



**The Spartan Virtues  
(Student Handbook)  
2020-21**

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## I. INTRODUCTION

### Message from the Vice President for Student Development & Dean of Students

Welcome to Missouri Baptist University! We are excited that you had decided to join our community and become an active member who will contribute to the student experience.

Membership matters and when we enter into a community we commit to one another to uphold characteristics, standards, and values of the individual and the collective. Missouri Baptist University offers the Spartan Virtues as the central document for the rights, responsibilities, Code of Conduct and other policies governing students. Additionally, the Residence Life Handbook, the Student Organization Handbook, and other handbooks for specific areas such as the Student Athlete Handbook or Nursing Handbook offer additional information for students about living on campus, membership in student organizations, and specific expectations where a student may hold membership.

It is important to note that these guides are not static and may change during the academic year. Students will be notified of any changes as they occur. The policies and processes in these documents are the most current and supersede any other version found outside of the web publication. Please continue to refer to the website for the most current version of the documents.

We hope that you find The Spartan Virtues to be a valuable resource during your time at Missouri Baptist University.

Dr. Benjamin Lion  
Vice President for Student Development & Dean of Students

## II. GOVERNING IDEAS

### Message from President

Dear MBU Student,

It is my pleasure to welcome you to an exciting new year at Missouri Baptist University. If you are a new student, you have chosen well. Missouri Baptist University is a good place to discover your purpose, refine your talents and prepare to be a leader in your community. Our faculty and staff are here to provide you with support and guidance as you begin your college journey.

If you are a returning student, welcome back. I look forward to seeing you around campus and hope to work with you in continuing to enhance the quality of your MBU experience.

This "Spartan Virtues" Student Handbook will give you the tools necessary for integrating Missouri Baptist University into your life. Here you will find information on campus clubs, organizations and events to get you started. You will also find a directory of helpful office phone numbers along with additional contact information for other essential community

organizations. Take a moment to read the MBU Statement of Mission and Purposes as well as our Core Values that gives us guidance and will likely help you navigate your next few years.

We really are interested in you as an individual. One of the things students like most about Missouri Baptist University is the opportunity to get to know their professors. Our professors truly take an interest in the success and well-being of each student. I am confident you will find this to be true as well.

I will be seeing you around campus. I am most interested in your hopes and dreams and any ideas about how we can better help you achieve those. God bless you with a wonderful year.

Sincerely,  
Dr. Keith Ross  
President

### **University Mission**

Missouri Baptist University is an evangelical Christian, liberal arts institution and has as its purpose the offering of programs of study leading to professional certificates, undergraduate degrees, and graduate degrees in an environment where academic excellence is emphasized and a Biblically based Christian perspective is maintained. The University is committed to enriching its students' lives spiritually, intellectually, and professionally, and to preparing students to serve in a global and culturally diverse society.

### **Purposes**

The University seeks to prepare students who are motivated by ideals of service for effective performance in careers which are appropriate to the Christian commitment of MBU. The University is open to all qualified students, regardless of race, gender, national origin, religion, age, or qualified disability. The faculty and the students work together toward the following purposes in the lives of the students:

1. To develop a personal philosophy of life and an ethical and spiritual commitment which is based upon an awareness of alternatives and which is examined in the light of Biblical revelation.
2. To grow in an understanding of themselves, as well as others, and to cultivate an ability to employ this knowledge for self-development, for mental and physical health, and for social and family relationships.
3. To prepare for living in harmony with the physical environment by becoming aware of its basic principles, and of the means for intelligent use and conservation of its resources.
4. To develop effectiveness in the use and understanding of communications, both spoken and written, employing analytical and logical thinking in the process.
5. To become contributors to society in a manner consistent with Christian principles, participating responsibly in church, school, community, and world affairs, employing insights derived from a broad range of studies.
6. To grow in understanding, appreciation, and enjoyment of literature and the arts, and to become participants in creative and aesthetic activities in the community.
7. To prepare for continuing study by becoming acquainted with electronic technology resources and methods of scholarly research.

### **Core Purpose**

To teach, empower, and inspire students for service and lifelong learning.

#### Core Values

- We are serious and intentional about our Christian Faith.
- We will freely and responsibly search for Truth.
- We strive for excellence.
- We believe in the importance and cultivation of character.
- We believe in social change through service and leadership.

#### Statement of Faith

As part of our long heritage with Baptist beliefs and our longstanding commitment and connection with the Missouri Baptist Convention within the Southern Baptist Convention the University's Statement of faith is the Baptist Faith and Message 2000.

## III. SPARTAN COMMITMENTS (CODE OF CONDUCT)

#### Introduction

The Code of Conduct is a portion of the Spartan Virtues outlining our community expectations, policies, and accountability (disciplinary) process. Students, faculty, and staff voluntarily enter into membership in the University community and, in doing so, assume obligations of performance and behavior reasonably expected by the community for the purpose of furthering its mission, vision, and processes and functions.

All students are expected to maintain the highest standard of moral conduct and concern for the well-being and rights of their fellow students. Missouri Baptist University community expectations are rooted in our Christian commitment and are guided by Southern Baptist beliefs.

**Students accept the expectations and policies set forth in this code and other University rules, regulations and policies when they are admitted to the University (see "Scope" under "Adjudication Process"). Students are also subject to the laws of the State of Missouri and federal laws.**

The language used in this handbook is not intended to create nor is it to be construed to constitute a contract between Missouri Baptist University and any one or all of its students. It is the student's responsibility to read the Code of Conduct. Please note that the Code of Conduct does not contain all policies of the University and its units, but rather highlights important campus-wide policies. Students are responsible for any other pertinent policies, handbook or expectations of other University units the student may be involved in and will be subject to any unit within the University to which the student belongs.

In order to carry out its mission, the University community shall promulgate and enforce appropriate rules, regulations and policies and take action when violations of such rules, regulations and policies occur. In order to gain more information about that action, please refer to the Accountability Process for conduct violation and the Academic Integrity and Honesty System for violations that are related to academic standards and performance.

The policies section of the Code of Conduct is outlined within our Spartan Commitments.

Please be aware that the Code of Conduct is only available via the Internet. If you have any further questions, regarding the Code of Conduct, please contact Dr. Benjamin Lion, Vice President for Student Development & Dean of Students & Dean of Students in the Student Development Office at 314-392-2211 or e-mail [DeanOfStudents@mobap.edu](mailto:DeanOfStudents@mobap.edu).

