence on and off campus so the coordinator can track patterns, evaluate the scope of the problem, and formulate appropriate campus-wide responses. Before reporting any information to the Title IX Coordinator, these individuals will consult with the complainant to ensure that no personally identifying details are shared with the Title IX Coordinator.

### **VIOLENCE PREVENTION OFFICE**

Lindsey Bartlett Mosvick  
Violence Prevention Coordinator  
662-915-1059  
University Counseling Center, #6

A complainant who is requesting confidentiality or privacy must understand that, if the complainant wants to maintain confidentiality or privacy, the University will be unable to conduct an investigation into the particular incident or pursue conduct action against the Respondent. Even so, the Violence Prevention Coordinator will still assist the complainant in receiving other necessary protection and support, including, but are not limited to, academic accommodations; “no contact” letters; changes in course schedules and changes in housing assignments; and disability, health, and/or mental health services.

A complainant who at first requests confidentiality may later decide to file a complaint with the school or report the incident to local law enforcement, and thus have the incident fully investigated.

While the Violence Prevention Office may maintain a complainant’s privacy within the University, it may have reporting or other obligations under state law including an obligation to respond to lawfully issued subpoenas.

If the Violence Prevention Coordinator determines that the Respondent(s) pose(s) a serious and immediate threat to the University community the University Police Department may be called upon to issue a timely warning to the community. Any such warning should not include any information that identifies the complainant.

Students also are encouraged to immediately contact the University Police Department (662-915-4911) if they have been sexually assaulted and to seek immediate medical attention. Students should seek medical attention even if they do not wish to pursue criminal charges or otherwise pursue a complaint against a respondent.

## **Relationship Between Student Conduct Adjudication and The University’s Title IX Responsibilities**

The adjudication of complaints of sexual misconduct is only a part of the University’s responsibilities under Title IX when a student has experienced sexual harassment by another student. While a hearing board may have a hearing and pronounce sanctions for a student who violates the sexual misconduct policy, the University has a broader responsibility to respond to the needs of student complainants. Therefore, regardless of whether a charge is brought against a student through the student conduct process, the Title IX Coordinator will evaluate each case to determine whether the overall response of the University (including resources provided or offered to the complainant and interim steps taken to protect the complainant and others) satisfies the requirements of Title IX. Additionally, the Title IX Coordinator does not look only at individual cases of discrimination, but also at the University environment as

a whole to evaluate the campus climate for gender equality.

## **Privacy**

When a student is the complainant of sexual misconduct, the Title IX Coordinator first will request that the complainant cooperate during an investigation to begin. If a complainant requests confidentiality or asks that the complaint not be pursued, the Title IX Coordinator will take all reasonable steps to investigate and respond to the complaint consistent with the complainant's request; however, the Title IX Coordinator may determine that the circumstances of the sexual misconduct incident are so severe or that the circumstances otherwise indicate there is an on-going danger to the complainant and/or members of the University community such that action must be taken on the part of the University beyond the action requested by the complainant. When determining whether to proceed without cooperation from the complainant, the Title IX Coordinator will weigh a number of factors. Examples of factors the Title IX coordinator will consider are the following: the risk of the respondent committing additional acts; if the respondent has threatened to commit additional acts; if other complaints have been reported about the same respondent; if the complaint involves multiple respondents; the respondent's history of arrests or other conduct records; the involvement of a weapon; the ages of the complainant and respondent; and the University's ability to move forward with the investigation without the complainant.

If the Title IX Coordinator moves forward with the investigation, with or without the complainant's participation, information will only be shared with those individuals who are responsible for handling the school's response to the complaint and those necessary to the investigation. The Title IX Coordinator will inform the complainant, to the extent possible, of individuals with whom information about the complaint will be shared.

Public awareness events such as "Take Back the Night," the Clothesline Project, candlelight vigils, protests, "survivor speak outs" or other forums in which students disclose incidents of sexual violence, are not considered notice to the University of sexual violence for purposes of triggering its obligation to investigate any particular incident(s). Such events may, however, inform the need for campus-wide education and prevention efforts, and the University will provide information about students' Title IX rights at these events.

## **Policy Statement**

The University prohibits sexual misconduct in any form, including sexual assault or sexual abuse, sexual harassment, and other forms of nonconsensual sexual conduct. Students should be able to live, study, and work in an environment free from sexual misconduct.

It is the position of the University that sexual misconduct in any form will not be excused or tolerated. Criminal, civil and University disciplinary processes are available to a student with a complaint. The University is committed to prompt, effective and fair procedures to investigate and adjudicate reports of sexual misconduct and to the education of the University community about the importance of responding to all forms of sexual misconduct. Special emphasis is placed on the rights, needs, and privacy of the student with the complaint, as well as the needs and privacy of the respondent. At the same time, the University adheres to all federal, state, and local requirements for intervention and crime reporting related to sexual misconduct.

## Interim Steps

The investigation into an incident of sexual misconduct is only one part of the University's prompt and effective response on behalf of the complainant. For a listing of the resources available to sexual assault and sexual misconduct complainants, please visit the Violence Prevention Office website <http://violenceprevention.olemiss.edu>.

The Title IX Coordinator may recommend immediate implementation of additional steps to provide for the safety of the complainant or others, to avoid possible retaliation, or to prevent further occurrence of any discrimination or discriminatory effects. These steps may include, but are not limited to academic accommodations; "no contact" letters; changes in course schedules and changes in housing assignments; and disability, health, and/or mental health services. Any such interim step taken by the Title IX Coordinator is not appealable, but such steps may be modified by the Title IX Coordinator at any time.

## EFFECTIVE CONSENT IS:

*Effective consent is the basis of this policy because effective consent maintains the value that all persons have the right to feel respected, acknowledged, and safe during sexual activity.*

Sexual intimacy requires that all participants consent to the activity. Consent between two or more people is defined as an affirmative agreement – through clear actions or words – to engage in sexual activity. The person giving the consent must act freely, voluntarily, and with an understanding of his or her actions when giving the consent.

Lack of protest or resistance does not constitute consent, nor does silence mean consent has been given. Relying solely on non-verbal communication can lead to misunderstanding. Persons who want to engage in sexual activity are responsible for obtaining consent – it should never be assumed.

A prior relationship or prior sexual activity is not sufficient to demonstrate consent.

Consent must be present throughout the sexual activity – at any time, a participant can communicate that he or she no longer consents to continuing the activity. If there is confusion as to whether anyone has consented or continues to consent to sexual activity, it is essential that the participants stop the activity until the confusion can be clearly resolved.

## EFFECTIVE CONSENT IS NOT:

Effective consent cannot result from force, or threat of force, coercion, fraud or intimidation. In addition, an incapacitated person is not able to give consent. The use of force to obtain sexual access or to induce consent violates this policy whether the force is physical in nature, violent, or involves threats, intimidation or coercion.

- **Physical force** includes but is not limited to: hitting, kicking, and restraining. Physical force means someone is physically exerting control of another person through violence.
- **Threatening** someone to obtain consent for a sexual act is a violation of this policy. Threats exist where a reasonable person would have been compelled by the words or actions of another to give permission to sexual activity to which he or she otherwise would not have consented.
- **Intimidation** is an implied threat. Intimidation exists when a reasonable person would feel threatened or coerced even though there may not be any threat made ex-

PLICITLY or physical force. Intimidation is evaluated based on the intensity, frequency, or duration of the comments or actions.

- **Incapacitation:** It is a violation of this policy if the initiator has sex with someone the initiator knows, or reasonably should know, to be incapacitated by alcohol, drugs, sleep or illness. A person who is unconscious, unaware, or otherwise physically helpless cannot give effective consent to sexual activity. Someone is incapacitated when he or she cannot understand who, what, when, where, why, or how, with respect to the sexual interaction.
- **Age of Consent:** According to Mississippi Code §97-3-65, effective consent can never be given by persons under the age of 14. Students who are at least 17 years old cannot receive effective consent from anyone between the ages of 14 and 16, if they are younger by more than 36 months.

## PROHIBITED CONDUCT:

Sexual misconduct is a broad term encompassing any sexual behavior that was committed without effective consent. Sexual misconduct may vary in its severity and consists of a range of behaviors. The requirements of this policy apply regardless of the sexual orientation and/or sexual identity of individuals engaging in sexual activity.

The use of alcohol or other drugs never excuses behavior that violates this policy.

The following descriptions represent sexual behaviors that violate The University of Mississippi's community standards and values of respect, civility, and personal integrity.

These behaviors are serious violations and represent a threat to the safety of the University community.

1. **Sexual Penetration:** Sexual intercourse, or sexual penetration, however slight, with any object or body part without effective consent.
2. **Sexual Touching:** Any intentional touching of intimate body parts without effective consent. Sexual touching includes bodily contact or contact made with an object.
3. **Sexual Harassment:** Harassment of a sexual nature that is so objectively offensive, pervasive, or severe that it effectively denies the complainant access to the University's resources and opportunities, unreasonably interferes with the complainant's work or living environment, or deprives the complainant of some other protected right.
4. **Sexual Exploitation:** Sexual exploitation occurs when a student takes non-consensual, unfair, or abusive advantage of another sexually for his or her own advantage or benefit, even though that behavior does not constitute one of the other sexual misconduct offenses. Examples include, but are not limited to:
  - Non-consensual videotaping, audiotaping, or photographing of sexual activity even if the sexual act is consensual.
  - Non-consensual posting, publishing, sharing, or displaying photo, audio, or video of sexual activity even if the activity was originally recorded with effective consent.
  - Voyeurism is a form of sexual exploitation in which one individual engages in secretive observation or non-consensual video or audio taping of another for personal sexual pleasure.

- Any disrobing of another or exposure to another without effective consent.
5. **Stalking:** Stalking is sexual misconduct when the content of the messages or the nature of the physical stalking is of a sexual nature.
  6. **Attempted Act/Accomplice to Sexual Misconduct:** Attempts to commit sexual misconduct are also prohibited under this policy, as is aiding in the commission of sexual misconduct as an accomplice.
  7. **Use of Drugs and/or Alcohol to Induce Incapacity:** This policy also prohibits sexual activity or attempted sexual activity with someone whose incapacity results from the taking of a drug or alcohol. Possession, use, and/or distribution of any “date-rape” drug or licit or illicit substances are prohibited, and administering or attempting to administer any of these drugs or substances, including alcohol, to someone else for the purpose of inducing incapacity is a violation of this policy. A student may be charged with a violation of this policy even if no sexual activity took place.
  8. **Retaliation:** Retaliation against an individual who initiates a sexual misconduct complaint, participates in an investigation, or pursues legal action, is prohibited. The University defines retaliation as any adverse action (including intimidation) taken against an individual who has participated in any manner in an investigation, proceeding, or hearing under these policies and procedures.

Independent action may be taken against anyone engaging in retaliation including individuals who are acting on behalf of the respondent or complainant, with or without the knowledge of the respondent. Retaliation may occur in person or electronically.

In an effort to avoid retaliation, prevent recurrence of any discrimination or discriminatory effects, and provide for the safety of the all parties, the University will implement all necessary remedies during an investigation period and/or at the conclusion of an investigation. These remedies may include, but are not limited to: academic accommodations, “no contact” letters, changes in course schedules, and changes in housing assignments.

## SANCTIONS

A wide range of sexual misconduct is prohibited by this policy. As such, dependent upon the facts unique to each case, sanctions may range from a verbal reprimand to expulsion from the University. For a non exhaustive list of sanctions and their definitions please reference University of Mississippi policy DSA.SC.300.020, Disciplinary Sanctions.

## AMNESTY

The use of alcohol or drugs by either party in conjunction with a sexual assault does not alleviate responsibility on the part of the respondent or diminish the serious nature of the offense. When alcohol or drugs are involved, neither party will be found responsible for voluntary, personal alcohol or voluntary, personal drug use and should not let his or her use of alcohol or drugs be a deterrent to reporting or responding to the incident.

## PREVENTION AND EDUCATION

- The University is committed to an environment where all members utilize bystander

intervention to prevent and end violence on campus and in the community.

- The University presents programming on prevention of sexual misconduct, relationship violence and stalking to all students, staff and faculty at orientation and throughout the year.
- The University also educates all its members on awareness and intervention related to sexual misconduct, relationship violence and stalking. Education includes University policy, state criminal laws, Title IX and federal laws, the impact of trauma, how to recognize and respond to incidents and the importance of reporting incidents.
- To request an educational program, contact the Violence Prevention Office at 915-1059.
- The University mandates training for all incoming students to increase awareness and foster prevention. The University mandates training for all staff and faculty

For a listing of resources available to students, please visit the Violence Prevention Office website <http://violenceprevention.olemiss.edu/>

### **Sexual Misconduct Student Conduct Adjudication Process:**

Complaints of sexual misconduct by a student against another student are governed by Title IX and are, therefore, investigated by the Title IX Coordinator. The adjudication of sexual misconduct cases shall follow the process outlined in DSA.SC.300.001 through DSA.SC.300.015, Student Conduct Process, unless otherwise outlined below. The standard of proof for all cases involving sexual misconduct will be based upon the University's established standard of preponderance of the evidence.

