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CODE OF STUDENT CONDUCT

GENERAL PROVISIONS

1.01 APPLICABILITY

This Code of Student Conduct is adopted pursuant to authority granted by the University's Board of Regents. This Code applies to on-campus conduct of every student enrolled at the University and includes conduct using University computing or network resources. The Code also applies to all students off-campus when using University facilities, participating in University programs or activities, participating in programs or activities of registered student organizations, or engaging in any conduct which would constitute a criminal offense as defined by local, state, or federal law, regardless of the existence or outcome of any criminal proceeding. The Code may be applied to behavior conducted online, via e-mail, text, or another electronic medium.

1.02 DEFINITIONS

- a. "Academic work" means the preparation of an essay, thesis, report, problem assignment, computer program, or other project which is submitted for purposes of grade determination.
- b. "Code" means this Code of Student Conduct.
- c. "Director" means the Director of Student Development or Director of Student Housing and Residence Life or designee.
- d. "Disciplinary action" means proceedings under Section 3 of this code.
- e. "Hazing" means those activities defined in the Cameron University Hazing Code (See Appendix A).
- f. "Hearing Officer" means a person appointed by the Dean of Students, who in most cases will be the Director of Student Development, the Director of Student Housing and Residence Life, or the Chair of the Disciplinary Committee, to conduct hearings.
- g. "Notice" means correspondence via official University communication. Any of the following means constitutes "notice" for the purposes of this policy: (1) sent by mail, addressed to the addressee at the local address, as shown on University records in the Office of the Registrar; (2) personally delivered

to the addressee; (3) an email to a University email address; or by (4) certified mail, return receipt requested, to the address on file.

h. "Preponderance of the evidence" means a fact is more likely to be true than not.

i. "Record" means all written documents, forms, copies, reports, statements, tape recordings, or tangible evidence in a disciplinary action.

j. "DOS" means Dean of Students unless otherwise noted.

RIGHTS OF STUDENTS

2.01 STUDENT RIGHTS

Cameron University students are guaranteed certain rights by the constitution of the United States and the State of Oklahoma. In recognition of these rights and in keeping with the values underlying them, Cameron University recognizes the following student rights:

a. To pursue an education as long as the University's applicable academic standards, policies, regulations, and applicable laws are followed;

b. To certain procedural due process, including notice and an opportunity to be heard;

c. To a prompt, fair, and impartial process during University investigations and proceedings, from an initial investigation to the final result;

d. In cases involving sexual misconduct, the complainant/reporting party and the respondent have the right to have the investigation and proceedings conducted by officials with annual training on issues related to dating violence, domestic violence, sexual violence, and stalking, and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability;

e. To request appropriate action from the administration for any violation of a right guaranteed by this Code;

- f. To establish or disseminate publications free from any censorship or other official action controlling editorial policy or content, in accordance with applicable regulations and University policy;
- g. To invite and hear any speaker of choice on any subject, in accordance with applicable regulations and University policy;
- h. To use campus facilities, in accordance with applicable regulations and University policy;
- i. To peaceably assemble, to demonstrate, inform, or protest, in accordance with applicable regulations and University policy;
- j. To be secure in their possessions, against invasion of privacy, and unreasonable search and seizure;
- k. To form, join and participate in any student organization or group without regard to race, color, national origin, sex, sexual orientation, gender identity, gender expression, genetic information, age (40 or older), religion, disability, political beliefs or status as a veteran. Provided, in accordance with Oklahoma state law, a religious student association may choose to limit its membership or leadership based on the sincerely held religious beliefs, observances, or practices of the group; Provided further pursuant to Title IX, certain tax-exempt nonprofessional, social fraternities and sororities may be permitted to restrict membership based on sex; and
- l. Not to be charged more than once for one incident by the Office of Student Development.

RESPONSIBILITIES OF STUDENTS

2.02 CONDUCT REQUIRED

Each student shall conduct themselves in a manner consistent with the University's mission as an educational institution. Any student who fails to conduct themselves in such a manner violates this code and a disciplinary action and sanction may be imposed. Students are responsible for complying with all local, state, and federal laws. As members of the University community, students are also responsible for familiarizing themselves with and complying with all published University policies, copies of which are available online and in The Office of Student Development.

In addition, students involved in disciplinary actions under this Code, whether as parties, witnesses, or committee members, have a duty to cooperate and discuss the incident with appropriate University officials, adhere to stated deadlines, attend scheduled meetings, provide documentation as requested, and participate in all University proceedings. Failure to fulfill these responsibilities may result in a student being charged with failure to comply with the direction of a University official or could result in a decision being made without the benefit of the student's participation. Nothing herein shall be interpreted as abridging one's right to be free from self-incrimination.

2.03 CONDUCT PROHIBITED

Students are responsible for meeting the University's minimal standards of appropriate conduct and may be disciplined for engaging or attempting to engage in the following types of prohibited conduct: The following list of prohibited conduct is inclusive, but not exhaustive:

A. Academic, Ethical, or Professional Codes

a. Engaging in academic dishonesty as defined and described in Section 7.01 of the Code

B. Alcohol

a. Violation of the published University policies on the possession and use of alcoholic beverages (See Appendix B).

C. Complicity

a. Attempting to commit, knowingly permitting, or being an accessory by knowingly aiding, conspiring, or assisting others with any act prohibited by this Code.

D. Disorderly Conduct and Unwanted Behaviors

a. Disorderly Conduct: Unreasonable and material behavior that is disruptive, lewd, or a breach of peace, including inciting others to do so.

b. Disruption or Obstruction of a University Activity: Unreasonable and material disruption or obstruction of a University activity such as teaching, research, recreation, meetings, public events,

programs, services, administrative functions, and conduct proceedings.

c. Gambling: Gambling in any form on University property or sponsored activities.

d. Harassment: Behavior that is severe, pervasive, or persistent to a degree that a reasonable person would not tolerate and effectively denies or interferes with equal access to University education, employment, benefits, or privileges. This includes verbal abuse, threats, intimidation, stalking, and coercion. In addition, harassment may be conducted by a variety of mediums including physical, vocal, written, or electronic.

e. Hazing: Engaging in activities and behaviors considered hazing in nature which includes, but not limited to, an initiation by an organization utilizing any dangerous, harmful, or degrading act towards a student (See Appendix A).

f. Physical Assault: Any physical force, causing, or that could reasonably cause, bodily harm upon any person including assault, fighting, brawling, or restraining someone against their will.

g. Retaliation: Taking any adverse action against a person because of participation or non-participation in a report, investigation, claim, or grievance process.

h. Threatening Behavior: A serious expression of intent to commit an act of unlawful violence against a particular individual, identifiable group, or damage to property. The threatening violence, including intimidation, causes reasonable fear of injury to the health or safety of any person, group, or property.