### University Core Values

The Missouri Baptist University Tartan is a visual representation of our Core Values with each color symbolizing a specific value. These values represent the commitments we make to one another as part of our community membership.

The crimson represents the blood of Christ, as we are serious and intentional about our Christian **faith**.

The light blue resembles the sky and reminds us to look heavenward as we commit ourselves to freely and responsibly search for **truth**.

The bold richness of the dark blue inspires us to strive for **excellence** as it symbolizes trust, loyalty and wisdom.

The purity of the white represents integrity, as we believe in the importance and cultivation of **character**.

The sterling gray represents **social change**, which is achieved through alumni whose lives are distinguished by service and leadership.

### Dignity & Respect for All (Character)

The MBU community is committed to the dignity of each individual. The University espouses that "Man is the special creation of God, made in His own image. He created them male and female as the crowning work of His creation. The sacredness of human personality is evident in that God created man in His own image, and in that Christ died for man; therefore, every person of every race possesses full dignity and is worthy of respect and Christian love" (Faith & Message 2000, III). This commitment to individuals' worth is expressed through respect for differing opinions, attitudes and cultures, and fair treatment for all. Further, civil communications, interactions and resolutions of disagreements are essential to the recognition of another's dignity and worth.

As members of the MBU community, students can expect reasonable actions will be taken to ensure that their experience is free from behaviors that compromise this commitment. Such behaviors include, but are not limited to: physical abuse, threats, intimidation (verbal or otherwise), harassment, hazing, coercion, and/or other conduct that threatens or endangers the welfare, dignity or worth of any person.

### Personal Integrity (Truth)

The MBU community is committed to personal integrity as the foundation of University life and the cornerstone of a premier educational experience. We commit ourselves to freely and responsibly seek the truth knowing that ultimate Truth lies in our Creator and Savior. Mutual trust among its members is essential to scholarship and prerequisite to effective interactions and operations throughout the University.

As members of the MBU community, students can expect reasonable actions will be taken to ensure that their experience is free from behaviors that compromise this commitment. Such behaviors include, but are not limited to: cheating; plagiarism; forgery; deliberate deception; furnishing false information; alteration or misuse of any official document, record or instrument of identification; abuse of computing resources and/or other conduct that betrays, impairs or diminishes trust among members of the University community.

### **Critical Thinking & Discernment (Excellence)**

The MBU community is committed to the pursuit of truth and the communication of knowledge. It encourages individuals to develop the ongoing capacity for critical, independent thinking and judgment, both inside and outside the classroom. It affirms the individual's right to teach and to learn, and his/her responsibility to prepare adequately.

As members of the MBU community, students can expect reasonable actions will be taken to ensure that their experience is free from behaviors that compromise this commitment. Such behaviors include, but are not limited to: disruption or obstruction of teaching, research, chapel, campus life programs and events, residential education, administration, disciplinary proceedings and/or other University activities including public-service functions or authorized non-University activities occurring on University premises.

### **Self-Control & Responsible Freedom (Character)**

The MBU community is committed to self-control and to individuals' accountability for the effects their behaviors have on themselves and others. This recognition of personal responsibility prepares all individuals to develop intellectually, spiritually, socially, emotionally and physically.

As members of the MBU community, students can expect reasonable actions will be taken to ensure that their experience is free from behaviors that compromise this commitment. Such behaviors include, but are not limited to: tobacco, sexual conduct, failure to comply with reasonable requests of University officials, infringing on others' use or enjoyment of University property or activities, violations of University policies regarding alcohol and drugs and/or acts that elevate individual desires or impulses to the detriment of others.

### **Social Order & Community Responsibility (Social Change)**

The MBU community is committed to its students successfully living and learning together and to maintaining respectful interactions with individuals in the communities beyond our campus. For this reason, students are called to respect the rights and properties of others. Students are also expected to comply with the laws of society and the just administration of those laws. Finally, the University encourages responsible citizenship, service and stewardship of its resources.

All Christians are under obligation to seek to make the will of Christ supreme in our own lives and in human society. Means and methods used for the improvement of society and the establishment of righteousness among men can be truly and permanently helpful only when they are rooted in the regeneration of the individual by the saving grace of God in Jesus Christ. In the spirit of Christ, Christians should oppose racism, every form of greed, selfishness, and vice, and all forms of sexual immorality, including adultery, homosexuality, and pornography. We should work to provide for the orphaned, the needy, the abused, the aged,

the helpless, and the sick. We should speak on behalf of the unborn and contend for the sanctity of all human life from conception to natural death. Every Christian should seek to bring industry, government, and society as a whole under the sway of the principles of righteousness, truth, and brotherly love. In order to promote these ends Christians should be ready to work with all men of good will in any good cause, always being careful to act in the spirit of love without compromising their loyalty to Christ and His truth. (Faith & Message 2000, XV)

As members of the MBU community, students can expect reasonable actions will be taken to ensure that their experience will be free from behaviors that compromise this commitment. Such behaviors include, but are not limited to: gambling; attempted or actual theft; possession of stolen items; damage to public, private or personal property; unauthorized possession, duplication or use of keys to any university premises; unauthorized entry or use of University premises; disruptions of residential life; visitation violations; fire hazards; tampering with security equipment; harboring illegal pets in the residence hall; encouraging prohibited behaviors or illegal acts and/or illegal or unauthorized possession of firearms, explosives, knives of unlawful length, or other weapons or dangerous chemicals on University premises. In addition, students are expected to comply with all University policies, as well as with federal, state and local laws.

### **Student Pledge**

Upon matriculating to Missouri Baptist University, students pledge the following:

“As a member of the Missouri Baptist University community, I commit myself to affirm to uphold the core values of faith, truth, excellence, character and social change. In committing myself to these values, I agree to exemplify behavior which is consistent with the University’s Code of Conduct and the Academic Integrity and Honesty system.”

### **Policies**

Based on our Spartan Commitments, MBU University has developed policies to assist its members in understanding what is expected of them and to assist the community at large in operating more smoothly, effectively and safely. Knowledge of these policies and/or expectations is the student’s responsibility and will enable her/him to navigate successfully within the University community. In order to highlight the importance of our Community Commitments, we have outlined the policies within the Code of Conduct by the five commitments, which provides a greater context of our rationale for each policy.

## **Dignity & Respect for All (Character)**

### **Statement of Nondiscrimination Policy**

Missouri Baptist University is committed to maintaining an environment that is free of discrimination on the basis of sex within its educational programs and activities. The University cannot and will not tolerate discrimination against or harassment of any individual or group based upon race, sex, color, religion, ethnic or national origin, genetic information, age, disability, veteran's status, or any factor that is a prohibited consideration under applicable law. The prohibition on sex discrimination, also prohibits Sexual Harassment, as defined in this Policy.