The time frames indicated below are maximums. All days are "business" days, unless otherwise noted. Especially in cases of sexual assault, the University will make every effort to move the case promptly through the process so long as such speed does not interfere with the quality of the investigation or the hearing.

1. In the Student Conduct process, cases of sexual misconduct will generally be adjudicated within 60 days of the date that the Title IX Coordinator is notified of the complaint, unless there are extenuating circumstances (i.e. uncooperative witnesses, break periods and periods when the University is closed). The Title IX Coordinator will comply with law enforcement requests for cooperation and such cooperation may require the Title IX Coordinator to temporarily suspend the fact-finding aspect of the investigation while law enforcement is in the process of gathering evidence. The University promptly will resume its investigation as soon as notified by the law enforcement agency that it has completed the evidence gathering process, which typically takes three to ten calendar days, although the delay in the University's investigation will be longer in certain instances.
  - a. **Information Gathering and Determination of Charge/s:** The Title IX Coordinator will investigate a complaint of sexual misconduct generally within 40 days of receiving the complaint. The degree to which a complainant of sexual misconduct participates in the investigation and subsequent hearing will be up to the complainant to decide; however, when a complainant does not wish to be a part of the investigation, wishes to remain anonymous, or refuses to provide information to the Title IX Coordinator, the Title IX Coordinator may be prevented from doing a full investigation. The Title IX

Coordinator will compile all evidence, including the testimony of various witnesses, into a report. The report will not contain findings of fact as to whether a violation of the sexual misconduct policy actually occurred; however, the Title IX Coordinator will decide whether there is sufficient evidence of sexual misconduct such that the complaint needs to be forwarded to the Office of Conflict Resolution and Student Conduct for a hearing. If the Title IX Coordinator does not find there is sufficient evidence to proceed with the hearing, the complainant may still request a hearing before the hearing board.

- b. Intake Meetings:** Generally, within 45 days, the University will conduct individual intake meetings for the complainant and the respondent student(s). During the intake meeting, parties will be informed of their rights and the hearing process. Sanctions may be given to the respondent during the intake phase, but only if the Title IX Coordinator, the complainant and the respondent all agree on appropriate sanctions. If all three parties agree on appropriate sanctions, this decision is not appealable.
  - c. Hearing Decision:** Generally, within 60 days, the University will render a hearing decision to include findings of “responsible” or “not responsible” of each charge and any appropriate sanctions. The University will attempt to notify, simultaneously, both the complainant and respondent, in writing, within 24 hours of this decision.
  - d. Appeal:** The complainant and/or the respondent may appeal the findings and/or the sanctions of the hearing board. The process for appeal is outlined within University of Mississippi policy DSA.SC.300.010, Student Conduct Process. For cases involving sexual misconduct, both the complainant and respondent will be notified in writing of the appellate decision generally within 12 days of the Vice Chancellor for Student Affairs receiving the appeal.
2. During the investigation phase, but generally no later than 30 generally after learning of the complaint, the Title IX Coordinator may decide that the case is suitable for informal resolution, or mediation, between the parties; however, mediation will not be used in cases where sexual assault or other violence is alleged, or in cases where the Title IX Coordinator believes there to be an inequity of power between the parties. The Title IX Coordinator, the complainant and the respondent must all agree to engage in mediation. The Title IX Coordinator will appoint a mediator, and the mediation will be conducted generally within 10 days of the parties’ agreement to mediate. If the parties reach an agreement during mediation, that agreement will be put in writing and will be binding upon the parties. Violation of the written agreement will result in the student being charged with Disregard for University Authority, DSA. SC.200.010 and may result in a reinstatement of the charge for sexual misconduct. If the parties are unable to reach an agreement, the case will be turned back over to the Title IX Coordinator to complete the investigation.
3. During the proceeding, complainants are responsible for supporting their complaints, and respondents are responsible for responding to the complaint. All parties have the right to have an advisor attend the hearing; however, advisors are not permitted to speak or participate directly in the hearing and are limited to speaking only to the party they are advising. The parties may request to have one additional advisor at the hearing. This request must be submitted in writing to the Office of Conflict Resolution and Student Conduct at least 72 hours before the proceeding.

4. The complainant and the respondent will have individual intake meetings to discuss their rights, the student conduct charges and the hearing process. The respondent will not have the opportunity to agree to sanctions during the intake meetings (and thus avoid a hearing before the hearing board) unless both the Title IX Coordinator and the complainant already have agreed that the suggested sanctions are appropriate. If the sanctions are then agreed to by the respondent, then neither party may appeal.
5. A trained three-member hearing board will be selected, based on availability, by the Office of Conflict Resolution and Student Conduct. Before the proceeding, the complainant and respondent will have an opportunity to see a list of board members who will be serving as fact-finders and request recusal of any they have reason to believe are biased.
6. A University employee of the three-member hearing board will preside over the hearing as chair. At the beginning of the hearing, the chair will explain the process of the hearing.
7. Students must submit all witness names, evidence, and other information they want considered by the hearing board **72 hours** prior to the start of the hearing. Each student will have the opportunity to review the case file before the hearing, if that is reasonably possible under the circumstances.
8. During the course of the hearing, the chair will make all procedural and evidentiary determinations, which are final.
9. Generally, all relevant information, (information used to prove or disprove that sexual misconduct has occurred), will be considered during the proceeding.
10. The complainant may choose to be present throughout the entire hearing.
11. The complainant may choose to participate in the hearing through the means of technology from an off-site location or at the hearing location separated from the respondent by a barrier.
12. A party's refusal to be present or participate in the hearing will not prevent the hearing from proceeding as long as there is other evidence of the sexual misconduct.
13. The Title IX Coordinator may be called as a witness and may present evidence found during the course of the investigation, including the testimony of individuals interviewed during the investigation. Because the hearing board is the finder-of-fact, the Title IX Coordinator will not be asked whether the respondent acted in violation of this policy, but the Title IX Coordinator may comment on inconsistencies found during the investigation and on the credibility of witnesses interviewed.
14. All questions must be relevant, and all questions will be directed to the University employee chair.
15. Both parties may give closing statements.
16. The complainant may submit an impact statement that will be taken into consideration only if there is a finding of "responsible" for any sexual misconduct charge.
17. The decision of the hearing board and sanctions will be determined within 48 hours of the hearing completion.
18. The complainant and respondent will be notified of the hearing board's finding concurrently. Additionally, the complainant and respondent will receive formal noti-

fication of the outcome in writing. The same notification process will be followed for all cases under appeal.

The complainant and the respondent both have the right to appeal the decision of the hearing board as outlined in part six of University of Mississippi policy, DSA.SC.300.010, Student Conduct Process, as modified by this policy.

## **Relationship, Dating, and Domestic Violence** **DSA.SC.200.080**

An intimate relationship is defined as an emotional and/or physical connection with another person. The connection may be with friends or roommates, and includes persons who are dating, cohabitating, married, family members, and/or share a residence. This definition includes current and past relationships and may be different or same-gender relationships.

The University prohibits any physical, sexual, or psychologically abusive behaviors used by an individual against a partner or former partner in an intimate relationship.

The use of alcohol or drugs, by either party, in conjunction with an incident of relationship violence, does not alleviate responsibility or diminish the serious nature of the offense. When alcohol or drugs are involved, a victim will not be charged with an alcohol or drug violation and should not let his or her use of alcohol or drugs be a deterrent to reporting the incident.

Forms of relationship violence may include, but are not limited to:

- Actions that are intended to cause bodily injury.
- Threats or actions that cause reasonable fear of harm on the part of the victim, or threaten children or pets.
- Assault with or without a weapon.
- Psychological and/or economic abuse that rises to the level of cruel and inhuman treatment.

The Office of Equal Opportunity and Regulatory Compliance may conduct an investigation into alleged acts of sexual assault. If through an investigation, the Office of Equal Opportunity and Regulatory Compliance determines an act of sexual assault occurred, the evidence used and the finding of fact may be used in a student conduct hearing.

## **Observance of Local, State, and Federal Criminal Laws** **DSA.SC.200.085**

Students at the University of Mississippi have the responsibility to honor local, state, or federal criminal laws. Students who act inconsistently with this value and policy will be subject to conduct charges and proceedings in addition to criminal prosecution.

## **Violation of Other Applicable University Policies**

### **DSA.SC.200.090**

Students at the University of Mississippi will comply with all applicable University policies including but not limited to Alcohol, Drugs, Tobacco Use, and the Information Technology Appropriate Use Policy. Students who act inconsistently with this value and policy will be subject to conduct charges and proceedings in addition to criminal prosecution.

## **Game Day and Game Day Activities and Events**

### **DSA.SC.200.095**

On game day and during game related activities and events, students will demonstrate respect for the dignity of each person, civility, and integrity by honoring University policies. Examples of game day and game related activities include, but are not limited to, the following: pre-game activities and events, being present at game venues, walking to and from game venues, being present in the Grove on game days, walking to and from the Grove on game days, post-game activities or events, etc.. On game day and at game related activities and events, students arrested or issued a University citation for criminal behavior by the University Police Department will be subject to student conduct charges and proceedings.

If the receipt of a University citation leads to a student being found responsible for violating a related University policy through the University conduct process, the student will receive the following minimum sanctions:

**Student's first offense** – A fine not to exceed \$200 and/or community service, and students will receive a warning.

**Student's second offense** – A fine not to exceed \$225 and/or community service, and students must complete a fan conduct course and pay related fees associated with the course. The fan conduct course must be completed before students can attend the next athletic or sporting event. A certificate of completion must be submitted to the Office of Conflict Resolution and Student Conduct at least 48 hours before the start of the next athletic or sporting event. Students who do not complete the conduct course will no longer be able to attend athletic and sporting events until the course is completed. Also, students may be subject to additional conduct charges and proceedings.

**Student's third offense** – A fine not to exceed \$500 and/or community service, and students will lose their privilege to attend all athletic and sporting events for the remainder of the academic year. When a third offense occurs in the summer or late in the Spring semester, the student's loss of privileges may extend to the following academic year.

Students will receive the above sanctions, in addition to the Minimum Sanctions for Alcohol and Other Drugs under DSA.SC.300.025, if applicable.

## **University Student Organizational Conduct**

### **DSA.SC.200.100**

When student organizations decide to affiliate with the University of Mississippi, they accept the rights and responsibilities of membership in the community. Student organizations pledge to uphold values identified in the university creed and encourage others to follow their example.

When a student organization acts in a manner inconsistent with university policy, they may be subject to University conduct charges and proceedings.

## University Organizational Conduct Process DSA.SC.300.050

### 1. Notice of Allegations

**Organizations:** When an allegation is received against a student organization, the Office of Conflict Resolution and Student Conduct sends the organization written notification. This notice will inform the organization of the allegations and the specific potential policy, rule, or regulations the student organization may be charged with having violated. Generally, the notice will be sent to the organization's president. Also, the notice will include the time, date, and location of an intake meeting to respond to the allegations.

**Advisors:** In addition to providing notice of allegations to the student organization, the Office of Conflict Resolution and Student Conduct will notify the organizational advisor on record of the allegations and the specific policy, rule, or regulations the student organization may be charged with having violated. The notice will include the time, date, and location of an intake meeting to respond to the allegations.

**National or International Organizations:** If an allegation includes dangerous organizational misconduct and/or a serious injury or death, the Office of Conflict Resolution and Student Conduct will notify the national or international organization of the allegations and the specific potential policy, rule, or regulations the student organization may be charged with having violated. Also, national or international organizations will be notified if an organization is issued interim measures under DSA.SC.300.030.

### 2. Intake Meeting

During the intake meeting, student organizations are informed of the conduct process, the incident and potential charges. If it is appropriate for the incident to be resolved informally through alternative dispute resolution, the Office of Conflict Resolution and Student Conduct or Dean of Students Office will work with the organization to develop an agreement, and the case is closed as soon as the terms of the agreement are met. If informal resolution is not an option, based on the serious nature of the allegations or the organizations response, the incident will be resolved through an administrative agreement or forwarded to the University Judicial Council or appropriate governing council.

### 3. Resolution Options

**Administrative Agreement:** Generally, if an organization accepts responsibility for the allegations described in the complaint, the organization can enter into an administrative agreement with the Office of Conflict Resolution or the Office of the Dean of Students if it managed the case. This agreement will include sanctions and educational measures the organization agrees to complete.

**Hearing:** Generally, if a student organization is denying responsibility for the allegations in the complaint, the case will be forwarded to the University Judicial Council, and the hearing process will be followed as outlined in University of Mississippi Policy, DSA.SC.300.010.

**Appeal:** Under certain conditions, the organization may appeal the findings and/or sanctions of the hearing board. The process of appeal is outlined in University of Mississippi Policy DSA.SC.300.010.