E. Drug

a. Possessing, using, providing, manufacturing, selling, or distributing of any quantity, whether usable or not, of any drug, narcotic, or controlled substances, as well as any drug paraphernalia. This includes a prohibition of any marijuana use or possession, including medical or recreational marijuana, on University premises or while participating in University sponsored activities.

- b. Misuse of legal substances such as using general products as intoxicants or “means to get high” and inhaling or ingesting a substance other than in connection with its intended purpose.
- c. Possessing, using, providing, distributing, or selling prescription drugs by persons other than the person to whom the drug is prescribed or use not in accordance with the prescription.

F. Failure to Comply

- a. Failure to Comply or Complete a University Sanction in a Satisfactory Manner: Failure to adhere to sanctions, safety and interim measures, or engaging in other prohibited conduct.
- b. Failure to Comply with a University Official: Disobeying instructions or directions by a University official who is acting in good faith of their duties including failing to identify oneself, respond to University correspondence, or attend University scheduled meetings.
- c. Failure to Maintain Records: Failure to keep the University notified of contact information, including phone numbers, emergency contacts, and email.

G. False and Misleading Information

- a. Acts of Dishonesty
- b. Bribery or acceptance of bribes
- c. Forging or altering another person’s signature.
- d. Forging, altering, tampering, falsifying, or misusing a University record or document, submitting false information, omitting requested information from a University record or document, or possessing any of these records or documents.
- e. Knowing initiating a false report to the University.

f. Manufacturing, possessing, or presenting false identification to a University official or local, state, or federal law enforcement or using the identity of another person.

H. Misuse, Defacement, or Damage of Facilities and Property

a. Failure to adhere to the Computer Use Policy or Residential Network Policy or standards, including unauthorized use, access, or entry of an information technology resource owned or managed by the University such as computer systems, networks, databases, hardware, software, accounts, data, or facilities. Using University information technology resources for illegal or prohibited activities.

b. University Property: Intentional or reckless destruction, defacement, or damage to University equipment, property, furniture, facilities, and buildings or using in a manner inconsistent with its intended use.

c. Property of Another: Intentional or reckless destruction, defacement, or damage to another's property, or using that property in a manner inconsistent with its intended use.

d. Theft: Using, depriving, removing, or possessing the property or services without entitlement or authorization through engagement of theft or attempted theft.

I. Safety, Security, and Emergency Response

a. Activities that jeopardize University-related property, building security and safety.

b. Arson: Attempting to ignite or the action of igniting University or personal property on fire by intent, reckless behavior, or failure to exercise reasonable care that results or could result in personal injury, property damage, or damages to premises.

c. Endangerment of Others: Unlawfully endangering the health, safety, or privacy of oneself, others, or animals.

- d. Explosive Materials: Unauthorized possession or use of fireworks, dangerous chemicals, and explosive materials, ignition, or detonation of anything which could cause damage to persons or property, or disruption by fire, smoke, explosion, noxious odors, stain, or corrosion.
- e. False Reporting or Misuse of Emergency Response: Falsely reporting an incident or emergency of any type including setting off a false fire alarm.
- f. Flammable Materials: Unauthorized possession or use of candles, torches, incense or incense burners, other open flame apparatus, extension cords, gasoline, propane tanks, or lighter fluid on University premises.
- g. Interfering with, Obstructing, or Disrupting Emergency Responses: Failing to evacuate during an emergency or drill, impairing an orderly evacuation, resisting arrest, blocking, or barring an exit; failing to abide by the directions of police, fire, emergency medical personnel, or University officials.
- h. Interfering with, Obstructing, or Disrupting the free flow of pedestrians or other traffic.
- i. Manipulating Safety Equipment: Tampering with, impairing, disabling, relocating, or misusing fire or safety protection systems such as smoke detectors, fire extinguishers, sprinklers, cameras, doors, signs, or alarms.

J. Sexual Misconduct

- a. Under the authority of the Office of Institutional Equity and the Office of Student Development, complaints alleging Prohibited Sexual Misconduct as, outlined in Section 2.04 below, must be directed to the Title IX Coordinator.

K. Unauthorized or Attempted Entry or Exit

- a. Unauthorized entering, exiting, occupying, or using of any University owned or managed facilities, equipment, resources, property, or property belonging to another.

- b. Unauthorized possession, duplication, or use of keys or access cards, lock combinations, codes, or passwords to any University owned or controlled premises or other public or private property.
- c. Damaging or tampering with doors, locks, or lock boxes; propping open of exterior residence hall or other campus building doors.
- d. Misuse of access privileges to University premises.

L. Law, Ordinance, Regulation, Rule, Procedure, or Policy

- a. Law Violations: Violation of local, state, or federal law.
- b. University Policy Violations: Violations of rules, regulations, and policies to include but not limited to Student Housing and Residence Life and University-owned facilities.
- c. Institutional Equity Policy violations
 - 1) Any violation of the Non-Discrimination Policy.
 - a) The University, in compliance with all applicable federal and state laws and regulations, does not discriminate on the basis of race, color, national origin (including actual or perceived shared ancestry or ethnic characteristics), sex (see Sexual Misconduct, Discrimination, and Harassment Policy), sexual orientation, marital status, genetic information, gender identity/expression (consistent with applicable law), age (40 or older), religion, disability, political beliefs, or status as a veteran in any of its policies, practices, or procedures. This includes but is not limited to admissions, employment, housing, financial aid, and educational services.
 - b) As defined by the International Holocaust Remembrance Alliance, "Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their

property, toward Jewish community institutions, and religious facilities." The Office of Equal Opportunity investigates allegations of antisemitism using the standards applicable to allegations of discrimination or harassment based on race, color, and national origin (including shared ancestry or ethnic characteristics).

c) Under the authority of the Office of Equal Opportunity and the Division of Student Affairs, complaints alleging violations of the Non-Discrimination Policy must be directed to the Office of Equal Opportunity.