The Nondiscrimination Policy applies to registered or enrolled students, University employees, contractors, vendors, visitors, guests, or other third parties.

### **Title IX Sexual Harassment Policy and Procedures**

The University maintains a Title IX Sexual Harassment Policy and Procedures outlining the Sexual Harassment Grievance Process. The full policy and procedure are available on the University's [Title IX website](#).

### **Sexual Misconduct and Relationship Violence**

Complaints of sexual misconduct or sexual violence which fall within the University's Title IX policy will be handled according to that policy located at [Title IX website](#). Complaints that do NOT fall within the scope of that policy will be handled pursuant to the procedures under the Sexual Misconduct and Relationship Violence Policy.

### **Hazing Policy**

Missouri Baptist University is committed to our Christian beliefs and dignity and respect for all and providing an atmosphere that nurtures the individual's self-esteem and growth. Hazing or any other activity that is an affront to the dignity and self-respect of any person is strictly prohibited by the University. Additionally, hazing is prohibited by law in the state of Missouri (Missouri Law 578.365). Any individual or organization found in violation of the anti-hazing policy is subject to University disciplinary action and/or criminal prosecution. Any retaliation against any person who reports, is a witness to, is involved with or cooperates with the adjudication of hazing is strictly prohibited.

The University prohibits hazing by individuals or groups and defines it as follows:

Hazing is any reckless or intentional act, occurring on or off campus, that produces physical, mental or emotional pain, discomfort, humiliation, embarrassment or ridicule directed toward other students or groups (regardless of their willingness to participate), that is required or expected for affiliation, or continued affiliation and which is not related to the mission of the team, group or organization. This includes any activity, whether it is presented as optional or required, that places individuals in a position of servitude as a condition of affiliation. Prohibited acts of hazing include but are not limited to those covered under Missouri State law. All students are subject to federal, state and local laws, and rules and regulations of Missouri Baptist University.

A person or organization violates the Anti-Hazing policy if they:

- engage in hazing;
- solicit, encourage, direct, aid or attempt to aid another in engaging in hazing;
- intentionally, knowingly, or recklessly permit hazing to occur; or
- have firsthand knowledge of the planning of a specific hazing incident involving a student in an educational institution or firsthand knowledge that a specific hazing incident has occurred, and knowingly fail to report said knowledge in writing to the Dean of Students or other appropriate officials of the institution.

Though it would be impossible to list all behavior that may be considered hazing, the following are some examples of hazing and are prohibited:

- any physical act of violence expected of, or inflicted upon another, including marking or branding;

- any physical activity expected of, or inflicted upon, another, including calisthenics; sleep deprivation or excessive fatigue as the result of an activity, lines-ups and berating;
- any activity involving consumption of a food, liquid, alcoholic beverage, liquor, drug or other substance which subjects the student to an unreasonable risk of harm or which adversely affects the mental or physical health or safety of the student;
- pressure or coercion of another to consume any legal or illegal substance;
- making available unlawful substances;
- completing tasks in order to obtain signatures;
- required carrying of or possessing of a specific item or items;
- servitude (expecting a new member to do the tasks of an experienced member);
- scavenger or treasure hunts;
- forced exposure to the weather;
- assignment of illegal and unlawful activities;
- kidnapping, forced road trips and abandonment; **34**
- costuming and alteration of appearance;
- coerced lewd conduct; degrading games, activities or public stunts; and
- interference with academic pursuits

If an organization has any questions about hazing or would like education and training regarding the anti-hazing policy please contact the Dean of Students Office at [DeanOfStudents@mobap.edu](mailto:DeanOfStudents@mobap.edu).

### **Physical Conflict Policy**

Students respect the dignity of others, which extends to another's right to be free from the harmful, offensive or otherwise undesired touching that may occur during a physical conflict. Physical conflicts include actual contact between individuals as well as threatening physical harm (verbally or physically), regardless of whether physical contact occurs or not. A student's intent to initiate physical contact is not necessary for a violation to occur; however, intent will escalate the university's response.

Students alleged to have engaged in physical conflicts resulting from domestic or dating violence as well as the alleged victims of the domestic or dating violence are entitled to an advisor of their choosing in the Accountability Process regardless of whether or not the advisor is a member of the community.

## **Personal Integrity (Truth)**

### **Missouri Baptist University's Academic Integrity and Honesty**

#### **Introduction**

Academic dishonesty jeopardizes the academic integrity of the University and is not in keeping with Christian principles. It is considered to be a serious offense. Missouri Baptist University expects students to attach their names only to work or research which they have done themselves. Materials and sources must be properly documented. Students must prepare original work and research, present their own reports and papers, and take examinations without any assistance or aids not expressly permitted in the testing procedure.

Academic dishonesty includes, but is not necessarily confined to: plagiarizing; cheating on examinations; submitting counterfeit reports, tests, or papers; stealing tests or other academic materials; knowingly falsifying academic records or documents such as transcripts; and submitting the same work to more than one class without consent of the instructors involved.

Academic dishonesty of any nature will result in disciplinary action, which may include receiving a failing grade on the work in question, failure in the course, or dismissal from the University. Academic dishonesty is a part of the Code of Conduct.

### **Expectations for Students in regard to Academic Integrity and honesty**

Students may not engage in the following activities:

1. **Cheating:** Use of any unauthorized assistance in taking quizzes, tests, or examinations; Dependence upon the aid of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments; Acquisition, or possession without permission of tests or other academic material belonging to a member of the University faculty or staff; and, Knowingly providing any unauthorized assistance to another student in taking any quiz, test, or examination.
2. **Fabrication:** Inventing or falsifying information, data, or citation; presenting data gathered outside of acceptable professorial guidelines; failing to provide an accurate account of how information, data, or citations were gathered; altering documents affecting academic records; forging signatures or authorizing false information on an official academic document, grade, letter, form, ID card, or any other University document.
3. **Plagiarism:** Use by paraphrase or direct quotation of the published or unpublished work of another person without fully and properly crediting the author with footnotes, citations, or bibliographical reference; Unacknowledged use of materials prepared by another person or agency engaged in the supplying or selling of term papers or other academic materials; and, Unacknowledged use of original work/material that has been produced through collaboration with others without release in writing from collaborators.
4. **Multiple Submissions:** Submitting identical papers or course work for credit in more than one course without prior permission of the instructor.
5. **Obtaining Unfair Advantage:** Gaining or providing access to examination materials prior to the time authorized by an instructor; stealing, defacing, or destroying library or research materials which can deprive others of their use; unauthorized collaboration on an academic assignment; retaining, possessing, or circulating previously used examination materials without the instructor's permission; obstructing or interfering with another student's academic work; or engaging in any activity designed to obtain an unfair advantage over another student in coursework or co-curricular requirements.
6. **Aiding and Abetting:** Providing material, information, or other assistance that violates the above expectations; providing false information in connection with any inquiry regarding academic integrity.
7. **Unauthorized Access:** Viewing or altering in any way computer records, modifying computer programs or systems, releasing or distributing information gathered via unauthorized access or in any way interfering with the use or availability of computer systems/information.