## **IT Appropriate Use Policy ACA.IT.100.010**

### **PLEDGE TO STUDENTS, FACULTY AND STAFF**

The University of Mississippi is committed to maintaining its leadership position in the use of computer and communication technologies to facilitate learning. The University promises to provide, as rapidly and as economically as is feasible, the following:

- to students, access to their information anywhere on campus.
- to faculty, the resources necessary to enhance teaching, learning and research.
- to staff, the tools necessary for a responsive service environment.

The University will normally respect privacy and attempt to safeguard information but cannot guarantee these privileges absolutely: the University can examine, at any time, anything that is stored on or transmitted by University-owned equipment.

The University reserves the right to limit access to its networks when applicable university policies or codes, contractual obligations, or state or federal laws are violated but does not monitor or generally restrict the content of material transported across those networks.

The University reserves the right to remove or limit access to material posted on university-owned computers when applicable university policies or codes, contractual obligations, or state or federal laws are violated, but does not monitor the content of material posted on university-owned computers.

### **RESPONSIBLE USE OF EMAIL**

UM recognizes the utilization of electronic communications as an efficient and necessary method of conducting business and advancing its mission of creating and disseminating knowledge. Electronic mail (email) should be used with the same care and discretion as any other type of official university communication.

#### **Principal Priorities of Email:**

1. Official UM email correspondence must originate from a UM email account on the UM Mail (Exchange) server or a registered, on-campus, departmental email server. Exceptions include email to support instructional activities, which may originate from UM Gmail, and extenuating circumstances where access to UM email accounts is limited.
  2. Official UM email correspondence must be concise, professional, and free of personal expressions inappropriate for a business or academic environment.
  3. Email communications must not be unethical, fraudulent, harassing, obscene, or perceived to be a conflict of interest or contain sensitive/confidential information (i.e. credit card numbers, social security numbers, etc.)
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4. File attachments sent via email must be scanned using current anti-virus software prior to sending the transmission. Any file attachment that is received must be scanned prior to opening the file.
5. Users must not allow anyone else to send email using their accounts.

**UNIVERSITY-OWNED** computer and network resources, including Internet connections and bandwidth, exist to advance the mission of the University. The University will manage these resources accordingly. Technologies such as Internet2 are provided for specific purposes. The primary goals of Internet2 are to create a leading edge network capability for the national research community, to enable revolutionary Internet applications, and to ensure the rapid transfer of new network services and applications to the broader Internet community (see [internet2.edu](http://internet2.edu)). The University authorizes the IT to create and enforce appropriate management policies that are supportive of the goals of these technologies.

*Examples:* The University reserves the right to send official notices to all student/faculty/staff email accounts. Campus webmasters should use discretion when linking to non-University websites. You may not install software on University-owned computers that interferes with day-to-day work or hinders the professional operation of University computers or networks. You may not set up a networked server on campus that results in the monopolization of network bandwidth or interferes with access to online academic resources.

Technology provided to you by the University is for completing work efficiently and effectively and should not be shared except for university-related purposes. Any personal use, intentional or unintentional, that incurs a cost to the University must be reimbursed.

Visitors to the university may use wired and wireless networks and technology configured for public access as long as they follow this IT Appropriate Use Policy. University employees may authorize their guests to use the wireless network. In these instances, the employee who authorizes the access is responsible for the actions of the guest.

Individual departments may place additional restrictions on personal use of the resources by their employees.

**YOU MAY NOT** use personal email accounts to conduct official UM business.

*Examples:* Personal email accounts include, but are not limited to, accounts such as [username@gmail.com](mailto:username@gmail.com), [username@hotmail.com](mailto:username@hotmail.com), [username@yahoo.com](mailto:username@yahoo.com), etc. The University recognizes that there may be extenuating circumstances where communication is required but access to UM email accounts is limited, e.g., emergencies. In these cases, employees are encouraged to be resourceful in accomplishing their work and always mindful of related security issues.

## PROVISIONS

You are entitled only to one person's fair share of University resources unless written permission to the contrary has been granted by the Chief Information Officer (CIO). See

The following list includes examples of prohibited activities, not everything that is a violation:

**YOU MAY NOT** use the University computing or telecommunications systems to violate copyright law. Copyright law limits the right of a user to copy, download, distribute, edit, or transmit electronically another's intellectual property, including written materials, images,

videos, software, games, sounds, music, and performances, even in an educational context without permission. Violations of copyright law may include giving others unauthorized access to copyrighted materials by posting that material on social networking sites, downloading from Internet websites or through peer-to-peer (P2P) file sharing any material owned by another without the owner's permission, or sharing files that include copyrighted material with others through peer-to-peer software or networks. Peer-to-peer is a method of file sharing that allows normal users ("peers") to connect directly to other users to share files. This can be contrasted with a server-based distribution method, where users connect to a server (such as a web server via their web browser) to download files. If you have P2P file-sharing applications installed on your computer, you may be sharing copyrighted works without even realizing it. Even if you do not intend to engage in infringing activity, installing P2P software on a computer can easily result in you unintentionally sharing files (copyrighted music or even sensitive documents) with other P2P users, and you may then be personally responsible for the legal and financial consequences.

*Examples:* You use a file-sharing program or client, like BitTorrent, Gnutella, and LimeWire, Kazaa, BearShare, or others, to download or distribute movies, songs, games or software without authorization from the copyright owner. RIAA (Recording Industry of America) and MPAA (Motion Picture Association of America) can and do aggressively look for these violations. Alternatively, if you join iTunes and purchase several songs to play on your iPod, this is not a violation of copyright law.

In addition to the penalties outlined elsewhere in this policy, infringement of copyrighted work, including unauthorized P2P file sharing, may also involve civil lawsuits by the copyright owner. Possible penalties include actual damages and profits or statutory damages of up to \$30,000 for each work infringed (or up to \$150,000 for each willful infringement), court costs, attorney fees, and other civil damages. Criminal penalties for willful infringement may include, depending upon the value of the work(s) infringed, fines and imprisonment for up to 3 years as provided in 18 USC 2319.

Please be aware that there are many legal alternatives for downloading media such as iTunes, Pandora, NetFlix, and Amazon MP3. A list of popular, legal, fee-based and free alternatives is available to you at: <http://www.educause.edu/legalcontent>.

See the Higher Education Opportunity Act (HEOA) (<http://www2.ed.gov/policy/highered/leg/hea08/index.html>) and related federal regulations at 34C.F.R. §§ 668.14 (b)(30) & 668.43(a)(10) for other copyright-related requirements for US colleges and universities.

**YOU MAY NOT** steal, forge, lie or cheat with; snoop on; tamper with; misuse, damage, harass with; threaten with; hoard or monopolize; interfere with; violate the confidentiality of; masquerade with; or destroy any information, resource, equipment or software. This includes using your personal computer for these activities against other users or against their information resources.

*Examples:* You must not access the account of another; you must not generate activities which consume more than your share of either system time or network bandwidth (including chain letters); you must not fraudulently log into any computer, etc. (Reference: <http://www.mscode.com/free/statutes/97/045/index.htm> ) You must not upload, post, or transmit content that is threatening, harassing, defamatory, libelous, invasive of another's privacy. This includes but is not limited to social networking sites, blogs, email or other electronic correspondence. You must not forge email headers or manipulate other identifiers in order to disguise the origin of any system or network activity.

**YOU MAY NOT** possess any software, resource, or equipment whose purpose is to effect one of the violations listed in the previous Provision nor may you attempt to violate the previous Provision. Any such attempt will be considered to be the same as a violation.

*Example:* You must not have in your account on any University-owned system or on your personal computer programs that attempt to determine the passwords of others or obtain privileges on any computer to which you are not entitled. If you attempt to obtain system privileges to which you are not entitled, you are as guilty as if you had succeeded.

**YOU MAY NOT** possess, willingly receive, or distribute obscene material.

*Examples:* Child pornography is absolutely against the law. It is a violation of Federal law to transmit this material across state lines, even electronically, and certain obscene materials are in violation of the Mississippi Code. (References: <http://www.mscode.com/free/statutes/97/005/0029.htm> and <http://www.mscode.com/free/statutes/97/029/0101.htm> )

**YOU MAY NOT** violate the IT Appropriate Use Policy off-campus anywhere in the world using University resources.

*Examples:* An attempt to gain unauthorized entry to any computer off the University campus is as if you attempted to gain access to a computer here.

**YOU MAY NOT** use any University facility for non-University commercial business or advertising, including unsolicited commercial email without written permission from the Provost and the CIO. This includes partisan political activities; however, any officially sanctioned University student group may maintain an official Web page which presents objective information about the group itself. Commercial sponsorship of academic projects, e.g., the inclusion of banner ads on project web sites, is allowed in certain cases. These requests must be approved by the CIO.

*Examples:* You may not use the statistics software on the academic shared systems to do work for off-campus entities for which you are paid. The Young Democrats/Republicans may have a page that presents information about their activities and goals; they may not attempt to influence voters' choices through that page. The sending of unsolicited bulk email (spamming) is not allowed when it is unrelated to the University's mission.

**YOU MUST** connect all equipment and install all software in a manner that meets the technical, security, and fair use standards set by the Office of Information Technology (IT).

*Examples:* All IP addresses and domain names are owned and assigned by the IT as specified in the UM Policy for Domain Name Registration . World Wide Web, ftp, and other network services that interfere with fair network use by others may be restricted by the IT. You must follow proper use guidelines when using classroom technology, e.g., powering down projectors according to vendor specifications. Improperly secured and patched systems are vulnerable to attack from outside entities and may be used as platforms to propagate spam, computer virus and worms to other hosts both on the campus and abroad resulting in loss of bandwidth and possible restrictions to other computer systems; accordingly, compromised systems will be disconnected from the campus network as soon as they are detected.

## YOU MUST TAKE FULL RESPONSIBILITY FOR WHAT YOU PUBLISH, TRANSMIT, OR POSSESS.

### PENALTIES

If you are suspected of violating this Policy, the University may impound any equipment, device, software, documents, or data that is involved. A search warrant will be obtained before impounding items not owned by the University.

If you have violated the Policy, you will incur the same types of disciplinary measures as violations of other University policies. Violation of state or federal free/statutes may lead to criminal or civil prosecution.

**Students:** Campus disciplinary measures may include, but are not limited to, failure in a class, permanent or temporary loss of information technology privileges, suspension or expulsion from the University, and restitution of expenses as well as charges for damages.

**Faculty and Staff:** Campus disciplinary measures may include, but are not limited to, reassignment of duties, transfer, censure, suspension, termination, and restitution of expenses as well as charges for damages.

**Off-campus Users:** The University may revoke the privileges of users who are found to be in violation and may report any serious violation to the users home campus authorities and to appropriate law enforcement officials.

### INVESTIGATION AND DISCIPLINARY ACTION

Violations are most likely to be observed in two ways:

A system administrator detects an anomaly and, in determining the cause of the problem, finds evidence of a violation.

**Caution:** In exceptional cases, a system or network administrator may detect evidence of a violation while performing his or her duties operating or maintaining a system. In these instances the priorities of protecting the University against seriously damaging consequences and/or safeguarding the integrity of computers, networks, and data either at the University or elsewhere, may make it imperative that the systems administrator take temporary restrictive action immediately. In these instances, all restrictive actions taken must be documented and justified in accordance with this policy. The Complaint Committee and/or Campus Security Coordinator must be immediately contacted so the complaint can be further investigated and processed.

An individual observes what is perceived to be a violation. The office to be notified is determined by the status of the suspected violator:

**Students:** Suspicious activities should be reported to the Dean of Students.

**Faculty:** Suspicious activities should be reported to the Provost.

**Staff:** Suspicious activities should be reported to the Vice Chancellor for Administration and Finance. [Minor infractions by any account holder may be reported directly to the Complaints Committee ([complaint@olemiss.edu](mailto:complaint@olemiss.edu) ).]

The Complaints Committee accepts reports of minor infractions (anything which is not serious and which should be correctable by pointing out the infraction to the offender, e.g., a business card on a web page) and attempts to resolve them within seven days. If not resolved,

the violator is reported through the Campus Security Coordinator to his or her administrative office for stronger action. The systems administrator of a compromised system is free at any time to take immediate action to safeguard the University's infrastructure, including working with campus security to obtain a search warrant at the first sign of suspicious activity. IT personnel will also document the actions taken from the point of discovery and will prepare a non-technical narrative for the use of the University. The CIO or designee may authorize monitoring of systems to gather information on any activity that is using University-owned equipment or services. These activities will be logged by the systems administrator when undertaken and will be conducted in an appropriate manner approved by the Campus Security Coordinator and the CIO.

Incidents will be reported by the systems administrator to the Campus Security Coordinator, possibly the Complaints Committee, and, in addition, to the appropriate disciplinary office(s) (Dean of Students, Provost, or Vice Chancellor of Finance & Administration). These units will authorize such additional steps as may be necessary to collect evidence, including the execution of a search warrant, and setting the scope and duration of the investigation. The Complaints Committee and the Campus Security Coordinator will work with the disciplinary office to decide when to notify the individuals involved that they are under investigation. If non-University service providers are involved, they will consult with the University Attorney and the CIO to notify them as soon as it is prudent to do so.