2) Any violation of the Sexual Misconduct, Discrimination, and Harassment Policy.

a) i. Under the authority of the Office of Equal Opportunity the Division of Student Affairs, complaints alleging Prohibited Sexual Misconduct must be directed to the Title IX Coordinator.

M. Weapons

a. Actual or constructive use, possession, or control of any weapon and munitions of all types, defined as any object used or designed to inflict or attempt to inflict harm or injury or fear of harm or injury including instruments designed to look like any weapon.

PROHIBITED SEXUAL MISCONDUCT

2.04 SEXUAL MISCONDUCT

As noted above in Section 2 (x), the following conduct, or attempted conduct, is prohibited, and constitutes "Prohibited Conduct" for the purposes of this Policy:

a. Hostile Environment Harassment, which is unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education program or activity;

b. Quid Pro Quo Sexual Harassment, where an employee of the University is conditioning the provision of aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct; or

c. Sexual Assault, which includes:

- Rape—penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim;
- Fondling—the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim;
- Incest—Non-forcible sexual intercourse between persons related to other within the degrees wherein marriage is prohibited by law; and
- Statutory Rape—sexual intercourse with a person who is under the statutory age of consent.

d. Dating Violence, which is violence between individuals in the following circumstances:

- The party is or has been in a social relationship of a romantic or intimate nature with the victim; and
- The existence of such a relationship shall be determined based on a consideration of the following factors: (i) length of the relationship; (ii) type of relationship; (iii) frequency of interaction between the persons involved in the relationship.

e. Domestic Violence, which is an assault and battery against a current or former spouse; a present spouse of a former spouse; a former spouse of a present spouse; parents; a foster parent; a child; a person or otherwise related by blood or marriage; a person with whom the Respondent is or was in a dating relationship; an individual with whom the Respondent has had a child; a person who formerly lived in the same household as the Respondent; or a person living in the same household.

f. Stalking, which is a course of conduct directed at a specific person that would cause a reasonable person to (a) fear for the person's safety or the safety of others, or (b) suffer substantial emotional distress.

2.05 Special Procedures for Prohibited Sexual Misconduct:

Under the authority of the Office of Equal Opportunity and the Office of Student Development, Complaints alleging Prohibited Sexual Misconduct must be directed to the Title IX Coordinator. The Sexual Misconduct, Discrimination, and Harassment Policy and Grievance Procedures for Sexual Misconduct and Harassment set forth the process for investigation, adjudication, sanctioning, and appeals for all Prohibited Sexual Misconduct.

DISCIPLINARY SANCTIONS

3.01 DISCIPLINARY SANCTIONS

Students who engage in prohibited conduct are subject to the following sanctions.

- a. Warning: A verbal or written notice to the student that a violation of a published University policy has occurred and that the continuation of such conduct or actions could result in further disciplinary action.
- b. Restricted privileges: Denial or restriction of one or more privileges granted to students. These may be, but are not limited to, denial of access to all or portions of campus (except for limited periods and specific activities with the permission of the appropriate University official), dining privileges, visitation privileges, or participation in athletics or other extracurricular activities. The restriction may be imposed only for a definite term.
- c. Educational Sanction: The requirement that the student complete a special project, which may be, but is not limited to, writing an essay, attending special classes or lectures, or visiting an appropriate campus resource center. The special project may be imposed only for a definite term.
- d. Restitution or Fines: Paying for physical or property damage, losses, or misappropriation, either monetarily or by the performance of specific duties such as cleaning or restoration. Community service may be imposed in lieu of a fine if restitution or a fine would result in an unreasonable hardship for the student.
- e. Disciplinary probation: A written statement that the behavior was inappropriate and, should subsequent violations occur, the University will take more serious conduct action up to and including

suspension or expulsion. A student on disciplinary probation is not in good standing and their continued enrollment is conditioned upon adherence to published University policies. Probation may be imposed only for a definite term or until the student meets certain conditions. Disciplinary Probation can include exclusion from University-affiliated entities including student organizations for the duration of the probation and automatically restricts the following privileges:

- A student on disciplinary probation or harsher disciplinary sanction is ineligible to hold or be elected to an office of any student organization recognized by the University;
- A student on disciplinary probation or harsher disciplinary sanction may not represent the University in any special honorary role, (e.g., debate tournament, athletic competition, etc.)
- If a specific question is asked whether the student has been involved in any disciplinary situations, there is no alternative but to give an accurate answer to the question.

f. Withholding an official transcript or degree for a specified period of time or until the student meets certain conditions.

g. Prohibition against readmission.

h. The University's official recognition of a student's or organization's violation of the Alcohol and Controlled Substances Policy outlined in Appendix B.

i. Suspension: Separation from the University for a definite term, during which the student shall not be permitted to attend classes or participate in any University activity, and/or be on University property.

j. Expulsion: Termination of student status for an indefinite period. The conditions for readmission, if any, shall be stated in the order of expulsion. When an offense is so severe that the University will not allow the student to re-enroll, the student will be expelled. Expulsion is not a permanent separation, but neither is a definite time set when return is expected.

k. Administrative Trespass: Denial of access to all or a portion of campus, except for limited periods and specific activities with the permission of the appropriate University official, as designated by the DOS or other appropriate administrative official vested with such authority. Should the student enter the campus without permission, the appropriate University official or the campus police may take action.

l. University-Owned Housing Reassignment, Probation, or Termination: Reassignment to another University-owned housing unit, exclusion from certain University-owned properties, a written indication that the student is not in good standing in Student Housing or immediate termination of the student's housing contract with or without a deposit refund.