8. Sabotage: The term “sabotage” includes, but is not limited to the unauthorized interference with, modification of, or destruction of the work or intellectual property of another member of the University student body, faculty, or staff.
9. Any other form of fraud or dishonesty in coursework or co-curricular requirements for graduation.

### **Academic Integrity and Honesty authority**

Authority for Academic Integrity and Honesty ultimately rests with the Provost or his or her designee(s). Under the direction of the Provost, course professors as well as the Vice President for Student Development & Dean of Students & Dean of Students (VPSD&DOS), or designee, are responsible for implementing the disciplinary process for students.

For Academic Integrity and Honesty violations occurring in an academic course, a professor may adjudicate the incident himself or herself. Alternatively, the professor may refer the violation to VPSD&DOS, or designee, who will arrange an Academic Integrity Council or administrative adjudication. The professor may route a violation at his or her sole discretion. There are only minor differences between adjudications conducted by VPSD&DOS, or designee, versus adjudications conducted a professor. There is not an assumption of bias if a professor chooses to personally adjudicate a violation.

For Academic Integrity and Honesty violations occurring in co-curricular requirements, VPSD&DOS, or designee, oversees the adjudication process. VPSD&DOS is a designee of the Provost. As such, it will route a violation in its sole discretion for an Academic Integrity Council or administrative adjudication.

Any member of the university with knowledge of a violation should contact the course professor in which the violation occurred. Alternatively, they may contact VPSD&DOS, or designee. VPSD&DOS, or designee, will provide information related to an Academic Integrity and Honesty violation involving coursework to the course professor for him or her to determine how adjudication should proceed. For violations related to co-curricular requirements, VPSD&DOS, or designee, will determine how adjudication should proceed.

### **Academic Integrity and Honesty Scope**

Academic Integrity and Honesty applies to any coursework and co-curricular requirements completed by a student while enrolled at Missouri Baptist University. If a violation is discovered when a student is no longer enrolled at Missouri Baptist University—whether due to graduation, enrollment at another institution, or cessation of college studies—the former student must still participate in the adjudication process so long as the violation is discovered within 30 days of when the student’s enrollment ended. If a former student fails to participate, the university reserves the right to take action up to and including the refusal to release transcripts or the withdrawal of an awarded degree. The Provost or his or her designee makes the sole determination regarding what constitutes coursework or co-curricular requirements. Behavior that may not fall under the Academic Integrity and Honesty may still be addressed by the University under its adjudication process for all other types of violations.

### **Standard for Determining Whether a Student is Responsible for a Violation**

Missouri Baptist University uses preponderance of the evidence standard to decide if a student is responsible or not for a violation. As such, a course professor or other inquiry officer(s) should weigh whether it is more likely than not a student committed a violation

based on the available information. Put another way, a course professor or other inquiry officer(s) need only be 51% sure that a violation occurred.

### **Procedures for a Course Professor to Adjudicate an Academic Integrity and Honesty Violation**

The course professor must complete the Academic Integrity and Honesty form ([AIH Form](#)). AIH Forms are available via the Dean of Students Office website under the Academics tab. The goal of these procedures is to arrive at resolution of a violation in an efficient amount of time while also ensuring the ultimate decision is not unreasonable. For the purposes of this section, a course professor includes—but is not limited to—professors, lecturers, adjuncts, and any other person responsible for curricular education.

#### **A. Notice**

1. The course professor must complete an Academic Integrity and Honesty Form ([AIH Form](#)). AIH Forms are available from the Dean of Students Office and/or Dean of Students website.
2. On the AIH Form, the course professor must:
  - a. Mark the Academic Integrity and Honesty violation being alleged; and
  - b. Write a brief account of what led to the allegation.
3. The course professor must provide a copy of the AIH Form to the student within a reasonable time.
  - a. Generally, the University considers up to two weeks from the date the course professor learned of the potential violation to be a reasonable time. However, circumstances—such as investigation, consultation with department chair/head, class meeting frequency, etc.—may dictate a longer time is necessary.
  - b. Provision of either a hard copy or electronic copy is allowed.
  - c. Students are considered to have been presented the AIH Form upon a course professor emailing an electronic copy to the student's MBU-provided email account.

#### **B. Response**

1. The student has 2 full business days from receipt of the AIH Form to meet with the course professor to provide a response (Response).
  - a. The course professor may allow a later Response at his or her sole discretion if the student makes contact within the 2 business days.
  - b. If a student contacts the course professor after the 2 business days have elapsed, the student's right to a Response is waived and the course professor may move forward with adjudication in the student's absence. An extension of the Response window is solely at the discretion of the course professor.
  - c. While an in-person Response is encouraged, the Response may be conducted by phone, via written statement, or any other method the course professor wishes to use in his or her sole discretion.
2. The student's Response includes:
  - a. The requirement to accept or deny responsibility.
  - b. The option to provide information regarding his or her account of the incident either in written or oral form to the course professor. The course professor and student should think of the Response as simply a time for the student to share his or her explanation of what happened

for consideration before any decisions about responsibility or sanctions are made.

3. The University extends the following rights to students during the Response:
  - a. The right to review the material, if any, that led to the alleged violation.
  - b. The right not to answer questions posed by a course professor; however, if no information is provided the student is assumed responsible for the violation.
  - c. The right to have the Response conducted in a private setting.
  - d. The right to submit to the course professor supplemental information (Supplemental Information) for consideration. Supplemental Information should be presented at the time of the Response if possible. When not possible, then:
    - i. The student must inform the course professor during the Response that Supplemental Information will be submitted;
    - ii. Supplemental Information must be submitted within 2 business days of the Response;
    - iii. Supplemental Information is written or other documentary information which supports a student's Response and includes, but is not limited to, witness statements, class notes, or resources used; and
    - iv. In congruence with University adjudication procedures, the student's overall character, mitigating circumstances, and other information not related to whether a violation occurred is irrelevant to a course professor's findings of responsibility and sanctions. Therefore, such information is not considered Supplemental Information and should be ignored by the course professor if submitted.