The collected evidence and the documents that record the actions of the systems administrator, IT staff, and the Complaints Committee will be forwarded to the disciplinary office for adjudication together with a recommendation on any loss of privileges with respect to computing and telecommunications systems. The disciplinary office will report the outcome of the case to the Campus Security Coordinator and to the CIO. In the case of suspected criminal violations, the University Police will be involved.

The accused has the right to petition the disciplinary office for the release of impounded material and the restoration of privileges. That decision may or may not precede the disposition of the case. In any event, any such decision must be communicated to the Campus Security Coordinator and the systems administrator. Faculty and staff members against whom disciplinary action is taken may follow the prescribed methods for the resolution of work-related conflicts, including the filing of a grievance.

## **MISSISSIPPI LAWS THAT APPLY TO THE USE OF COMPUTING AND NETWORKING SYSTEMS AND TO PUBLICLY ACCESSIBLE WEB PAGES**

The following are examples of violations of the laws of the State of Mississippi (Mississippi Code of 1972 - <http://www.mscode.com/free/statutes/97/045/0011.htm> ):

- Public display of sexually oriented materials in a venue likely to be visited by minors in the normal course of business. (Reference: <http://www.mscode.com/free/statutes/97/005/0029.htm> )
- Intentional deceit of anyone as to your true identity for the purpose of obtaining anything of value. You should not use someone else's email account at all, but to do so for personal gain is illegal. (Reference: <http://www.mscode.com/free/statutes/97/019/0085.htm> )
- Profane or indecent language in a public place. A web page which resides on a University server is a public place. (Reference: [---

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utes/97/029/0047.htm )

- Publishing or exhibiting obscene materials. (Reference: <http://www.mscode.com/free/statutes/97/029/0101.htm> )
- Hacking or passing along hacker information concerning a computer, computer system, or network to another person. Obtaining services to which you are not entitled and either inserting or changing system files are all illegal. (Reference: <http://www.mscode.com/free/statutes/97/045/0003.htm> )
- Blocking another user from using a system he/she is entitled to use. (Reference: <http://www.mscode.com/free/statutes/97/045/0005.htm> )
- Using or sharing the results of cracking a password file. This may result in up to five years in jail and a fine of up to \$10,000. (Reference: <http://www.mscode.com/free/statutes/97/045/0005.htm> )
- Intentional modification or destruction of computer equipment or supplies. (Reference: <http://www.mscode.com/free/statutes/97/045/0007.htm> )
- Erasing, modifying, sharing, or using the information in the files of another user. (Reference: <http://www.mscode.com/free/statutes/97/045/0009.htm> )
- All of the activities outlined in the Mississippi Code are unlawful if the user was physically in Mississippi when the act was committed, was committing the act against a computer or system in Mississippi, or used a computer or network in Mississippi as a relay point.

(Reference: <http://www.mscode.com/free/statutes/97/045/0011.htm> )

## **Structure of the University Conduct System**

### **DSA.SC.300.001**

The University conduct system, under the direction of the Office of Conflict Resolution and Student Conduct and the Department of Student Housing, is composed of administrative hearing officers, the University Judicial Council, the Department of Student Housing hearing body, and the Appellate Consideration Board. These bodies hear and/or review cases of nonacademic misconduct. Cases involving academic misconduct or academic dishonesty should follow the separate disciplinary processes set forth by the Office of the Provost.

**With the agreement of all primary parties, the University may, at any point in the conduct process, offer an alternative dispute resolution option in lieu of formal student conduct proceedings.**

**Also, incidents involving student organizations may, at any point in the conduct process, be referred to the appropriate governing body for resolution.**

### **University of Mississippi Judicial Council**

The University Judicial Council is the primary fact-finding and decision-making body in the University conduct system. The Council consists of a student judicial chair, at least ten students (one of whom will serve as assistant student chair), at least five faculty, and at least five staff members. A representative from the Office of Conflict Resolution and Student Conduct serves as the advisor to the council.

The Student Judicial Chair is elected by the student body through the University's annual

Associated Student Body (ASB) campus-wide elections. The remaining student members are selected by a process determined by the ASB. The Student Judicial Chair shall appoint an assistant student chair.

The University Judicial Council, acting through a panel of at least six members (five members plus the chair or assistant chair presiding), hears and decides cases involving alleged individual or organizational violations of University policy. Decisions of the University Judicial Council are final yet subject to appeal. For cases related to sexual misconduct, please review the conduct process outlined within the University's policy on sexual misconduct.

## **Appeals Process**

Outcomes involving violations of University policy heard by the University Judicial Council or the Department of Student Housing hearing body may be appealed to the Appellate Consideration Board. Cases submitted for appeal will be considered by a panel of at least three members of the Appellate Consideration Board, chaired by the Vice Chancellor for Student Affairs or his or her designee.

## **Other Hearing Bodies**

Individual colleges, schools, and professional programs may also have their own processes for student discipline and/or make academic judgments based on a student's fitness for continuance in his or her respective program of study. In addition, the Department of Student Housing may place a student's Housing contract under review for alleged University policy violations.

# **Initiation of University Conduct Proceedings**

## **DSA.SC.300.002**

Any member of the university community may submit a complaint alleging a violation of University policies. All complaints must be submitted to the Office of Conflict Resolution and Student Conduct in writing. Complaints should include the date of the alleged violation and facts to support that a violation of university policy has potentially occurred. Any complaint should be submitted as soon as reasonably possible after the event occurs.

The Office of Conflict Resolution and Student Conduct will review the allegations in the complaint to determine whether the University has jurisdiction. If the University has jurisdiction over the conduct, the Office of Conflict Resolution and Student Conduct will respond in one of the following manners:

1. Assign charges to the student or organization identified in the complaint;
2. Refer parties involved in the complaint to alternative dispute resolution; or
3. Determine that the complaint warrants no further action and dismiss the complaint.

The determination to initiate University charges is final and not appealable. All allegations of sexual assault, sexual harassment, or relationship violence will be referred to the University's Title IX coordinator in the Office of Equal Opportunity and Regulatory Compliance or his or her designee.

In addition, the Office of Conflict Resolution and Student Conduct may assign charges on behalf of the University to a student or organization based on information received in a police report or court docket regarding conduct on or off campus, an incident report submitted by a member of the Department of Student Housing staff, or a report submitted

to the Office of Conflict Resolution and Student Conduct from a University department or community member.

The Office of Conflict Resolution and Student Conduct may dismiss a complaint at any stage if it reasonably believes that the complaint is baseless, unsupported, or is more educational if resolved in a different manner.

## **University Conduct Process**

### **DSA.SC.300.010**

Below is the outline for the complete University conduct process.

#### **1. Notice of Charge**

When a charge is initiated against a student or recognized student organization, the Office of Conflict Resolution and Student Conduct, or Department of Student Housing, sends the involved student(s) or organization written notification in the form of an email or letter to meet with a representative of that department for an intake meeting. This notice will inform the student of the specific policy, rule, or regulation that the student or organization is charged with having violated; the date, time, and place of the intake meeting; and any other information deemed pertinent to the specific case.

#### **2. Intake Meeting**

At the intake meeting, a representative of the Office of Conflict Resolution and Student Conduct or Student Housing will review student rights and responsibilities and discuss the charges with the respondent. Generally with the consent of all parties involved, some cases may be resolved through an administrative agreement between the respondent and the Office of Conflict Resolution and Student Conduct. When appropriate, some cases may be referred for alternative dispute resolution or referred to the appropriate governing body for the student organization. Generally, if the parties do not consent on the form of resolution, the case will be forwarded to a hearing body.

If the parties agree for the case to be resolved by an administrative agreement, the respondent waives all right to appeal, and the outcome and sanctions assigned in an administrative agreement are final.

#### **3. Notice of Hearing**

If a student will participate in a hearing before a panel of the University Judicial Council, the student will be provided written notice of the charges and the date, time, and place of the hearing.

#### **4. Hearing Process**

Below are hearing procedures of the University Judicial Council; similar procedures will be followed for all hearing bodies within the University conduct system. These procedures assume an intake meeting has taken place or that the Office of Conflict Resolution and Student conduct or other conduct officer has determined that the case should immediately be forwarded to a panel for hearing.

- a. Student disciplinary hearings are not intended to be adversarial but educational, and conducted in an atmosphere of informality and fairness. Formal rules of process,

procedure, and/or technical rules of evidence such as those applied in criminal or civil court are not used in the University conduct process.

- b. The chair of the hearing panel will preside over the hearing. The chair, with the aid of the Office of Conflict Resolution and Student Conduct or other hearing officer, shall notify all interested parties of the hearing, their rights at the hearing, and distribute copies of all relevant materials to the parties and members of the hearing body before the hearing, and at the beginning of the hearing, explain the process that will be followed.
- c. During the course of the hearing, the chair of the panel, with the support of the Office of Conflict Resolution and Student Conduct, shall make all procedural and evidentiary determinations, which are final.
- d. In determining whether the charged party is responsible for violations of University policy, the University conduct system may consider information upon which institutions normally make academic and business judgments, including but not limited to pertinent records, exhibits, and oral and written statements.
- e. If the University charges a student based upon the student's criminal conviction by any trial court of competent jurisdiction, the criminal conviction may be accepted as a final factual determination that the student has violated applicable University policy. The function of the University's conduct process shall be limited to determining the appropriate University sanction.
- f. The parties shall have the right to present information for the panel's consideration to include identification of witnesses.
- g. During the proceeding, complainants are responsible for supporting their complaints, and respondents are responsible for responding to the complaint. All parties have the right to have an advisor attend the hearing; however, advisors are not permitted to speak or participate directly in the hearing, and are limited to speaking only to the party they are advising. The parties may request to have one additional advisor at the hearing. This request must be submitted in writing to the Office of Conflict Resolution and Student Conduct at least 72 hours before the proceeding.
- h. As the parties present information for the panel's consideration, members of the hearing panel, including the chair, the respondent, and the complainant when applicable, may ask questions of the parties and other witnesses concerning the information presented or other information pertinent to the charge.
- i. Refusal to respond to questions posed during a hearing may lead to an adverse inference by the hearing panel concerning the subject matter of the question posed, and this adverse inference, if applicable, may be one factor considered by the hearing panel in making its decision.
- j. In a case in which the respondent accepts responsibility for the charge, the hearing panel may proceed directly into deliberation concerning appropriate sanctions rather than hear evidence of the charge. The parties will have the opportunity to make a final statement prior to deliberations.
- k. At the conclusion of all evidence, the hearing panel will deliberate in private and will determine by majority vote whether it is more likely than not that the respondent violated University policy. If the respondent is found responsible for misconduct, the hearing panel will determine appropriate sanctions.

- l. In cases involving harm to another member of the University community, the impacted party will have the opportunity to provide a written impact statement. This statement will be considered when determining sanctions, only after a determination of responsibility is made.
- m. The hearing will be closed to the public.
- n. Hearings involving several students or organizations may be consolidated if the Office of Conflict Resolution and Student Conduct, or other hearing officer, finds that the issues involved arise from a common nucleus of facts and circumstances.
- o. All hearings will be recorded and will be made available (in the Office of Conflict Resolution and Student Conduct) to the respondent or complainant upon request during the period in which an appeal may be filed or is pending.

## 5. Failure to Appear

If a student fails to attend an intake meeting, an administrative agreement meeting, or a hearing before a student conduct body, the hearing may be held in the student's absence, which may lead to further charges for disregard of University authority.

## 6. Appeal

If the decision of a University hearing body may be appealed, the student (whether respondent or complainant) or student organization must submit a written appeal to the Office of Conflict Resolution and Student Conduct within five (5) business days of the decision being appealed unless a longer period of time is specified in writing.

### a. Basis for Appeal

The chair of the Appellate Consideration Board will review the written request for appellate consideration, the case file, and the hearing record. In determining the merit of an appeal, the chair of the Appellate Consideration Board will not substitute his or her judgment for the decision of the University hearing body. Determination of merit will be based on the following:

- i. whether prescribed University disciplinary procedures were followed, including whether the alleged misconduct falls within the jurisdiction of the University conduct system;
- ii. whether the decision reached by the University hearing body was arbitrary and capricious (that is, the decision was not based on substantial evidence);
- iii. whether the sanction(s) imposed by the hearing body were appropriate for the violation that the student or organization was found to have committed; and
- iv. whether new evidence exists sufficient to alter the original decision that was not considered at the original hearing and was not known by the charged party at the time of the hearing.

### b. Appellate Process

Cases involving violations of University policy heard by any University hearing body, including the University Judicial Council and the Department of Student Housing Hearing Board, may be submitted for appellate review. The Chancellor has delegated final authority of review to the Appellate Consideration Board for cases it convenes. Once the Appellate Consideration Board has made a decision, the respondent and the complainant will be notified in writing of the appellate ruling.