3.02 TEMPORARY ADMINISTRATIVE ACTION

A Temporary Administrative Action is an action that places immediate restrictions upon a student's rights within the University community, up to and including removal from the University community. It is not a final disciplinary sanction; it is a temporary measure that may be undertaken pending appropriate due process. A Temporary Administrative Action may be imposed only by the President, the DOS, or other appropriate official when necessary for the welfare or safety of the University community; to maintain order on the campus and preserve the orderly functioning of the University; to stop or prevent interference with the public or private rights of others on University premises; to stop or prevent actions that threaten the health or safety of any person; or to stop or prevent actions that destroy or damage property of the University, its students, faculty, staff, or guests.

Upon the decision to impose a temporary restriction, the student shall be notified by the most expeditious means available.

When temporary restrictions are imposed, the Office of Student Development shall review the facts and circumstances to determine whether to initiate disciplinary proceedings pursuant to this Code, whether to recommend to the DOS that the temporary administrative action should be rescinded, or whether some other University action is appropriate.

RECORDKEEPING AND DISCIPLINARY HOLDS:

4.01 STUDENT RECORDS, STUDENT TRANSCRIPTS, AND STUDENT REGISTRATION.

The University may place a disciplinary hold on a student's records during the pendency of Student Conduct Proceedings. A disciplinary hold prohibits a student from registering for classes or from receiving an official transcript until the Student Conduct Proceedings, to include any review procedure, are complete. Upon conclusion of Student Conduct Proceedings, the University may continue a disciplinary hold on a student's records until the student satisfactorily completes all sanctions.

The University may place a disciplinary hold on a student's record if a student is suspended as part of the sanctions process, which prohibits a student from being admitted to or registering for classes at any campus governed by the Board of Regents of the University of Oklahoma. A disciplinary hold shall remain in effect until the suspension period is over, the student has complied with all conditions/sanctions and has reapplied and been readmitted.

Records relating to non-academic student conduct are part of the student's overall education record; however, disciplinary charges and sanctions are not noted on the student's transcript, except where academics are incidentally affected (i.e., the transcript for a student suspended during a semester after the add/drop deadline will reflect withdrawal from any courses in which the student is enrolled).

Disciplinary records will be maintained in the Office of Student Development. Housing disciplinary records will be maintained in the Office of Student Housing and Residence Life.

ADMINISTRATION OF STUDENT CODE

5.01 DIRECTORS

Under the direction of the Dean of Students (DOS), the Director of Student Development, or designee, shall be primarily responsible for the administration of the student conduct system. The Director of Student Housing and Residence Life or designee will be responsible for resolving disciplinary problems resulting from the violation of regulations within residential facilities, according to the Code and the Student Housing and Residence Life Rules, Regulations, and Information.

5.02 ADMINISTRATIVE INVESTIGATION OF ALLEGED CODE VIOLATIONS

Allegation. Allegations that a student has engaged in conduct that would constitute Prohibited Conduct under this Code should be referred to the Director of the Office of Student Development. The Director will conduct a timely preliminary inquiry into the alleged violation to determine whether the complaint warrants further investigation. If the Director determines that the alleged conduct, if true, could constitute Prohibited Conduct under the Code, they shall send notice to the student of the allegations and afford the student an opportunity to be heard as detailed below.

Notice of Investigation The Director shall send notice to the student that a complete investigation will occur. The Student Conduct Notice shall include:

- a. A description of the alleged misconduct;
- b. A citation to the Code provisions alleged to have been violated;
- c. A brief explanation of the Student Conduct process; and
- d. A direction to the student to attend a mandatory Conduct Meeting within ten (10) business days of the date of the Notice.

Conduct Meeting. The Director will meet with the student to explain the Student Conduct process and give the student an opportunity to respond to the charges and relate or explain any facts bearing on the alleged violation. The Director shall consider the student's response and any evidence the student presents or provides to the Director. The student may be accompanied by an advisor or an attorney. The Director will conduct additional investigations as needed in order to make a determination. A determination will be made regardless of a student's attendance, based on the information and evidence available.

Allegations that a student has engaged in conduct that if true would constitute a violation of the University's Sexual Misconduct, Discrimination, and Harassment Policy shall be promptly referred to the University's Title IX Coordinator.

Administrative Determination. After a fair and impartial assessment of all of the information collected during the investigation including any information provided by the student, the Director shall make a determination of whether the Code was violated. The Director shall indicate their decision, including any recommended disciplinary action, if any, in writing as soon as reasonably practical but no later than five (5) business days after completion of the administrative review. For sanctions other than, suspension, or expulsion, the student may appeal the administrative determination as outlined below. However, if the Director believes a sanction of suspension, or expulsion should be imposed, the Director shall so indicate in writing to both the student and the DOS and the DOS will convene a Hearing Committee as outlined below.

Appeal of Determination. The student has five (5) business days after the notification of the administrative determination in which to file a written appeal to the DOS. Please refer to Section 6.0 - Appeals & Review.

6.0 APPEALS AND REVIEW

6.01 REQUESTING APPEAL

a. **Written Appeal Request.** A student wishing to appeal the Director's decision in cases that do not result in interim suspension, suspension, or expulsion must file a signed, written notice of the appeal request with appropriate grounds for appeal with the DOS no later than five (5) business days after official notice of the Director's decision.

b. The grounds for appeal are:

- Insufficient evidence to support the decision.
- The sanction imposed was too harsh.
- An error that significantly prejudiced the rights of the student.
- Significant new information discovered after the Conduct Meeting.

c. **DOS Review:** For appeals of determinations other than those that result in interim suspension, suspension, or expulsion, the DOS will review the student's written request for appeal, as well as the

entire record and any evidence or information gathered during the Conduct Meeting. If necessary, the DOS or his designee will conduct any additional investigation needed or consult with any of the parties involved. The DOS can find 1) there was no violation of this Code; 2) there was a violation of this Code and the Director's recommended sanctions are appropriate; or 3) there was a violation of this Code and alternative sanctions would be more appropriate. The DOS will communicate the decision to the student and the Director within ten (10) business days of receiving the appeal.

d. **Hearing referral.** Where the Director recommends interim suspension, suspension, or expulsion, the DOS convenes a Hearing Committee to determine whether there has been a Code violation and whether the recommended sanction is appropriate. The Committee Chair will notify the student of a hearing date no later than ten (10) business days after the appeal request unless there are extenuating circumstances (such circumstances are to be shared with the student.) If disciplinary action is involved prior to appeal, the student may request a more expedient hearing.