#### C. Outcome

1. After the student's Response and a review of any Supplemental Information, the course professor must complete the outcome ([Outcome](#)) portion of the AIH Form.
2. The Outcome must include the course professor's
  - a. Determination of responsibility based on a preponderance of the evidence if the student denied responsibility; and
  - b. Sanctions, if the student is responsible based on his or her own admission or the course professor's determination.
3. The course professor must provide a second copy of the AIH Form to the student that includes a completed [Outcome](#) portion within reasonable time.
  - a. Generally, the University considers up to 2 business days to be reasonable. However, circumstances may dictate a longer time is necessary.
  - b. Provision of either a hard copy or electronic copy is allowed.
  - c. Students are considered to have been presented the AIH Form upon a course professor emailing an electronic copy to the student's MBU-provided email account.

#### D. Completion

1. Absent an appeal altering the initial decision, this completes adjudication by a course professor.
2. The course professor should submit the [AIH – Faculty Documentation Form](#) copy to the Dean of Students Office for University record keeping purposes. It

is also recommended the course professor submit all original materials related to the decision.

3. The course professor may also keep a copy of the original AIH Form and any supporting material for personal record keeping purposes.
4. If grade alteration is a sanction, the course professor should update the appropriate grade records or work with the Registrar if a grade was previously assigned.

### **Procedures for the Academic Integrity Council or Administrative Adjudication of an Academic Integrity and Honesty Violation**

The course professor must complete the Academic Integrity and Honesty form ([AIH Form](#)). AIH Forms are available via the Dean of Students website under the Academics tab. The goal of these procedures is to arrive at resolution of a violation in an efficient amount of time while also ensuring the ultimate decision is not unreasonable.

An Academic Integrity Council is composed of a minimum of 3 inquiry officers (Accountability Officers) which may include student(s) advised by the Dean of Students Office (DOS) and faculty or staff. The DOS will assign Accountability Officers to an Academic Integrity Council from the pool of individuals who have been trained on Academic Integrity accountability proceedings.

An Administrative Inquiry may only be conducted by the Provost or his or her designee (Administrator). The Vice President for Student Development & Dean of Students (VPSD&DOS) is a designee of the Provost. The VPSD&DOS may also designate accountability officers within Student Development.

#### **A. Notice**

1. The party alleging the violation must complete an Academic Integrity and Honesty Form (AIH Form). AIH Forms are available from the Dean of Students Office, which is responsible for maintaining the most current version.
2. On the AIH Form, the party alleging the violation must:
  - a. Mark the Academic Integrity and Honesty violation being alleged; and
  - b. Write a brief account of what led to the allegation.
3. The party alleging the violation must provide a copy of the AIH Form to the student within a reasonable time.
  - a. Generally, the University considers up to two weeks from the date the professor or Administrator learned of the potential violation to be a reasonable time. However, circumstances—such as investigation, consultation with department chair/head, class meeting frequency, etc.—may dictate a longer time is necessary.
  - b. Provision of either a hard copy or electronic copy is allowed.
  - c. Students are considered to have been presented the AIH Form upon the party alleging the violation emailing an electronic copy to the student's MBU-provided email account.
4. The party alleging the violation should then direct the student to contact VPSD&DOS, or designee, for resolution of the alleged violation. All materials related to the alleged violation as well as the AIH Form should be forwarded to VPSD&DOS, or designee, as well.

#### **B. Pre-Inquiry (Information Session)**

1. Once notice has been provided, a student should contact the VPSD&DOS, or designee, within the 2 business days following the issue date of the AIH Form to conduct an Information Session.
2. A student's failure or refusal to meet with the VPSD&DOS, or designee, within the allotted 2 business days will be treated as the student's acceptance of responsibility for all alleged violations, will waive any privilege to an Information Session, and will result in an inquiry being scheduled and conducted in the student's absence.
3. During the Information Session the student's inquiry will be scheduled. VPSD&DOS, or designee, reserves the right to schedule an inquiry time, date, and location at its sole discretion and may take under consideration such factors as the schedules of the parties involved, prejudice to the student of delaying the inquiry date, the time necessary to collect information, nature of the alleged violation(s) and other factors.
4. During the Information Session, the student should indicate whether he or she accepts or denies responsibility for an alleged violation(s) prior to his or her inquiry. Extension of the allotted time to make this decision is at the sole discretion of VPSD&DOS, or designee.
5. During the Information Session, a student may choose to view currently available information related to alleged violation, receive instructions regarding the adjudication process, and review any existing violation definition.
6. While an in-person Information Session is encouraged, it may be conducted by phone, via written statement, or any other method VPSD&DOS, or designee, wishes to use in its sole discretion.

C. Inquiry

1. If a student attempts to cancel a scheduled inquiry prior to its commencement, he or she must provide documentation to VPSD&DOS, or designee, supporting a valid reason. Granting a postponement is at the sole discretion of VPSD&DOS, or designee.
2. If a student fails to appear at a scheduled inquiry, he or she waives the privilege to participate in the inquiry. The student will be accountable for the outcome of the inquiry.
3. If VPSD&DOS, or designee, needs to reschedule the inquiry prior to its commencement, he or she will make a reasonable effort to notify the student of the new time, date and location of the inquiry. VPSD&DOS, or designee, will set a new inquiry time, date and location at his or her sole discretion and may take under consideration such factors as the schedules of the parties involved, prejudice to the student of delaying the inquiry date, the time necessary to collect information, nature of the alleged violation(s) and other factors.
4. During the inquiry, the student as well as the party alleging the violation may present information for the purpose of clarifying details regarding what occurred during the incident (Information). Information may only address facts related to the incident such as who, what, when, where and—when intent is appropriate to the finding of responsibility or sanctions—why. Accountability Officers make judgments on what behavior has occurred and do not make judgments about the worth of the person; accordingly, information related to a person's character is not warranted. Information can be presented in various forms, such as documentation, witness statements, or personal accounts. During an inquiry, the Accountability Officer in charge determines whether

information is appropriate to the proceeding and will direct the student based upon that determination.