### **c. Appellate Decisions**

After reviewing the appeal and documents pertaining to a particular case, a panel of the Appellate Consideration Board may:

- i. request additional information from the appealing party, the hearing panel, impacted parties; or the complainant and respondent;
- ii. remand the case back to the original hearing panel for reconsideration;
- iii. uphold the decision of the hearing panel in part or in total;
- iv. modify by changing the imposed sanctions; or
- v. reverse the decision of the hearing panel in part or in total.

## **7. Impacted Party Notification**

The Office of Conflict Resolution and Student Conduct will disclose to impacted parties the results of any disciplinary proceeding conducted by the institution. If the impacted party is deceased as a result of the crime or offense, the information shall be provided, upon request, to the next of kin of the impacted party.

## **8. Actions Including Student Holds**

If a student fails to appear in response to a notice of an intake meeting, a notice of hearing, or a notice to appear before any University hearing body or officer under another University conduct process, and/or if a student receives sanctions based on a finding that he or she was in violation of a University policy and has neglected to complete those sanctions, a hold may be placed on the student's account. A hold restricts a student's ability to conduct the following nonexclusive list of activities: register for classes, drop or add classes, and other administrative privileges. It is within the discretion of the Office of Conflict Resolution and Student Conduct, which places the hold, to determine under what circumstances a hold may or may not be released.

## **9. Sexual Misconduct**

For additional procedures involving cases of sexual misconduct please reference policy DSA.SC.200.075.

## **10. Students with Disabilities**

University policy calls for reasonable accommodations to be provided to students with disabilities on an individualized and flexible basis as mandated in Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990.

Students with disabilities who require an accommodation in order to complete any of the appeal or judiciary proceedings noted above should contact the University department handling the appeal or judiciary proceedings. Students may also contact the Office of Student Disability Services for assistance and referral. More information regarding the Office of Student Disability Services can be found at [www.olemiss.edu/depts/sds/](http://www.olemiss.edu/depts/sds/) or by visiting the Office of Student Disability Services located at 334 Martindale Student Services Center.

# **University Conduct System Authority and Jurisdiction**

## **DSA.SC.300.015**

The authority and jurisdiction of the University conduct system is established pursuant to the delegation of legal authority by the Chancellor and the Board of Trustees of State Institutions of Higher Learning. In Article IX, section (5) of the Bylaws and Policies of the Board of Trustees of State Institutions of Higher Learning, the Chancellor of The University of Mississippi is charged with the responsibility of maintaining appropriate standards of conduct for students and is authorized to expel, dismiss, suspend, and/or place limitations on continued attendance and/or levy penalties for disciplinary violations subject to procedures of due process. The Chancellor exercises this delegated authority through the University conduct system and other University processes.

Student Conduct Rules and Regulations and the jurisdiction of the University conduct system apply to conduct that occurs on University premises, at University sponsored or associated events or activities, and to off-campus conduct that has institutional implications. The Office of Conflict Resolution and Student Conduct will determine whether the University conduct system has jurisdiction to apply the student conduct rules and regulations occurring off campus on a case by case basis. This determination is final. When determining whether the University has jurisdiction to address off-campus student conduct, the following will be considered:

- Whether the student was acting as a representative of the University;
- Whether the student was traveling to or from campus;
- The degree of violence that occurred;
- Injuries to students or others;
- The extent of danger posed to the University community;
- Whether the conduct was directed at another member of the University community;
- Whether a student organization was involved;
- Whether the incident could result in a felony charge;
- Whether weapons, drugs, or alcohol were involved;
- The date of the incident;
- The conduct history of student(s) involved;
- The proximity to campus;
- Whether the student lives on campus; and/or
- The relationship the University has with the student at the time of the alleged violation.

All students are responsible for their conduct from the time of application of admission through the actual awarding of a degree, even though conduct may occur between terms of actual enrollment and even if the conduct is not discovered until after a degree is awarded.

The University conduct system is designed to further the University's educational mission. The conduct system is neither comparable to nor a substitute for any federal, state, or local criminal or civil court system. Even if a violation of University policy subjects a student or organization to criminal or civil liability, the determination of whether University policy was violated will be made on the basis of a preponderance of the evidence (whether it was more likely than not that a violation occurred). Any criminal or civil proceeding may use a different or higher standard of proof. It is important for students to realize that each judicial

## Two-Strike Policy

The two-strike policy is formally entitled Minimum Sanctions for Alcohol and Other Drug Violations (DSA.SC.300.025). This policy, which is found on the University Policy Directory, and in this book below, addresses drug and alcohol violations committed by University of Mississippi students. Students found responsible for a drug or alcohol offense will be put on two-strike probation for a period of time and will at that time receive their first strike. Any other drug or alcohol offense occurring within that probationary period may result in a University Judicial Council hearing where a plea or finding of “in violation” will result in suspension from the University. Below is the actual minimum sanctions policy which outlines the specific details of the University of Mississippi’s two-strike policy.

proceeding occurs on a separate track, and it is not necessary for any campus process to be delayed until off-campus proceedings are completed.

## Disciplinary Sanctions DSA.SC.300.020

Sanctions are designed to promote the University’s educational mission. When developing sanctions, all circumstances surrounding the incident should be taken into consideration including aggravating or mitigating factors. Examples of aggravating or mitigating factors include a student’s or organization’s prior conduct history, harm caused or danger posed to the University community, and/or whether the misconduct was committed because of the actual or perceived race, color, ancestry, ethnicity, religion, national origin, gender, sexual orientation, sexual identity, gender expression, or genetic identity of a person.

Students who fail to complete assigned sanctions in the prescribed time may experience a judicial hold being placed on the student’s account. In addition to a judicial hold, students and organizations that fail to complete sanctions may be charged with ‘Disregard for University Authority’ under DSA.SC.200.010.(9).

Students found responsible for violating University policy may receive one or more of the following sanctions:

**Oral Reprimand:** An oral statement of disapproval with or without written follow-up communication.

**Written Reprimand:** A written notice to the student or organization of the inappropriate nature of the conduct.

**Disciplinary Probation:** A written reprimand to a student or organization for violation of specified regulations. Probation is for a definite period of time and includes the possibility of more severe sanctions if the student or organization is found responsible for violating any University rules and regulations during the probationary period.

**Social Probation:** Prohibits an organization from sponsoring or participating in any organized social activity, party, or function.

**Loss of Privileges:** Denial of specified privileges for a designated period of time. This may include, but is not limited to, loss of visitation rights, denial of participation in specific programs, denial of participation in University-related organizations or groups, denial of the right to attend University-sponsored events, and denial of access to campus resources or

facilities.

**Fines:** Monetary fines may be assigned.

**Restitution:** Reasonable compensation for loss, damage, or injury to the appropriate party. Restitution may take the form of community service, monetary compensation, or material replacement.

**Community Service:** Assignments for the benefit of the University or community. Community service assignments must be approved by the Office of Conflict Resolution and Student Conduct or other appropriate hearing body or officer.

**Assessment:** A student may be required to attend sessions with a counselor for an assessment, either through the University's Counseling Center, Student Health Services, or outside provider.

**Substance Abuse Education:** A student may be required to meet with a substance abuse educator or attend programs designed to help the student deal with substance abuse issues and learn from the experience.

**Educational Project:** Actions that will enhance the educational impact of the student conduct process on the student, which may include oral or written reports to the appropriate hearing body or officer. Educational sanctions are designed to increase the student's understanding of how his or her behavior affects others.

**Loss of Recognition:** A student organization may lose its recognition on campus as a registered student organization. The Office of Conflict Resolution and Student Conduct, in collaboration with the Office of the Dean of Students will notify national or regional governing bodies with which the organization is associated or which sponsors social, academic, or sports events when such loss of recognition is imposed so that the full impact of this decision may be understood.

**Parental Notification:** Parents may be notified of violations of the alcohol and drug policies if the student is under the age of 21.

**Suspension:** Separation of the student or organization from the University for a definite period of time, after which the student or organization is eligible to return. Conditions for readmission may be specified. This sanction will be noted on the academic transcript of the student. Academic coursework completed during a student's suspension will not be accepted as transfer credit.

**Expulsion:** Permanent separation of the student or organization from the University Community without the possibility of readmission. This sanction will be noted on the academic transcript of the student.

# Two Strike Policy – Minimum Sanctions for Alcohol and Other Drug Violations DSA.SC.300.025

## Minimum Sanctions for Alcohol and other Drug Violations

Any student or student organization found in violation, through the University's conduct process, of a University policy concerning or involving the use of alcohol or other drugs will receive the following minimum sanctions:

**Student's or student organization's first offense** – Required alcohol/drug education program and related fees or fines, community service, and probation for the remainder of current semester and the following two semesters (Fall or Spring) enrolled at the University. Probation extends through any intervening summer terms, inter-sessions, and/or any institutional breaks.

**Student's second offense while on probation** – Suspension from institution. The University Judicial Council may elect for the suspension to take effect immediately or to take effect upon completion of the current semester or term. The student shall be suspended for at least one complete Fall or Spring semester following the suspension's effective date, including any intervening summer terms or inter-sessions.

**Student organization's second offense while on probation** – Suspension of organization's social activities to take effect immediately and to remain in effect for at least one complete Fall or Spring semester following the suspension's effective date, including Summer terms or inter-sessions.

These are minimum sanctions. The findings of fact, aggravating circumstances, and prior record of the student or student organization will be factors considered when determining any appropriate additional sanctions on either the first or second offense. Though the underlying finding of responsibility is appealable, the minimum sanction prescribed by this policy is not. Any sanction beyond the minimum sanction, however, is appealable using the University's published student conduct process.

Students who are suspended from the University should be aware that this action may impact the following:

- grades and academic performance
- tuition, residence hall costs and fees (suspension does not forgive financial obligations)
- student financial aid
- athletics participation and eligibility
- health insurance (contact your personal health care provider)
- University housing
- meal plan
- use of University resources and access to University facilities
- immigration status for international students
- veterans and dependents of veterans

- internships, assistantships, and study abroad

This is not a complete list and does not include all potential consequences for suspension.

**Off-campus conduct** – The University may bring a charge under this policy against any student or student organization committing any alcohol or drug-related offense that is otherwise sanctionable under the University’s conduct policy describing the authority and jurisdiction of the University’s conduct system. For students, such offenses include but are not limited to any drug-related crime, public intoxication, and driving under the influence of drugs or alcohol occurring within Lafayette County.

If the University brings a charge against a student based upon the student’s criminal conviction by any trial court of competent jurisdiction or other court proceeding that includes an admission or finding of guilt, the admission or finding may be accepted as a final factual determination that the student has violated applicable University policy, and the sole function of the University’s conduct process will be to determine the appropriate University sanction under this and other University policies.

## **Interim Suspension While Charges Pending** **DSA.SC.300.030**

Under ordinary circumstances, a student charged with a violation of University policy shall remain free to attend class and engage in all other University functions and activities while discipline charges are pending. However, some or all of a student’s privileges may be limited or suspended by the Vice Chancellor for Student Affairs on an interim basis pending the outcome of any University conduct process. The Vice Chancellor for Student Affairs may limit or suspend student privileges when the Vice Chancellor determines that it is necessary to do so for any of the following reasons:

1. To ensure the safety and well-being of a member of the University community;
2. To protect the property of the University or of other members of the University community; or
3. If there is a substantial likelihood that the charged student poses a threat of disruption or interference with the effective operation of the University.

An interim suspension or withdrawal of privileges does not replace the regular University conduct process, which shall proceed in the normal course up to and through a University conduct hearing and appeal, if required.

## **Simultaneous University, Local, State, or Federal Actions** **DSA.SC.300.035**

The University of Mississippi’s conduct system is designed to promote the University’s educational mission. The process is separate and distinct from any federal, state, or local criminal or civil court system. To ensure that the educational potential of the process is preserved, the University should provide a prompt response to behavior that is inconsistent with the values of the University as defined in University Conduct Rules and Regulations. University conduct proceedings will not be delayed until off-campus proceedings are concluded.

If a violation of University policy also subjects a student or organization to criminal or civil liability, the University conduct system will determine whether University policy has been violated on the basis of preponderance of the evidence (whether it is more likely than not that

a violation occurred). Criminal or civil proceedings may use a different or higher standard of evidence.

The University conduct system may accept a criminal conviction or plea by any trial court of competent jurisdiction as a final factual determination that the student has violated applicable University policy.

The University conduct process does not affect the jurisdiction of the courts and other civil authorities over any University of Mississippi student. Membership in the University community does not create any privilege or immunity from the laws and other regulations that apply equally to all residents of the state of Mississippi.

## **Conduct Record Retention**

### **DSA.SC.300.040**

Hearings held through the University conduct system are closed to the public. Suspension or expulsion from the University will be noted on a student's transcript. Other sanctions will be noted within a student's confidential conduct record maintained by the Office of Conflict Resolution and Student Conduct and the Department Student Housing. Student conduct records will not be disclosed to third parties except as required or permitted under Federal or State law. The Office of Conflict Resolution and Student Conduct, or other appropriate hearing body or conduct officer, will retain conduct records for at least seven years. Generally, conduct records will be reported to third parties, as permitted under law, for at least three years following a student's graduation from the University or date of last attendance.