HEARING PROCEDURES

The following procedures are applicable to any hearing before the Committee. A Committee will hear all appeals of Temporary Disciplinary Actions and all matters that may result in suspension or expulsion.

6.02 DISCIPLINARY HEARING COMMITTEE

The DOS shall appoint the Disciplinary Hearing Committee. Committee membership will include students, faculty, and staff members. The Committee will both be comprised of three faculty, three students, and one staff member.

The Committee will provide a de novo hearing for non-academic misconduct cases resulting a recommendation of interim suspension, suspension, or expulsion. The Chair of the Committee, appointed by the DOS, will work closely with the DOS to follow appropriate procedures for the hearing.

6.03 PRE-HEARING PROCEDURES

Notice. Upon initiation of the hearing process, as described in Section 6, the Disciplinary Hearing Committee will provide written notice to all parties. The Notice will include:

1. **Time of Hearing:** Notice shall state the date, time, and location of the hearing.
2. **Summary of Allegations:** Notice shall include a short and plain statement of the University policies alleged to have been violated, the factual background of the matter, and the basis for the Committee hearing (i.e. student appeal of interim suspension, suspension, or expulsion hearing).
3. **Identity of the Committee Members:** Notice shall include the identity of all Committee members. Both the student and the Director will have an opportunity to object to any of the members on the basis that a proposed Committee member has a conflict of interest. The Chair will make the final determination about whether the alleged conflict disqualifies the Committee member from serving as a panelist in a particular hearing. If the Chair determines there is a conflict, the DOS will replace the conflicted Committee member with an alternate. If a party believes the Chair has a conflict, the DOS will determine whether a conflict exists.

Disclosures. At least five (5) business days before the hearing, all parties shall make the following disclosures to the Committee, in writing. The Chair of the Committee will provide copies of the disclosures to all parties prior to the hearing. All parties will receive notice at the same time.

1. Whether any legal counsel or advisor will attend the hearing with a party.
 2. Whether a party believes there to be a conflict of interest with any of the Committee members.
 3. Names of all witnesses each party intends to call to testify during the hearing, including a brief summary of each witness's expected testimony.
 4. Copies of all documents and/or exhibits the parties intend to introduce during the hearing.
- NOTE: The Committee may, in its discretion, allow the introduction of evidence not previously disclosed.

6.04 HEARING PROCESS

Hearing Process

1. **Opening Remarks.** If desired, the Director and then the student may briefly outline their cases before the presentation of evidence. The Chair may set a time limit, typically five minutes. The Committee should use discretion when determining the proper evidentiary value of the information presented during Opening Remarks.

2. **Presentation of Evidence.**

- The University will usually present its case first, followed by the student.
- Each party shall have the opportunity to present their respective positions, including the presentation of documents and calling of witnesses. Each party is allowed an opportunity to cross-examine witnesses presented by the other party.
- Each party is responsible for ensuring that any witnesses who will testify in support of that party's position are notified of the time and place of the hearing. As a responsibility of membership in the University community, all students are expected to participate in Conduct Proceedings upon request; however, the hearing panel cannot compel the attendance of witnesses.
- The Committee members may ask questions of the witnesses at any time, at the discretion of the Chair.
- After each party has presented its case, upon request of either party the Committee, at its discretion, may permit the introduction of additional evidence to clarify or rebut evidence presented during the course of the hearing.

3. **Closing Remarks.** At the Committee's discretion, the parties may make brief summary statements. The Chair may set a time limit, typically five minutes.

6.05 HEARING RULES

a. **General Decorum.** The Chair shall exercise control over the hearing to ensure fairness and a professional atmosphere. Any person who disrupts a hearing or who fails to adhere to the established procedure or rulings of the Chair may be disciplined, including without limitation, exclusion of witnesses or evidence.

b. **Advisors.** Parties are entitled to have an individual advisor, legal guardians, and/or a legal advisor present during the hearing. During meetings and hearings, the advisor may talk quietly with the student or pass notes in a non-disruptive manner. The advisor may not intervene in a meeting or hearing or directly address panel members, complainants, or witnesses, nor may they make objections. If parties desire to have attorneys serve as their advisors, they may do so at their own cost. The Chair and the Committee may consult with designated counsel in the University of Oklahoma's Office of Legal Counsel at any time during these proceedings.

c. **Confidentiality.** Hearings and matters discussed therein are confidential and are closed to the public unless otherwise determined by the Chair. During the hearing only the Committee members, parties, advisors, and any witnesses currently testifying can be present in the room.

d. **Evidence.** Formal judicial procedures are not required, and formal rules of evidence do not apply. The Committee Chair makes final rulings on all objections to evidence and the admissibility of evidence and testimony. Evidence will be admitted if the Chair determines that evidence is relevant to whether the student violated the University policy as alleged. When the Committee Chair determines that a hearing will be expedited and the interests of the parties will not be prejudiced substantially, any part of the evidence may be received in written form. In case of an expulsion hearing, affidavits should not be permitted in lieu of live testimony unless agreed to by the opposing party or unless the Committee Chair determines that the parties' interests will not be prejudiced. The hearing will be recorded and made available to either party upon request.

e. A hearing may be postponed at the discretion of the Committee Chair for good cause upon written request being filed with the Committee Chair at least 24 hours before the hearing.

f. The student may not be compelled to testify against themselves, and the hearing officer and appropriate committee shall presume the student innocent of the charges until the Committee is satisfied, by a preponderance of the evidence that a violation has occurred.

g. If the student declines to attend the hearing, the Committee will make a determination based on the information and evidence available.

6.06 POST-HEARING PROCESS

a. **Committee Decisions.**

Immediately after the hearing, the parties will be excused and the Committee will deliberate and determine by a majority vote whether, by a preponderance of the evidence (i.e., whether it is more likely true than not true), the charged student has engaged in Prohibited Conduct under the Code and whether the sanctions recommended by the Director are appropriate.