- a. The student and the party alleging the violation may also request permission to bring an individual(s) who has Information related to the alleged violation to the inquiry. The name of the individual(s) requested to provide information must be submitted to VPSD&DOS, or designee, using the appropriate form 1 working day prior to the inquiry. Approval of the individual to participate is at the sole discretion of VPSD&DOS, or designee.
  - b. Both the student and the party alleging the violation will have the opportunity to question any individual(s) who appears in person to provide Information.
5. At the conclusion of the inquiry, the Academic Integrity Council or Administrator adjudicating the incident will deliberate to determine responsibility if a student has denied responsibility for an alleged violation. A preponderance of the evidence standard will be used to make decisions regarding responsibility.
  6. A student's prior disciplinary record will be considered only during the sanctioning phase of the adjudication and will not be considered during the deliberation of responsibility unless introduced by the student during the inquiry.
  7. If a student is responsible for a violation(s)—either by the student's own admission or based on the preponderance of the evidence—the Academic Integrity Council or Administrator will recommend sanctions to the VPSD&DOS.
  8. Recommendations for Responsibility made by the Academic Integrity Council will be based on a simple majority vote by the Accountability Officers. The Recommendation will be sent to the VPSD&DOS, or designee, for final determination and sanctions.
  9. The University extends these additional rights to students during the inquiry:
    - a. The right not to answer questions posed by the Academic Integrity Council or Administrator; however, if no information is provided the student is assumed responsible for the violation.
    - b. The right to have the inquiry conducted in a private setting.
    - c. The right to an advisor. An advisor is defined as a member of the university community (i.e. faculty, staff or peer) that accompanies a student to his or her inquiry as an emotional support to the student. The advisor may not speak or otherwise participate in an inquiry. No representation by an attorney is permitted regardless of community membership.
- D. Outcome Letter
1. Decisions regarding responsibility and any sanctions may be delivered to the student and the party alleging the violation in person or electronically via MBU provided e-mail addresses. The delivery method is at the sole discretion of DOS. When delivery is not in person, the student and professor is considered to have received the outcome letter upon the letter being sent via e-mail.
- E. Completion
1. Absent an appeal altering the initial decision, this completes adjudication by the Academic Integrity Council or Administrator.
  2. DOS will maintain records of the adjudication.

3. If grade alteration is a sanction, the course professor will be informed in order to update the appropriate grade records or DOS may work with the Registrar if a grade was previously assigned.

### **Procedure for Appealing an Academic Integrity and Honesty Adjudication Outcome**

A student has the right to request an appeal of a finding of responsibility or sanctions by a course professor, the Academic Integrity Council, or an Administrator. A course professor also has the right to request an appeal of a finding of responsibility or sanctions by the Academic Integrity Council or Administrator.

- A. All appeal requests are reviewed by the Vice President for Student Development & Dean of Students or his or her designee.
  1. An appeal request should be completed and submitted within two business days from the date the outcome is received. The appeal request form is available from DOS.
  2. The request should state the reason(s) for appeal (see paragraph 2 of this subsection) and the supporting facts. In order for an appeal to be considered valid, the request and supporting facts must be directly connected to one or more of the reason(s) for appeal.
  3. The Vice President for Student Development & Dean of Students, or his or her designee, will review the appeal request and any accompanying information and will decide whether or not to grant an appellate review in his or her sole discretion.
  4. The decision of the Vice President for Student Development & Dean of Students, or his or her designee, will be communicated to appropriate parties electronically via MBU provided via e-mail addresses or in person. When delivery is not in person, the party is considered to have received the outcome upon it being sent to the appropriate MBU e-mail address.
  5. If the Vice President for Student Development & Dean of Students or his or her designee denies an appeal request, then the original decisions regarding responsibility and/or sanctions will stand. If the Vice President for Student Development & Dean of Students or his or her designee approves an appeal request, refer to paragraph 3 of this subsection for guidance.
- B. Appeal considerations are limited to:
  1. Evidence that appropriate adjudication procedures were not followed which may have a bearing on the initial response.
  2. New information that was not available at the time of the original inquiry which may have a bearing on the initial decision(s).
  3. Evidence the inquiry officer(s) could not have reached a decision(s) about responsibility and/or sanctions absent bias.
- C. If an appeal request is granted, the Vice President for Student Development & Dean of Students or his or her designee (Appellate Officer) will conduct a review within 14 business days.
  1. The student bears the burden to clearly state in the initial appeal request and its supporting materials that an error has occurred during the adjudication process.
  2. The review is not a re-inquiry. The student is not required to be in attendance for the appellate review and will not be included in the review. The student may request to meet with the Appellate Officer. Requests are granted at the discretion of the Appellate Officer.
  3. The Appellate Officer has the option of

- a. affirming the original decision(s) regarding responsibility and sanctions;
  - b. affirming the original decision(s) regarding responsibility and modifying the sanctions; or
  - c. reversing the original decision regarding responsibility.
4. The Appellate Officer may not increase sanctions.
  5. The outcome of the Appellate Officer's review will be communicated to appropriate parties electronically via MBU provided e-mail addresses or in person. When delivery is not in person, the party is considered to have received the outcome letter upon the review being sent via e-mail.
  6. The outcome of the Appellate Officer's review is final unless the student received a sanction of suspension, expulsion or F . Suspensions, expulsions, and Fs are subject to additional review by the Provost or his or her designee.

### **Procedure for Suspensions, Expulsions and Grade "F" Sanctions**

If a course professor assigns a F or if the Academic Integrity Council assigns a F, Suspension, or Expulsion, it is subject to automatic review by the Provost or his or her designee (Provost's Review). VPSD&DOS is not a designee of the Provost for the purposes of the Provost Review.

- A. The Provost's Review will consider whether the initial decision was unreasonable.
- B. The record compiled by VPSD&DOS should be forwarded for the Provost's Review.
- C. The Provost's Review may alter the initial decision(s) regarding responsibility or sanctions in the Provost or his or her designee's sole discretion.
- D. The outcome of the Provost's Review will be communicated to appropriate parties electronically via MBU provided e-mail addresses or in person. When delivery is not in person, the party is considered to have received the outcome letter upon the review being sent via e-mail
- E. Suspensions, expulsions, or F sanctions will not take effect until the Provost Review is complete, except in the case of an emergency action.