## **Section III**

### **Student Intervention Team (SIT)**

The Student Intervention Team (SIT) at The University of Mississippi exists to address student behavioral concerns which are not supportive of the faculty's pursuit of the University's central function and are not addressed by an existing agency of the University. Included in, but not limited to, the list of behaviors are threats, aberrant or strange behavior, violent or perceived violent behavior, repeated threats of suicide or violence against others, etc. SIT shall make recommendations to the Chancellor, Provost, and Vice Chancellor for Student Affairs with regard to a student's ability to continue at The University of Mississippi. The SIT does not preempt any other University department in performing its duties in enforcing the law or managing student situations.

In addition, it shall be the responsibility of the SIT to develop and review University policies which address such situations and behavior. For more information about the Student Intervention Team, please visit the following website: <http://olemiss.edu/orgs/sit/>. To report a concern about a student, please email [sit@olemiss.edu](mailto:sit@olemiss.edu), or in case of an emergency please call UPD at 662-915-4911.

### **Mandated Assessment**

#### **DSA.DS.500.001**

#### **Mandated Assessment Policy**

The University of Mississippi is concerned for every student on our campus and for our entire campus community. In an effort to more effectively serve our students and our community, the Student Intervention Team (SIT) has put in place these guidelines to help reach students who may be in need of support but who are unwilling or unable to take advantage of these services.

#### **What is a mandated assessment?**

A mandated assessment is an opportunity for the University to determine if a student is in need of help or support. The assessment involves an individual meeting with a designated staff member at the University Counseling Center (UCC). Following this initial meeting, additional services may be deemed necessary by the designated counselor. These services could include but are not limited to, referral to the University Psychiatrist for additional evaluation, additional sessions with the UCC counselor, or referral to outside agent for additional assessment.

#### **How does a student get referred for a mandated assessment?**

Any University employee or student may recommend a student to SIT for possible mandated evaluation. Reports also may come from parents or others concerned about a student. Once the SIT determines that a mandated assessment is necessary, the process is set into motion.

#### **Who makes the decision that a student be provided a mandated assessment?**

The decision is made by the SIT after careful consideration of the information given and

determining the best course of action.

### **What behaviors typically lead to a mandated assessment?**

Behaviors that may lead to a mandated assessment include but are not limited to:

- Threat to others
- Concern that the student may not be fit to function in or remain in the academic community.

### **Is the assessment confidential?**

Yes, the session with the counselor is confidential. However, the student will be required to sign a release of information so that the counselor can communicate with SIT to help make recommendations for further action. No one else will have access to any information without written permission from the student being assessed. Student files will be maintained at the UCC.

### **What happens once the student is referred for assessment?**

Once the SIT has determined that a mandated assessment is needed, the student will be contacted by a representative of SIT regarding an appointment with the UCC. This will take place as soon as possible. The assessment will be completed at the UCC, and the student will be asked to complete the typical intake information used by the UCC as well as information specific to the mandated assessment.

### **Can the student request that the assessment be done by someone other than the UCC?**

Yes, a student may choose to have a similar assessment completed by a licensed mental health professional with credentials comparable to those of the UCC staff. The student will be responsible for the cost of this assessment and must sign a release allowing the SIT to communicate with the professional conducting the assessment.

*Hours spent cut of bed when you ought  
to be in bed means years in the grave  
when you ought to be out.*

—M-Book 1911-12

### **What happens following the assessment?**

The results of the assessment are provided to the SIT, and the team will make the decision as to what actions are necessary for the student's well-being and the University community. Possible outcomes following the assessment could include but are not limited to: no further action required (student continues enrollment at the University); referral to the University Psychiatrist for additional evaluation; additional sessions with the UCC counselor; referral to outside agency for additional assessment; possible judicial sanctions; or the invocation of the Involuntary Withdrawal Policy.

## **Does the student have the right to appeal the decision of SIT?**

Yes, a student may appeal the final decision of SIT to the Vice Chancellor for Student Affairs. The appeal will follow the same guidelines outlined in the Involuntary Withdrawal Policy.

## **What if the student refuses to comply with the mandated assessment?**

If a student refuses to participate in the mandated assessment, the SIT will begin the process of invoking the Involuntary Withdrawal Policy.

A mandated assessment will only be one part of the overall picture of the student and will not be the sole determining factor for action taken regarding the student.

## **Involuntary Withdrawal DSA.DS.500.002**

The University of Mississippi is committed to the well-being and safety of all its community members. Therefore, a student may be involuntarily withdrawn from the University if it is determined that the student presents a danger to others. Decisions for involuntary withdrawal will be made by the Student Intervention Team or SIT. A decision for involuntary withdrawal will only be made after less drastic measures have been considered and rejected as inappropriate or insufficient under the circumstances. Prior to any involuntary withdrawal, a student will be encouraged to withdraw voluntarily.

This policy does not take the place of disciplinary action for a student's violations of University policy. This policy is to be invoked only in extraordinary circumstances where it is determined that other policies are inadequate or inappropriate.

The standard for involuntary withdrawal is clear and convincing evidence that the student represents a danger to others. Examples of such circumstances include, but are not limited to: students threatening other individuals with severe bodily harm, students who are not able to care for their own basic needs to the extent that their lack of self-care represents a threat to the health of the campus community, and/or students exhibiting extremely bizarre or destructive behavior. This policy may not be used to involuntarily withdraw a student simply because he or she exhibits eccentric or unusual behavior.

Prior to involuntarily withdrawing a student, SIT may require that the student undergo a mandatory assessment. The evaluation will not be required if SIT believes that such an assessment will not be helpful in arriving at a decision.

A student who is being considered for involuntary withdrawal shall be notified in writing by SIT. If the student would like to request a hearing before SIT, he or she must request a hearing in writing within 48 hours of the initial notification. If a student requests a hearing, it will be conducted as soon as possible, but no later than seven calendar days after the request is made, unless both the student and SIT agree that a further postponement is necessary. While the hearing is pending, SIT may, for safety reasons, prohibit the student from being on campus or limit other student privileges or access to University facilities or resources.

The hearing will be informal. The student may bring a parent, an advisor, or a mental health professional to the hearing. The student will be allowed to present any evidence that he or

she believes demonstrates that involuntary withdrawal is not necessary; however, SIT may decline to hear evidence that is irrelevant or redundant. If a student fails to appear at a scheduled hearing, SIT may, at its discretion, conduct the hearing in the absence of the student.

If SIT decides that involuntary withdrawal of a student is necessary, the student may appeal in writing to the Vice Chancellor for Student Affairs. Such an appeal must be filed within three days of the notification that the student is being involuntarily withdrawn. Within three days of the receipt by the Vice Chancellor for Student Affairs of a notice of appeal from a student, both SIT and the student will submit written reports to the Vice Chancellor for his or her review. No hearing will be made upon appeal. The Vice Chancellor will rule as soon as possible, but no later than one week after the receipt of the written reports from SIT and the student. The decision of the Vice Chancellor will be final.

If a decision is made by SIT to involuntarily withdraw a student from the University, the members of SIT shall immediately prepare a list of offices to be notified of the decision. The list shall include the offices of the Provost, the Registrar, the Dean of the School or College in which the student is enrolled, and UPD. Other offices may need to be notified as well, such as Housing and Financial Aid. Furthermore, SIT may notify any person or office, both on campus or off campus, of its decision if SIT determines such notification is necessary to protect the health and/or safety of either the student or third parties.

Students who are involuntarily withdrawn from the University will be allowed to petition SIT for readmission during a subsequent term. Students who have been involuntarily withdrawn will be required to present clear and convincing evidence that they no longer pose a danger to others. SIT may impose reasonable conditions upon students who are readmitted after being involuntarily withdrawn. Failure to comply with conditions may result in the student being withdrawn from the University immediately.

Students denied readmission by SIT may follow the appeal process outlined above.

## **Section IV**

### **Student Organizations**

#### **Registered Student Organizations**

##### **DSA.DS.400.001**

Students desiring to form an official student organization may do so by submitting a Student Organization Registration Form found online through the Office of the Dean of Students' website, <http://dos.olemiss.edu>. The form should be completed online through Org Sync. The registration form requesting official recognition should include the officers of the petitioning group, a constitution for the group, the name of a full-time University faculty and/or staff member as advisor(s), and a statement of purpose. The constitution should cover details including dues, membership requirements and selection process, initiation requirements, and a statement of purpose or mission statement. Upon completion of the registration form the Office of the Dean of Students will review the information. Official recognition of the group will be granted when the Vice Chancellor for Student Affairs or his or her designee approves the supporting recommendation of the Office of the Dean of Students.

The named faculty/staff advisor in addition to the student president will receive notification(s) of any type of actions taken on behalf of or in reference to the organization. Notice to the student president and/or the faculty/staff advisor will be considered notice to the organization.

#### **Rights and Privileges**

The most important privilege that accompanies recognition as a student organization is the official association with The University of Mississippi. Additionally, organizations that are recognized may use most University facilities without charge, may take advantage of University services, may congregate without special permission (as long as no other University policies are violated), and may sponsor activities on campus.

Recognized student organizations also may use University marks, logos, insignia, and trade dress in connection with the organization or its events with prior permission from The University of Mississippi Department of Licensing (662-915-7445).

All recognized organizations will be listed in either a physical or electronic publication maintained by the Office of the Dean of Students. Organizations are subject to all University of Mississippi policies and may face disciplinary action through the University Conduct System for any policy violation.

#### **On-Campus Housing**

Student organizations will not be officially recognized, may lose official recognition as a student organization, or may face other penalties or sanctions if it occupies an on-campus house that is not equipped with an approved automatic fire sprinkler system to be in compliance with the National Fire Code (NFPA) Standard 13 as published by the National Fire Protection Association.

# Annual Registration of Student Organizations

## DSA.DS.400.002

All University of Mississippi student organizations are required to register annually through Org Sync. The Office of the Dean of Students will set the final date for registration renewal for current student organizations at the beginning of the academic year. That date will be clearly defined and communicated through a wide range of media. Information that should be updated in the registration renewal includes:

- new officers
- new advisor(s)
- changes in the constitution
- contact information of officers including telephone numbers and mailing addresses, and
- changes in web addresses or any other information that has changed over the course of the year.

Organizations that fail to comply by the set deadline will be declared inactive and will forfeit those rights and privileges that are granted to student organizations in good standing until renewal is completed.

### Student Organization Orientation

All student organizations must have a representative at the Student Organization Orientation. Orientation will be held at the beginning of each academic year and scheduled within three weeks of the first class day. If a representative of the organization cannot attend due to extenuating circumstances, alternate arrangements may be made with the Office of the Dean of Students. If this requirement is not met, organizations may be declared inactive and will forfeit those rights and privileges granted to student organizations in good standing. Student Organization Orientation provides an overview of the resources provided to student organizations, pertinent dates and events, and answers to any questions student leaders might have.

### Risk Management Training

Advisors and organization leaders are required to complete risk management training for their organization annually. Please refer to <http://dos.olemiss.edu> or the Student Organization Handbook for dates, times, resources, and a complete list of requirements for the training. If this requirement is not met, organizations will be declared inactive and will forfeit those rights and privileges that are granted to student organizations in good standing.

### Student Organization Handbook

The University of Mississippi Policy Directory is the official governing document of the University, and student organizations are responsible for knowing and understanding the policies of The University of Mississippi. Any additional requirements for student organizations are outlined in the Student Organization Handbook. Organizations that fail to follow the policies and guidelines set forth in these documents may forfeit the rights and privileges granted to student organizations in good standing.

## Registered Events DSA.DS.400.003

Throughout the school year, recognized student organizations may sponsor a wide variety of events that might include but are not limited to rallies, speakers, field days, races, social events, fundraisers, and other events. The University of Mississippi has a responsibility to ensure that these events are conducted in an orderly fashion and in the best interest of the University community. Therefore, it is important that events are properly applied for and approved through the Office of the Dean of Students. In addition, the sponsoring organization may have to work with appropriate University agencies such as the University Police Department, Fire Protective Services, Ole Miss Student Union, Physical Plant, Landscape Services, and any other relevant department in the execution of the event and follow all other policies of the University.

## Application for Registered Events DSA.DS.400.004

Opportunities for events on The University of Mississippi campus are encouraged when these events serve as a complement to the educational pursuits of students. To achieve that end, the University has established guidelines for sponsorship, promotion, and execution of events. Any event occurring on or off campus, involving a planned gathering of students for social purposes is considered a social event. Student organizations are expected to follow the guidelines presented in this policy and in other stated University policies. Violations of these regulations may result in sanctions or discipline through the University Conduct System or other appropriate governing body.