The Committee shall provide its written recommendation to the President, who shall review the official record of the hearing and, in writing, either approve, reject, or modify the Decision, or remand the matter back to the Hearing Committee for further hearing or consideration. Unless remanded, the action of the President, in conjunction with the approved or modified decision, shall be the final disposition of the matter.

The President's Office shall provide each party a copy of the Final Disposition.

b. **Discretionary Review.** The Board of Regents may, on their initiative, review any disciplinary case. Upon such review, they may approve, reject, or modify the decision or the penalties imposed, or may remand the matter to the Hearing Committee for presentation of additional evidence and reconsideration of the decision.

7.01 ACADEMIC OFFENSES

Each student is expected to engage in all academic pursuits in a manner that is above reproach. Any student found guilty of academic dishonesty will be subject to disciplinary action. Examples of

academic dishonesty, include but are not limited to the following:

1. Cheating on an examination or in the preparation of academic work. Cheating may include:

- Copying from another student's test paper, laboratory report, other report, or computer files, data, listings, and/or programs;
- Using materials not authorized by the professor or instructor;
- Collaborating with another person without authorization during an examination or in the preparation of academic work;
- Knowingly and without authorization, using, buying, selling, stealing, transporting, soliciting, copying or possessing in whole or in part, the contents of an examination or the work of another student;
- Substituting for another student, or permitting another student/individual to substitute for oneself in taking an examination or preparing academic work; or
- Attempting to bribe another person to obtain an examination or information about an examination;
- Attempting to bribe any faculty/staff or student to alter a grade.
- Plagiarizing: To plagiarize is to "pass off ideas or words of another as one's own created production without crediting the source; to present as new and original an idea or product derived from an existing source." (Webster)
- Any forgery, alteration, or misuse of academic documents, forms, or records.

7.02 SANCTIONS FOR ACADEMIC DISHONESTY

A student who is found guilty of an act of academic dishonesty may be subject to one or more of the following sanctions:

1. The student may be required to perform additional academic work/projects not required of other students in the course;

2. The student's grade in the course or on the examination or other academic work affected by the dishonesty may be reduced to any extent, including a reduction to failure;
3. The student may be required to withdraw from the course or receive a failing grade;
4. The student may be placed on disciplinary probation, or suspended or expelled from the university.

Cases where the faculty member, chair of the department (Chair), or dean of the school (Dean) recommends the sanction of disciplinary probation, suspension, or expulsion, will be referred to the Director of Student Development (Director) for appropriate action. The disciplinary committee will be convened for cases involving suspension or expulsion.

7.03 PROCEDURES IN CASES OF ACADEMIC DISHONESTY

A. **Initiation of Action.** When a faculty member believes that a student has committed academic dishonesty, the faculty member shall summon the student to a conference (e.g. in person, zoom, etc.), which constitutes an administrative review under the Code.

B. **Faculty Disposition.** If, after presenting the student with evidence of academic dishonesty and allowing the student an opportunity to respond, the faculty member determines, based on all evidence available to them that an act of academic dishonesty did occur, and with approval from the respective Chair, he or she shall advise the student of the determination and the sanction(s) to be imposed under section 6.08 of the Code. The Chair shall report the decision, in writing, to the Dean and the Office of Student Development within five (5) business days. The student shall indicate either written acceptance or non-acceptance of the sanction imposed by the faculty member.

C. **Appeal of Faculty Disposition.** The student may appeal to the appropriate Dean. A request for an appeal hearing must be made in writing to the Dean within five (5) business days following notification of the chair's decision. The appeal will follow 6.09D of the Code. The Dean's decision constitutes the final decision of the case.

D. Appeals Procedures. A student may request an appeal, in writing, on the following grounds: insufficient evidence to support the decision, the sanction(s) imposed was too harsh, an error that significantly prejudiced the rights of the students, and/or significant new information discovered after the initial meeting. A student must include a statement of the charge and rationale for the appeal to the appropriate Dean. The Dean shall summon the student to a conference (e.g. in person, zoom, etc.), which constitutes an administrative review under the Code. After the student has the opportunity to present their appeal, and Dean has discussed the matter with the Chair and reviewed all evidence submitted, he or she will make a decision on the appeal. The Dean may dismiss the charge, uphold the faculty decision, or modify the sanction(s) as prescribed under section 6.08 of the Code. The Dean will notify the student, faculty member, Chair, and the Office of Student Development of the decision within five (5) business days.

E. Multiple Offenses. Faculty shall review each case of suspected academic misconduct within their class. The Office of Student Development shall track all policy violations, as reported. For academic misconduct cases involving significant egregious offenses, repeated behavioral offenses, or otherwise as appropriate, the Director shall conduct an investigation separate from the faculty action as provided in Section 5.02 of the Code. After a fair and impartial assessment of all of the information collected during the investigation, the Director may impose additional penalties specified in section 3.01 of the Code.

APPENDIX A - HAZING

The University reserves the right to take disciplinary action against individual students and/or groups who are involved in hazing activities. Such disciplinary action may be taken independently of state or local prosecutorial actions regardless of the outcome of such prosecutorial actions. Hazing on the part of students, faculty, or staff is strictly forbidden, whether on or off campus.

Section 1190 of Title 21 of the Oklahoma Statutes reads as follows:

A. No student organization or any person associated with any organization sanctioned or authorized by the governing board of any public or private school or institution of higher education in this state

shall engage or participate in hazing.

B. Any hazing activity described in subsection F of this section upon which the initiation or admission into or affiliation with an organization sanctioned or authorized by a public or private school or by any institution of higher education in this state is directly or indirectly conditioned shall be presumed to be a forced activity, **even if the student willingly participated in such activity.**

C. A copy of the policy or the rules and regulations of the public or private school or institution of higher education which prohibits hazing shall be made available to each student enrolled in the school or institution and shall be deemed to be part of the bylaws of all organizations operating at the public school or the institution of higher education.