### **Sanctioning for Academic Integrity and Honesty Violations**

Education, punishment, and restitution serve as the basis for determining the appropriate sanction(s). Sanctions are not lowered due to acceptance of responsibility, honesty, or cooperativeness, because integrity is expected of students. Rather, sanctions may be escalated when an inquiry officer determines a pattern of behavior, deceptiveness, non-compliance, or intent exists. Similarly, personal or environmental circumstances preceding a violation do not influence sanctions—absent a finding of intent—because the purpose of adjudication is to address the decision-making of a student.

Given the above philosophy, the following sanctions are ordered from lowest to strongest response. Multiple sanctions may be applied, but note that some sort of grade alteration is almost always used in sanctioning as a response to an Academic Integrity and Honesty violation. It is the sole authority of the inquiry officer(s) to determine what sanctions are properly educational, punitive and reparative.

Any student found in violation of our Academic Integrity and Honesty policy is immediately placed on Academic Probation. Academic Probation continues until the student graduates from MBU University.

Academic Probation is defined as a period of time during which any further violation of the Academic Integrity and Honesty policy puts the student's status with the University in

jeopardy. If the student is found “responsible” for another violation during the period of Academic Probation, serious consideration will be given to imposing a sanction of Suspension or Expulsion. Additionally, some restrictions that may be placed on the student during this period of probation include, but are not limited to, representation of the University in leadership positions or on athletic teams, participation in student activities and study abroad opportunities, entrance into University residence halls or other areas of campus, or contact with another specific person(s).

A. Sanctions Assignable by Course Professors

1. Reflective essay or other educational assignment
2. Reduction of the coursework’s grade by a percentage point or letter
3. Failure of the coursework
4. Reduction of the course grade by a percentage point or letter
5. Failure for the course

B. Sanctions Assignable by the Academic Integrity Council or an Administrator

1. Reflective essay or other educational assignment
2. Reduction of the coursework’s grade by a percentage point or letter
3. Failure of the coursework
4. Reduction of the course grade by a percentage point or letter
5. Failure for the course
6. Failure of the Co-Curricular Requirement/Loss of credit for the Co-Curricular Requirement
7. Additional Co-Curricular Requirements
8. Institutional Probation. Institutional Probation is defined as a period of time during which any further violation of the Student Code of Conduct puts the student’s status with the University in jeopardy. If the student is found “responsible” for another violation during the period of Institutional Probation, serious consideration will be given to imposing a sanction of Suspension or Expulsion. Institutional Probation could potentially affect his/her ability to represent the University in leadership positions or on athletic teams, participation in student activities and study abroad opportunities, entrance into University residence halls or other areas of campus, or contact with another specific person(s).
9. Suspension
10. Expulsion
11. Any other sanctions enumerated in the Spartan Virtues

**Multiple Incidents of Academic Integrity and Honesty Violations**

If a student has a subsequent incident in which he or she violates of the Academic Integrity and Honesty policy, serious consideration will be given to suspension or expulsion. If a course professor adjudicates a student’s second incident, he or she should assign sanctions based on the current incident alone. The professor should then refer the student to the VPSD&DOS, or designee, to determine the appropriate sanctions for multiple violations. The Academic Integrity Council or an Administrator may adjudicate the incident in accordance with the adjudication procedures outlined above. Any decision of suspension or expulsion is a recommendation and requires the approval of the Provost.

Whether a student’s prior violation was concealed has no bearing on subsequent violations. Serious consideration will still be given to suspension or expulsion.

### **University Expungement of a Violation of the Academic Integrity and Honesty**

A student may petition the university to expunge an Academic Integrity and Honesty violation. Prior to submitting a petition, the student must fulfill the following qualifications:

- A. Have only had a single incident in which the Academic Integrity and Honesty was violated; and
- B. Successfully passed the course—either during the original semester taken or after retaking the course—in which the Academic Integrity and Honesty violation occurred.

If a student meets these qualifications, he or she may petition the Provost, or his or her designee, to expunge the record of the Academic Integrity and Honesty violation. If expunged, the violation will not be reported as part of the student's conduct record. The University will maintain associated documents, files, etc. for informational purposes. If the student has a subsequent violation of the Academic Integrity and Honesty policy after his or her first violation was expunged, the second violation will be treated the same as any other student with multiple incidents of Academic Integrity and Honesty violations.

The steps for completing the petition are as follows:

- A. The student must write a letter to the Provost or his or her designee that:
  1. Requests the student's Academic Integrity and Honesty violation be expunged;
  2. Includes the date and nature of the Academic Integrity and Honesty violation;
  3. Certifies the student has had no subsequent violations of the Academic Integrity and Honesty;
  4. Reflects on what the student learned from the incident; and
  5. Explains why the student is seeking the violation to be expunged.
- B. The Provost or his or her designee may deny or approve the petition for continued consideration. If the Provost or his or her designee denies, the matter ends and the record stays intact. If the Provost or his or her designee approves, the petition is forwarded to VPSD&DOS, or designee. The decision to deny or approve is at the sole discretion of the Provost or his or her designee.
- C. Upon receipt of an approved petition, VPSD&DOS, or his or her designee, will schedule a meeting between the student and the Academic Integrity Council within a reasonable time. During that meeting, the student must:
  1. Propose an activity designed to raise campus awareness about academic integrity;
  2. Propose a date, time, location, and audience for the activity; and
  3. Propose a professor the student will collaborate with or be advised by on the activity.
- D. The Academic Integrity Council will work with the student during the meeting to reach a mutually agreed upon activity.
- E. The student must complete the activity up to 1 year from the date of their graduation.
- F. The student must submit written letters to VPSD&DOS, or his or her designee, from the student and from the collaborating/advising professor that evidence the activity was performed in accordance with the mutually agreed upon terms.
- G. VPSD&DOS, or his or her designee, will share the letters with the Academic Integrity Council.
  1. If the letters evidence the activity was completed in accordance with the mutually agreed upon terms, a member of the Academic Integrity Council will then write a letter to the Provost or his or her designee certifying that the

student completed an activity designed to raise campus awareness about the Academic Integrity and Honesty.

2. If the letters fail to evidence the activity was completed in accordance with the mutually agreed upon terms, the Academic Integrity Council has the authority to call the student back before it for direction on how it expects the activity to be completed. The student must comply with these expectations. It is the Academic Integrity Council's sole discretion to determine if the student satisfactorily evidences completion. Failure to satisfactorily evidence of completion of the activity will end the matter.
- H. Upon reviewing the Academic Integrity Council's letter certifying completion, the Provost or his or her designee will direct VPSD&DOS, or his or her designee, to expunge the student's conduct violation record. VPSD&DOS, or his or her designee, will make a reasonable effort to do so. The university is not responsible for records released prior to a record being expunged or for information erroneously released after the record should have been expunged. If information is erroneously related after the record should have been expunged, the university will take reasonable corrective action once it becomes aware of the error.