**Applying to have an Event** Every event, held both on and off campus, must be registered with the Office of the Dean of Students. Student organizations must register the

*‘Collegiate’ does not mean ‘asinine,’  
and rough stuff does not signify college spirit.  
Be sensible.*

—M-Book 1934-35

activity at least 15 business days in advance and provide the information requested on the application for an event. Additionally, the advisor or chairman of the advisory board when applicable, also must be notified and accept the event. The Office of the Dean of Students will consider exceptions. Exceptions will be made rarely.

Regardless of the event location, the student organization is responsible for all usages fees and any damages that might occur to event facilities. The sponsoring organization is responsible for the cleanup of on-campus events. Organizations will be charged for the cleanup of trash or damage to property on-campus through the University.

Event registration forms are available online through Org Sync, which can be found at the Office of the Dean of Students’ website and in your organization’s Org Sync portal under the “Forms” tool entitled “Application for an Event”.

## Scheduling of Events

The University of Mississippi is an institution of higher learning and no event shall interfere with the academic integrity of the institution. Therefore, no student organization, Greek or otherwise, shall be permitted to schedule, register, or host an event that will detract from the academic integrity of the institution. During the period beginning Sunday the week of final examinations, and lasting through the end of final exam week no event within student organizations shall be permitted. This includes both on and off campus functions and applies to all academic terms. Events shall not be permitted when the University is not in session including Winter Session, summer terms, or during any intra semester breaks such as, but not limited to, fall break and spring break. The Office of the Dean of Students reserves the right to consider exceptions with any of the components of the application process. Requests for exceptions must be made on the Application for an Event form.

## Time Restrictions on Events

Any event held on the University of Mississippi campus on Sunday through Friday may not commence prior to 4:00 p.m. without the special permission of the Office of the Dean of Students. Events held on Sunday through Thursday nights shall not continue beyond midnight. Events held on Friday or Saturday may not continue beyond 1:00 a.m. Exceptions will be considered by the Office of the Dean of Students and may be approved by the Office of the Vice Chancellor for Student Affairs. Requests for exceptions must be made on the Application for an Event form. Students or student organizations violating this policy are subject to disciplinary action through the University Conduct System (DSA.SC.300.001).

## Events Involving Alcohol

Student organizations facilitating events where alcohol may be present are required to follow all local, state, and federal laws, University of Mississippi policy, and all other policies outlined within the Student Organization Handbook. Additionally, organizations allowing the lawful consumption of alcohol at any event should be familiar with Mississippi's Social Host Law (please refer to Miss. Code Ann. § 97-5-49 (2011)).

It is the responsibility of the host organization to implement a sound risk management plan and ensure all social events taking place where beverages containing alcohol are present conform to the following standards. The list below is not an exhaustive list and should be used as guidelines for an event involving alcohol. The Office of the Dean of Students and the University Police Department reserve the right to outline the appropriate levels and additions to the standards outlined below.

1. Registered student organizations may not host an on-campus event open to the general public where alcohol is permitted. All events occurring on University property where alcohol is present must have a guest list.
2. Events are not to exceed the occupancy load outlined by the Fire Marshall for the event's selected venue.
3. Signs should be displayed, in plain view, at all entrances indicating the event is restricted to members and invited guests and stating the ending time of the event.
4. The host organization must provide adequate security personnel recommended by UPD in their consultation. The security personnel must be identifiable and employed by a bonded security company.
5. The organization must designate an appropriate amount of sober observers who will

remain sober and be in attendance for the entirety of the event. Names and contact information must be provided by the organization. Based on anticipated attendance the appropriate amount of sober observers should be 1 per every 50 attendees.

6. Wristbands must be provided to students 21 years of age and older. The only means of removal of the wristband must be cutting or tearing to prevent transfer to those under 21.
7. Wristbands are intended to identify those who are at least 21 years of age. The host organization is responsible for ensuring that only persons 21 years of age or older with appropriate wristbands consume alcohol. The host organization is responsible for making appropriate decisions regarding underage drinking at its event (i.e. asking the person to leave, or shutting down the event). The host organization should be familiar with Mississippi's Social Host Law (please refer to Miss. Code Ann. § 97-5-49).
8. If there is not a licensed third party vendor to serve alcohol at an event a person that is over the age of 21 may bring alcohol for personal consumption. People under the age of 21 may not bring alcohol into any event hosted by a registered student organization. The host organization and/ or its designee is responsible for ensuring individuals do not enter with excessive amounts of alcohol and that individuals consume only their own alcohol.

## **Common Transportation to Off Campus Sites**

Organizations traveling in groups larger than 15 are strongly encouraged to use common transportation to be provided by a chartered transportation company (vans, charter service, shuttles, etc.). In the event that common transportation is used, the departure location must be provided to the Office of the Dean of Students on the Application for an Event form. Parking vehicles in unapproved locations could result in personal vehicles being towed from the location at the owner's expense.

The sponsoring organization is responsible for providing a safe and orderly boarding and drop-off procedure and for the cleanup of the boarding location. Organizations will be charged for the cleanup of trash or damage to property by their members or guests.

## **Voter Registration Information** **DSA.DS.700.001**

In support of our mission and values, The University of Mississippi encourages all students to participate in local, state, and national elections. As part of our responsibility to promote good citizenship, as well as good scholarship, the University urges all students to register to vote.

Students who are not registered to vote are reminded that, to vote in the State of Mississippi, they must register at least 30 days prior to an election. For information on elections and voting in Mississippi (Including a downloadable application to register to vote), visit: <http://www.sos.ms.gov/Elections-Voting/Pages/Voter-Registration-Information.aspx>

For information on voting in other states visit: [eac.gov/voter\\_resources/register\\_to\\_vote.aspx](http://eac.gov/voter_resources/register_to_vote.aspx)

Upon request, the University will provide a paper copy of the voter registration form. Such requests should be made to the Office of the Dean of Students.

# Section V

## Additional Student Resources

### Absence from Class Notifications

The Office of the Dean of Students can serve as a liaison for students in critical and/or life altering situations where students are unable to communicate with their faculty. Absence notifications forwarded by staff who work with Students of Concern provide information to faculty members but *DO NOT EXCUSE ABSENCES* nor serve as a request for a student's absences to be excused.

It is important to note that excused absences and makeup work are granted solely at the discretion of each class instructor, even if an absence notification is sent from the Office of the Dean of Students. Students are strongly encouraged to communicate directly with their instructors regarding class absences. Additionally, Absence from Class Notifications are not necessarily retroactive. When a currently enrolled student has been affected by an emergency or crisis that causes one or more absences from class, the student should immediately contact his or her instructors. A student who cannot report the emergency or crisis because of hospitalization, emergency service, urgent travel needs, or incapacitation may rely on another party (parent, close relative, care giver, etc.) to report the absence(s).

Health care providers at the Student Health Center will not provide written explanations regarding absences from class for illnesses not diagnosed and treated at the Health Center.

Students with emergencies or instructors with questions should contact the Office of the Dean of Students (662-915-7248).

### Equal Opportunity and Regulatory Compliance

- The Office of Equal Opportunity and Regulatory Compliance (EO/RC) is responsible for the implementation, monitoring, and evaluation of the University's Affirmative Action Program and to ensure compliance with all federal antidiscrimination regulations at The University of Mississippi. The Executive Director of EO/RC also serves as the Title IX and ADA coordinator.
- EO/RC's mission is to ensure the university's compliance with federal regulations regarding fair treatment of faculty, staff, and students; to ensure equal employment opportunity and to ensure equal access to a quality education for students. EO/RC also is responsible for investigating complaints of discrimination and serves as a liaison between the university and federal enforcement agencies concerned with equal opportunity and non-discrimination.
- For more information about the university's policies on non-discrimination, see the university's policy directory (<https://secure4.olemiss.edu/umpolicyopen/>). For more information about EO/RC, see our website at [www.olemiss.edu/depts/affirmative\\_action](http://www.olemiss.edu/depts/affirmative_action)
- If you need special assistance related to a disability, please contact or visit the Student Disability Services Office:  
(662) 915-7735 (Voice)  
(662) 915-1570 (TDD)  
email: [eeo@olemiss.edu](mailto:eeo@olemiss.edu)  
217 Martindale Student Services Center

## **Americans with Disabilities Act or ADA ACA.EO.100.015**

The University of Mississippi does not discriminate against any student, employee or applicant for admission or employment based on disability status.

The Director of Equal Opportunity & Regulatory Compliance also serves as the Americans with Disabilities Act (ADA) Coordinator. Any employee who has a bona fide disability and needs a reasonable accommodation should contact this office at 662-915-7735 or email to [eeo@olemiss.edu](mailto:eeo@olemiss.edu). Any student who has a bona fide disability and needs a reasonable accommodation should contact the Office of Student Disability Services at 662-915-7128 or email to [sds@olemiss.edu](mailto:sds@olemiss.edu)

All brochures, letters and other invitations to campus events should contain the following: "If you require special assistance relating to a disability, please contact (enter name and number of contact person)."

### **Student Disability Services**

The University of Mississippi supports the spirit and letter of Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 as Amended in 2008 (ADAAA) and is committed to ensuring equal access to a quality education for qualified students with disabilities. Through shared responsibility with the larger campus community, the Office of Student Disability Services (SDS) is responsible for providing, to approved students with disabilities, reasonable accommodations that support University standards and academic integrity and that promote student independence and self-advocacy.

For more information on the University's commitment to disability access, please visit the University's access statement at: <http://www.olemiss.edu/info/access.html>.

SDS provides classroom accommodations to all students on campus who self disclose a disability, including, but not limited to, learning disorders, psychiatric disorders, mobility issues, deaf/hard of hearing, blind/low vision, chronic illness, attention deficit disorders, and other physical disorders. Interested students must fill out, sign and submit an intake application; must complete an initial interview with SDS staff; must submit current, comprehensive medical and/or psychological documentation; and must meet eligibility criteria.

Students with disabilities who believe they may benefit from classroom accommodations or other assistance should contact SDS at:

234 Martindale  
662-915-7128 (voice)  
662-915-7907 (TTY)  
[sds@olemiss.edu](mailto:sds@olemiss.edu)  
[www.olemiss.edu/depts/sds](http://www.olemiss.edu/depts/sds)

## **The University of Mississippi Issued Identification Cards**

### **ADM.ID.300.001 – 300.009**

All students, faculty, and staff are required to have an Ole Miss ID card. Before a University of Mississippi ID card is issued, identification of the cardholder must be verified, an ID number assigned, and status at The University of Mississippi determined. A University of Mississippi ID card is issued only to current students, faculty, and staff. All other requests for ID cards must be requested in writing to the ID Center and are subject to approval. The University of Mississippi ID card is an official form of identification; therefore, hats, sunglasses, or head coverings may NOT be worn in an ID photo.

Possession and/or use of a University of Mississippi ID card by someone other than the person identified on the card is a violation of university policy. Misuse, alteration of, or abuse of the University of Mississippi ID card will result in loss of privileges granted by the card and disciplinary action being initiated. All ID cards issued by The University of Mississippi ID Card Center remain the property of The University of Mississippi.

The first ID card is issued at no charge. Possession of more than one ID card issued by The University of Mississippi is a violation of university policy. Replacement ID requests may be made in writing to the ID Center and require a \$30 fee which may be paid using Ole Miss Express, cash, check, Visa, or MasterCard. ID cards are made Monday through Friday, 8:15 a.m. – 4:45 p.m. Questions concerning ID cards issued by The University of Mississippi should be directed to the ID Center at (662) 915-7423 or [omexpress@olemiss.edu](mailto:omexpress@olemiss.edu).

Report any lost or stolen IDs immediately to the ID Card Center, The University of Mississippi Police Department, or online at [www.olemiss.managemyid.com](http://www.olemiss.managemyid.com) to place a hold on an ID account. IDs reported as lost or stolen will not be reactivated over the phone. Only IDs presented in person at the ID Card Center by the cardholder identified on the card, or online at [www.olemiss.managemyid.com](http://www.olemiss.managemyid.com) will be reinstated as an active account.

## **University Police and Campus Safety Department**

### **UPD.GP.100.001**

The University of Mississippi Department of Police and Campus Safety (UPD) is a service-oriented law enforcement agency that provides twenty-four hours a day, seven days a week law enforcement service. UPD has the distinction of being accredited by the Mississippi Law Enforcement Accreditation Commission and recognized by the Commission on Accreditation for Law Enforcement Agencies (CALEA). UPD is responsible for all campus police and security related matters.

UPD is a service-oriented department, working within the Division of Student Affairs, dedicated to educating and working with the University community ensuring a safe, tranquil environment conducive to the objectives of the University. UPD officers are state certified law enforcement officers, with full arrest and investigative authority on all University property. UPD routinely conducts vehicle, bicycle, motorcycle and foot patrols on campus and enforces state laws as well as university policies and regulations. UPD also works closely with other local, State and Federal law enforcement agencies such as the Oxford Police Department, the Lafayette County Sheriff's Department, Mississippi Bureau of Investigations, Federal Bureau of Investigations and the United States Marshall Service.