D. Any organization sanctioned or authorized by the governing board of a public or private school or of an institution of higher education in this state which violated subsection A of this section, upon conviction, shall be guilty of a misdemeanor and may be punishable by a fine of not more than One Thousand Five Hundred Dollars (\$1,500.00) and the forfeit for a period of not less than one (1) year of all the rights and privileges of being an organization organized or operating at the public or private school or at the institution of higher education.

E. Any individual convicted of violating the provisions of subsection A of this section shall be guilty of a misdemeanor and may be punishable by imprisonment for not to exceed ninety (90) days in the county jail, or by the imposition of a fine not to exceed Five Hundred Dollars (\$500.00), or by both such imprisonment and fine.

F. For purposes of this section:

1. "Hazing" means an activity which recklessly or intentionally endangers the mental health or physical health or safety of a student for the purpose of initiation or admission into or affiliation with any organization operating subject to the sanction of the public or private school or of any institution of higher education in this state;

2. "Endanger the physical health" shall include but not be limited to any brutality of a physical nature, such as whipping, beating, branding, forced calisthenics, exposure to the elements, forced consumption of any food, alcoholic beverage as defined in Section 506 of Title 37 of the Oklahoma Statutes, low-point beer beverage as defined in Section 163.2 of Title 37 of the Oklahoma Statutes, drug, controlled dangerous substance, or other substance, or any other forced physical activity which could adversely affect the physical health or safety of the individual; and

3. "Endanger the mental health" shall include any activity, except those activities authorized by law, which would subject the individual to extreme mental stress, such as prolonged sleep deprivation, forced prolonged exclusion from social contact, forced conduct which could result in extreme embarrassment or any other forced activity which could adversely affect the mental health or dignity of the individual.

APPENDIX B - USE OF ALCOHOL AND CONTROLLED SUBSTANCES

The student alcohol and controlled substances policy is applicable to every student enrolled at the University, whether part-time or full-time and whether in residence, by extension, or otherwise, and may at times apply to persons off-campus when using University facilities or participating in University programs. Controlled substances are defined by relevant local, state, and federal laws and regulations.

1. At no time will alcohol be served in residential facilities or at student functions on or off campus. Possession of alcohol and controlled substances by students is strictly prohibited on University property.

2. Strong disciplinary measures will be taken against students in possession of or who have consumed alcohol or a controlled substance on campus. Persons who are determined to be under the influence of alcohol or a controlled substance will be referred to the Director of Student Development for disciplinary action and/or may be subject to immediate arrest. For Student Housing and Residence Life residents, incidents will be reported to the Director of Student Housing and Residence Life.

3. To curtail alcohol and controlled substance abuse on and off campus, the University has adopted a minimum "Three Strikes" policy. The Three Strike policy may be subject to change due to the level of severity of the incidence.
4. Alcohol and controlled substance education programs have been expanded, and all entering undergraduate students will be encouraged to complete these programs. (5) Violations of the student alcohol policies may be reported to the Office of Student Development.
5. Violations of the policy may be reported to the Office of Student Development.
6. The University has established the Student Wellness Center to provide counseling for students or to provide referrals for off-campus support.
7. All fines collected as a result of this policy will support the university's alcohol and drug education programs.

THREE STRIKES POLICY – DEFINITION OF A STRIKE

A "strike" is the University's official recognition of a student's or organization's violation of the University's Student Alcohol and Controlled Substances Policy. Nothing herein shall waive a student's right to due process. A strike is a final University disciplinary sanction that finds the student guilty of a violation. A student or organization may be charged with a violation based on the following:

1. A conviction, deferred sentence, or a plea that has the effect of conviction of an alcohol or controlled substances-related violation of which the University is made aware; or
2. A University finding or allegation that a student or organization may have committed a related violation prohibited by the Code of Student Conduct. Such violations include, but are not limited to, the conduct prohibited by 2.03 of the Code, the Student Alcohol and Controlled Substances Policy, incident reports and citations. Upon notification of the foregoing, or any other violation reasonably related to alcohol, the University may charge the student pursuant to the Code of Student Conduct, and the student shall be entitled to an

appropriate hearing or investigative meeting as defined by the Code. Whether by decision of an appropriate disciplinary body or administrative official, any final University disciplinary action resulting in a finding of guilt for a violation shall be considered a strike.

Reporting Mechanisms

The University may act on any reliable information it receives. Although not an exhaustive list, the University may be notified of prohibited conduct in the following ways:

1. A police report from the Cameron University Office of Public Safety;
2. An incident report generated in Student Housing and Residence Life;
3. Reports from other law enforcement or security agencies that are received by the University;
4. Notification by a University official that a violation occurred;
5. Any other information deemed reliable by the University that comes to the attention of a University official.

Once notified of alleged prohibited conduct, the University may investigate the information received to determine if the conduct constitutes a violation prior to taking action. Nothing herein shall waive a student's right to due process.

The University strongly supports and encourages any student seek transportation assistance in the event they cannot safely operate a motor vehicle. Further, the University strongly supports and encourages students seeking medical and/or mental health care in the event of alcohol and controlled substances related illness or other concerning behavior related to alcohol and/or controlled substance use.

Good Samaritan Policy

The health and safety of each and every student is everyone's first priority at Cameron University. We want all students to take responsibility and to be empowered to respond to potentially dangerous medical situations without fear of reprisal from the University. Cameron encourages all students to

seek immediate medical attention for themselves or others when there may be a medical emergency, even if they have been drinking or using other drugs.

Seeking medical assistance will be considered a responsible act and not deserving of arrest or disciplinary action. Any student seeking medical treatment for themselves or any other student or any student who is the recipient of this emergency medical help will not be subject to disciplinary sanctions related to the violation of using or possessing alcohol or other drugs, as defined in Cameron University's Drug and Alcohol Policy. This policy applies to emergencies both on and off campus.

This protection is not available to students who also violate some other University policy that warrants sanctions such as being disruptive or combative, refusing treatment, committing assault, or committing property damage.