UPD is focused on becoming a recognized leader in higher education law enforcement by providing the public with quality police service and protection. In 2009 and 2013, the

University of Mississippi was ranked amongst the 10 safest college campuses in the country, largely due to UPD's commitment to providing quality safety services.

UPD has four units of operations: Patrol, Investigations, Crime Prevention and Administrative Services.

Patrol consists of 4 patrol officer shifts that work 7:00 a.m. to 7:00 p.m. and 7:00 p.m. to 7:00 a.m. each day. Each shift is supervised by a Police Lieutenant. The Patrol Unit also consists of Campus Safety Officers (CSO) and Communications Officers. The CSOs are unarmed security personnel that patrol the residential halls between the hours of 10:00pm to 6:00am, nightly. They serve to augment the patrol of the certified officer giving extra coverage in the residential halls overnight. The Communications Officers operate the dispatch center at UPD, receiving calls for service and assigning the calls to patrol officers. UPD maintains a database of all calls for service. The Computer Aided Dispatch (CAD) System is used to record all significant events reported to the police department. These events can be viewed daily on UPD's website.

There are two full time investigators in the Investigations Unit with another police officer assigned on a temporary rotating basis. Detectives in the Investigative Unit have completed the Mississippi Certified Investigator's Program, Reid's Interview and Interrogation course and have recorded countless training hours in Crime Scene Investigations and related topics. The Investigative Unit works in conjunction with the Oxford Police Department, Lafayette County Sheriff Department, Mississippi Bureau of Investigations and the Federal Bureau of Investigations on cases involving the campus community.

UPD has an active Crime Prevention Unit which strives to minimize criminal opportunities by educating and encouraging faculty, staff and students to be responsible for their own security and the security of others. Crime prevention presentations are routinely scheduled for campus residents, as well as, faculty and staff groups. Some of the topics covered are:

- Rape and Sexual Assault Risk Reduction
- Domestic Violence Education
- Workplace Violence Education
- Personal Safety
- Rape Aggression Defense Systems (R.A.D.)
- Sexual Assault
- Alcohol and Drug Awareness
- Travel Safety
- Active Shooter Response

The Crime Prevention unit coordinates the Rebel Patrol Student Escort Service. Rebel Patrol escorts offer on-campus walk-along escorts for anyone concerned about walking alone on campus. UPD officers are available to provide on-campus escorts when Rebel Patrol escorts are not on duty.

The University has an emergency telephone system referred to as "Code Blue" which involves the strategic location of emergency telephones on campus. By depressing the button on the emergency telephone unit, UPD will immediately be contacted for assistance with any emergency. The locations of the Code Blue phone units are depicted on the campus map.

The MyForce® Campus System is a mobile phone app that also alerts UPD in case of an emergency. It lets UPD know who is in need of assistance and where they are located on campus. It provides a real time audio clip from your phone and detailed medical and security concerns as displayed in the subscriber's profile.

The Administrative Services Unit is responsible for Records Management, Humans Resource Management, Budget and all other administrative functions. A daily police activity report is made to the local newspaper when a particular crime trend is noted or a significant criminal incident occurs. The University Police Department maintains a daily log of all department activity that is available for viewing on the UPD webpage.

The Police Department is located in Kinard Hall Wing-C on Rebel Drive.

Non-emergency: 662-915-7234

Police emergency: 662-915-4911 or 911 from cell phone or off campus phone, or 4911 from on-campus phone.

Email: [upd@olemiss.edu](mailto:upd@olemiss.edu) (non-emergency)

Students can go to UPD's website <http://upd.olemiss.edu> to find:

- The university's Annual Security Report [also referred to as the Clery Report]. It includes crime statistics and general safety information.
- The Media Log Report- is a summary of calls for service that include many non-criminal events
- The Daily Dispatch Log- which includes significant events reported to UPD
- Crime Alerts- notifications of matters of special significance and urgency.

All students, faculty, and staff members must assume responsibility for their own personal safety and security of their personal property by practicing caution and common sense. The cooperation and involvement of the University community in a campus safety program is essential to its success.

## **Department of Parking and Transportation**

The Department of Parking and Transportation (and the University Police Department) are charged with the enforcement of parking and traffic rules and regulations enacted and promulgated by the Board of Trustees of State Institutions of Higher Learning for the State of Mississippi.

All students who operate a vehicle or bicycle on campus are required to register with the Department of Parking and Transportation and to observe campus traffic and parking regulations. Appropriate parking permits are issued for identification purposes and based upon where students reside.

Detailed information related to vehicle/bicycle registration, parking and traffic rules and regulations, and a color-coded parking guide map can be found online at the Department of Parking and Transportation website: [olemiss.edu/parking](http://olemiss.edu/parking).

The Department of Parking and Transportation is located in Lester Hall Room 110 and lobby hours are from 8:00 a.m. – 4:30 p.m. weekdays. Students can contact this office at 662-915-7235 or email [parking@olemiss.edu](mailto:parking@olemiss.edu) with questions about vehicle registration and parking citations

## Department of Student Housing

The mission of the Department of Student Housing is to provide secure, supportive, and comfortable communities, designed to contribute to the personal and academic growth of each residential student.

While living in our residential communities, students are expected to respect both the facilities and other members of the community, upholding at all times the standards set forth by the

University Creed. Further, students must understand that the cleanliness and proper care of university facilities are the responsibility of all who occupy the building.

In addition to the policies listed in the M Book, The University of Mississippi has several policies that are specific to student housing residents and their guests. Students should familiarize themselves with these policies by visiting the University of Mississippi Policies Directory at <https://secure4.olemiss.edu/umpolicyopen/index.jsp>

## Department of Campus Recreation

Campus Recreation strives to provide outstanding services, programs, and facilities for the University of Mississippi community that promote the development and maintenance of healthy lifestyles. Campus Recreation exemplifies the university's mission by fostering leadership and excellence, offering high-impact co-curricular programs in active, inclusive, and student-focused environments that provide an outlet for competition, exploration, play, and social interaction

The programs and services administered by Campus Recreation are geared to the recreational interest and need of the campus community. As a student it is recommended that you find time to become active in one of the programs or services available to you, as your participation will enhance your personal health and your college experience.

Campus Recreation also houses the Office of Health Promotion, which assists students with

*Everyone speaks at Ole Miss. Unique in the system of great universities, Ole Miss is proud to be known as “The Friendly University.” Genuine friendship is more than just a tradition, it is a way of life. Upperclassmen are always willing to lend a helping hand.*

—M-Book 1967

a variety of health related topics. Health Promotion advocates for well-informed and healthful choices while encouraging wellness in positive, empowering, and open environments. The RebelADE and AlcoholEdu programs are administered through Health Promotion.

Information pertaining to the Department of Campus Recreation can be found at <http://campusrec.olemiss.edu/>.

Students are able to engage in many of the programs and services upon activation of their university ID. The ID must be presented with each visit to the Turner Center. All policies associated with proper use of one's identification card found in the M-Book must be adhered to for use and/or participation in the programs and services associated with Campus Recreation.

## **Student Health Services**

The V.B. Harrison Health Center on Rebel Drive. The center is staffed by primary care physicians and nurse practitioners. Please remember a few important points:

- Clinic hours are 8 a.m.-5 p.m. Monday-Thursday and 9a.m.-5p.m. on Friday. Because of the high patient volume, students should sign in before 4 p.m. to be seen that day.
- The busiest times are all day Monday and between 11:30 a.m. and 1:30 p.m. on all days. To have the shortest wait time, students should make an appointment by calling 662 915-7274.
- For after-hours emergent care, we recommend the emergency department at Baptist Memorial Hospital-North Mississippi, which is located on South Lamar Blvd., just south of Highway 6. The phone number to the hospital is 662-232-8100.
- Treatment at Student Health is provided by a staff of four physicians, a nurse practitioner, a staff psychiatrist, registered nurses, and lab and X-ray personnel. Physical therapy is also available on campus. Appointments or referrals should not be made with the Physical Therapy Department without first getting approval from your insurance company.
- Appointments are required for routine gynecologic exams, physical examinations and psychiatric visits.
- Students may request a specific provider when they sign in.
- All visits are confidential.
- SHS does not issue written excuses for missing class. Students are given a copy of their superbill as documentation of their visit.
- Office visits are free to currently enrolled students. Charges are made for lab work, X-rays, injections, and supplies. The charges are posted to the student's bursar bill, unless paid at the time of service. Insurance will be filed if a copy of the insurance card is provided. We accept assignment and are preferred providers for BCBS of Mississippi and Aetna Graduate/International insurance. It is the responsibility of the insured to know their insurance benefits as applicable to Student Health.
- Students will need their university ID card to be eligible for service, and should have their current insurance ID card with them.
- Treatment cannot be provided via telephone. Students who feel sick should come to Student Health for care. It's best to come as early in the day as possible so that timely referrals can be made to outside specialists, if necessary.
- Student Health Center Pharmacy is located within the V.B. Harrison Health Center building.

V.B. Harrison Student Health Center, 662-915-7275

More details can be found at: [http://www.olemiss.edu/depts/stu\\_health/](http://www.olemiss.edu/depts/stu_health/)

## University Counseling Center

The University Counseling Center assists students in their personal and educational development through a variety of psychological services, including individual counseling, group counseling, crisis intervention, psychiatric consultations and outreach programming. All services are strictly confidential and free to students. To make an appointment call 662-915-3784.

For most students, the college years represent unique challenges. It is a time of significant personal growth and decision-making regarding your values, interpersonal relationships, career and other life goals—all within a stressful academic environment. Even the most successful student may experience considerable difficulty with these challenges. Problems often encountered by students include difficulties with academics and interpersonal relationships, family problems, self-identity issues, loneliness, low self-esteem, depression and anxiety.

The University Counseling Center offers services designed to complement the university's academic mission by assisting students with their personal and educational development through a variety of psychological services.

**Personal Counseling and Therapy:** Personal counseling and therapy is aimed at helping persons cope with life stressors and develop more positive ways of using strengths. The goal of counseling is to help clients take more effective control of their lives. Types of personal issues addressed include college adjustment, depression, anxiety, relationship concerns, substance abuse, eating disorders, grief/loss issues and family problems.

**Group Counseling and Therapy:** Support groups and therapy groups are offered as a means of helping students gain greater self-awareness, interpersonal sensitivity and coping skills in a safe environment. Depending on need and interest, group offerings can target such issues as eating disorders, substance abuse, relationship issues, parenting issues, assertiveness, self-esteem and adjustment to college life.

**Crisis Intervention:** A counselor is on call 24 hours a day for emergency assistance. Crisis intervention services are coordinated through the Office of the Dean of Students at 662-915-7248.

**Psychiatric Consultations:** Upon the recommendation of the professional staff, appointments can be made with the Center's consulting psychiatrist, who is available for psychiatric evaluations, medication consultations and management, and other psychiatric services.

**Assessment:** The Counseling Center offers testing as it relates to therapy and counseling, as well as referrals for other types of psychological assessments.

**Consultation:** Counseling Center services also are available to faculty, staff and students facing a variety of issues, including how to respond to a student or colleague with a psychological problem and how to make a referral.

counselg@olemiss.edu  
Corner of Poole Drive and All-American Drive;  
662-915-3784  
(fax) 915-7831  
Hours: M-F 8:00 to 5:00

# TORNADO AWARENESS

## Are You Ready?

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In 2014, **27 tornadoes** occurred in MS. There were **11 fatalities** and **126 injuries** statewide.

\*Most recent figures available from the National Weather Service.

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**PLEASE TAKE YOUR SAFETY SERIOUSLY.**  
See reverse side for more information or visit [emergency.olemiss.edu](http://emergency.olemiss.edu)

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### TORNADO WATCH

#### WHAT IT MEANS

Weather conditions are favorable for the formation of a tornado.

#### HOW YOU'LL KNOW

RebAlert text message sent by university.

#### WHAT TO DO

Move inside a building. Monitor weather conditions to determine if the watch has been elevated to a warning.

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### TORNADO WARNING

#### WHAT IT MEANS

A tornado has been sighted or indicated by radar in the warning area.

#### HOW YOU'LL KNOW

Sirens will sound. You will hear a blast, followed by a short period of silence. This cycle will repeat for the duration of the warning.

#### WHAT TO DO

Find shelter immediately, preferably on the lower floor of a building or in the basement. Stay away from windows, and keep hallways clear. When a tornado approaches, assume a kneeling position facing the wall with your head down.

#### WHEN IT'S SAFE

When the sirens have been silent for at least 5 minutes, the current tornado warning is over. Please monitor National Weather Service alerts to know when all warnings are over and it is safe.

#### IF THERE IS TORNADO DAMAGE

Stay out of the disaster area. Do NOT use telephones except in life-threatening emergencies. Excessive use may block emergency communications that rely on cell phone use.



THE UNIVERSITY of  
**MISSISSIPPI**  
[emergency.olemiss.edu](http://emergency.olemiss.edu)