When a person's health or safety is threatened or appears to be at risk from alcohol or drug consumption these are the steps to follow:

- Call 911
- Call the Cameron University Public Safety Office – [580-581-2911](tel:580-581-2911)
- Seek assistance from a Resident Assistant (RA) or the Student Housing and Residence Life Professional on-call

Cameron University takes these threats to health and safety very seriously. As a result, any student for whom assistance is sought will be required to meet with the Student Development, or Student Housing and Residence Life, and take an educational video course and/or meet with a University counselor for education and assessment. Parents/Guardians and/or 3rd party supporters of students may also be notified. The student who called for medical assistance for another student may be referred to this program also.

In the event that a student incurs any alcohol or drug-related violation during the twelve-month period following the Good Samaritan Policy situation, this report may be reviewed as part of the sanctioning process but will not be counted as a prior offense for the purpose of imposing mandatory minimum sanctions.

Students are eligible to use this policy on more than one occasion and students are always strongly encouraged to report medical emergencies. The health and wellness of our students is our highest priority when determining an appropriate response. Repeated incidents will be reasons for further concern and these cases will be dealt with on an individual basis.

It is the hope of the University that students will use this Good Samaritan Policy as an opportunity to learn from a serious mistake and take healthy steps to avoid such mistakes in the future.

THREE STRIKES POLICY - SANCTIONS

INDIVIDUAL SANCTIONS

The following sanctions are mandatory minimum sanctions for alcohol violations. Based on the severity of the infraction, the University reserves the right to impose any appropriate additional sanction(s). Any violation by an individual student remains part of the individual's record. Based on the severity, the university reserves the right to modify the strikes. If a student is suspended after the 3rd strike and is readmitted to Cameron University, the student is readmitted with 2 strikes.

1st Strike may include the following:

- Parent/Guardian and/or 3rd party notification
- \$25.00 fine 10 hours of community restitution
- Satisfactory completion of a defined alcohol and/or controlled substance education program
- Student Housing and Residence Life probation
- Disciplinary warning

- Any other appropriate disciplinary penalty listed under 3.01 of the Code of Conduct

2nd Strike may include the following:

- Parent/Guardian and/or 3rd party notification
- \$75.00 fine 20 hours of community service
- Satisfactory completion of an approved alcohol and/or controlled substance counseling brief intervention and referral in the Student Wellness Center
- Student Housing and Residence Life probation or suspension
- Disciplinary probation
- Any other appropriate disciplinary penalty listed under 3.01 of the Code of Conduct

3rd Strike may include the following:

- Parent/Guardian and/or 3rd party notification
- Suspension from the University.
- Any other appropriate disciplinary penalty listed under 3.01 of the Code of Conduct

APPEALS

Students may appeal a strike in accordance with the process outlined in the Code of Student Conduct.

ORGANIZATIONAL SANCTIONS

Organizational sanctions will be administered based on the illegal or prohibited use of alcohol at an organizational event or in a campus facility. Before imposing an organizational sanction, as opposed to solely an individual sanction, the University will consider the entirety of the circumstances surrounding the organizational event, including, but not limited to, whether:

1. The violation was endorsed, sponsored, sanctioned, enabled, furthered, or funded, in whole or in part, by the organization, its officers, or the officers of its local, state, or

national organization acting with actual or apparent authority, and any of them knew or should have known of the alcohol violation and they took insufficient action to prevent or cease the violation; or

2. The violation occurred on property owned, leased, rented, or occupied by the organization; or

3. Officers of the organization took insufficient action to prevent or cease the violation they knew or should have known existed; or

4. Regardless of its location, the alcohol violation occurred at an event or any gathering of two or more individuals of the organization conducted in furtherance of the mission or purpose of the organization, including any event, program or ceremony; or

5. The violation occurred at any gathering utilizing the organization's name or logo, or that was advertised by the organization; or

6. The violation occurred at any gathering of two or more individuals that would typically be in furtherance of the organization's activities but is designed to circumvent these rules.

The Director of Events and Activities or their designee has the discretion to determine whether, based on the criteria above and the totality of the circumstances, the violation occurred at an organizational event and warrants an organizational sanction.

Any violation by the group remains part of the organization's "Three Strikes" record for a period of three calendar years, unless the organization requests and the University grants removal of an eligible first strike in accordance with the Student Alcohol and Controlled Substances Policy, below. All parties involved shall be held accountable.

Based on the severity, the university reserves the right to modify the strikes.

1st Strike may include the following:

- At the discretion of the University and after considering all relevant information, the University will impose a minimum fine of \$100.
- 100% of the organization's active membership must complete a defined alcohol and/or controlled substances education program.
- An aggregate community restitution requirement for the organization of 10 hours per active member at the time of the violation. It is at the discretion of the University as to whether new or associate members will be included in fulfilling the requirements of the sanction.
- Formal written warning: A written reprimand for violation of specified regulations, including the possibility of more severe disciplinary sanctions in the event of the finding of a violation of any University regulation within a stated period of time.

2nd Strike may include the following:

- At the discretion of the University and after considering all relevant information, the University will impose a minimum fine of \$200.
- 100% of the organization's active membership must complete a defined alcohol and/or controlled substances education program.
- An aggregate community restitution requirement for the organization of 20 hours per active member based on the organization's membership at the time of the violation. It is at the discretion of the University as to whether new or associate members will be included in fulfilling the requirements of this sanction.
- Disciplinary Probation: Exclusion from participation in privileged or extracurricular University activities set forth in the notice for a period of time specified. Other conditions of the

probation may apply to any other activities of the organization in the University community, except those that would affect the organization's academic pursuits.

3rd Strike may include the following:

- Organizational Suspension: The organization will be suspended for a minimum of one year. University approval, granted by the Office of Events and Activities, is required before the organization will be reinstated.

APPEALS

Student organizations may appeal a strike to the Dean of Students.

[1] Alcohol violations and misconduct shall include, but shall not be limited to, minor in possession; public intoxication; manufacture, use, or possession of false identification; driving under the influence, driving while intoxicated, actual physical control and involvement in a crime while under the influence.

DRUGS and PARAPHERNALIA

Illegal drugs or substances, as defined by local, state, and federal laws and regulations, are not allowed in any Student Housing and Residence Life facility. No drug paraphernalia is allowed in any Student Housing or Residence Life facility, and if found, will be considered the same as actually possessing or consuming illegal substances.

Revised October 23, 2024



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