### **Applicability**

The sections above contain process statements that apply solely to Academic Integrity and Honesty violations. Any additions and alterations from the University's Adjudication Process for Conduct Violations supersede. Where the above process statements are silent on a particular issue, the University's Adjudication Process for Conduct Violations may provide guidance and the University and students should refer to that section. Based on the Adjudication Authority for Academic Integrity and Honesty Violations, the Provost or his or her designee has the sole discretion to determine any process questions that arise in the application of the Academic Integrity and Honesty.

### **Assisting and/or Condoning Conduct**

Presence when and where a violation of the Code of Conduct is occurring and failing to notify campus authorities of the violation shall subject a student to disciplinary action. Students who knowingly act in concert to violate University regulations may be held jointly responsible for such violations.

### **Deceptive Behavior Policy**

Students should engage in honest interactions and refrain from deceptive behavior. Deceptive behavior is prohibited regardless of whether another person is actually deceived. Behaviors that violate this policy include, but are not limited to, altering documents, records, forms or identifications; forging or using forged documents, records, forms or identifications; using another student's identification; using another student's ID number; or providing false or misleading information to a University official.

### **Inappropriate Internet and Computer Use Policy**

MBU encourages the educational and appropriate use of its Internet and computer resources. Accordingly, users should refrain from inappropriate use. Such use includes, but is not limited to:

- bullying that would cause a reasonable student to fear for his or her physical safety, feel unable to enjoy full membership in the community, or experience emotional trauma;

- stalking that would cause a reasonable student to fear for his or her physical safety, feel unable to enjoy full membership in the community, or experience emotional trauma;
- distributing information or pictures of another student when the user knew or reasonably should have known the student wished that information or pictures to remain private (this in no way interferes with a student's ability to share such information or pictures in compliance with a directive from the university);
- distributing materials that would offend a reasonable person and lacks any redeeming literary, scientific, political, artistic or social value;
- operating a business venture;
- disrupting the orderly operation of the university; and
- violating local, state or federal law.

Note that violations of this policy may also violate other policies outlined in the Code of Conduct. Student behavior that violates this policy may be addressed through the University's Accountability Process. Employee behavior that violates this policy should be brought to the attention of the Office of the Provost.

### **Responsibility for Guests On-Campus**

Students are responsible for the conduct of their guests on or in University property and at functions sponsored by any Missouri Baptist University student organization. Residential students should review the Residence Life Handbook for more information about host and guest responsibility.

## **Critical Thinking & Discernment (Excellence)**

### **Copyright Policy**

It is the policy and the duty of the University to respect the copyrights associated with books, articles, compact discs, software, videos, musical compositions and any other copyrighted work. Because it is illegal to duplicate, distribute, circulate or perform a copyrighted work without permission from the copyright owner, students must pay close attention to their handling of these works. Infringing another person's copyright is no different than stealing a CD, DVD or book from a store.

It is always safe to assume that materials are copyrighted. However, the following is a list of works that are not protected by copyright law and may be freely used without permission:

- Works in the public domain. If a work was first published (publicly distributed) more than 75 years ago, it is safe to assume that it is in the public domain. The duration of copyright for works less than 75 years old depends on when the work was first published, whether the copyright was renewed, and when the author died. Anything created since 1978 is not in the public domain.
- Works that lack originality. These include logical, comprehensive compilations like the phone book and unoriginal reprints of public domain works.
- Works created and printed by the federal government.
- Freeware. Not shareware, but expressly available, free-of-restrictions ware.
- Facts. But not facts that have been presented in an author's specific format, such as a table, graph, etc.
- Ideas, processes, methods and systems described in copyrighted works.

The Internet is a powerful tool. It provides many opportunities for access to entertainment materials. However, it further complicates copyright compliance. Students need to be aware that many common practices on the Internet are illegal. These practices include uploading of copyrighted pictures and photographs without permission, and the trading of copyrighted music, movies, games and software over the Internet through unlicensed file-sharing.

Using and making copies of copyrighted materials over a network are generally illegal unless you have the consent of the copyright holder. There are some limited exceptions, but these exceptions ordinarily do not apply when copyrighted works are shared for entertainment purposes. Copyright holders are significantly intensifying enforcement using automated scanning software to identify even small infringements, and recent legislation imposes serious criminal penalties for copyright violations through file sharing. Federal penalties for infringement include fines of \$250,000 or more, and imprisonment for up to five years for the first offense and up to 10 years for subsequent offenses. Furthermore, Missouri Baptist University will subject students who violate copyrights to student discipline as outlined in the Spartan Virtues.

For more information, please see the website of the U.S. Copyright Office at [www.copyright.gov](http://www.copyright.gov), especially their FAQ's at [www.copyright.gov/help/faq](http://www.copyright.gov/help/faq).

## **Self-Control & Responsible Freedom (Character)**

### **Damage to Property & Premises**

The damage, destruction or abuse of personal or University property and/or premises is subject to disciplinary action and may be subject to criminal charges. Students may be charged for any damage to University facilities and public areas that result from misconduct or misuse. Students are individually and collectively responsible for any damage unrelated to reasonable "wear and tear." University property including, but not limited to, furniture, plants, mattresses, doors, screens and other furnishing in lounges or reception areas, may not be removed or exchanged, stacked or otherwise relocated.

### **Failure to Comply Policy**

Students are expected to be cooperative and respectful to University officials who are acting in the performance of their duties. This includes, but is not limited to, University administrators, faculty and staff such as residence directors, resident assistants, plant operations personnel, public safety officers or Creve Coeur police. Further, students are expected to comply with instructions, requests or orders of a University official, a University official's designee or University document. Note, failure to comply during the adjudication process may result in adjudication in the student's absence and/or further disciplinary sanctions such as monetary fines and a Student Development Hold. A failure to comply violation can result when a student knows or should have known of the instruction, request or order.

### **Security Equipment Tampering**

Tampering with card key system equipment, use of duplicate or second ID or tampering with security equipment, door locks, window locks or window screens in any way is strictly prohibited.

### **Statement on Human Sexuality and Behavior**

Missouri Baptist University's policy regarding sex, sexuality and gender identity is grounded in its longstanding institutional religious foundation. This identity, in turn, is grounded in a biblical worldview as reflected in the University's mission statement, Statement of Faith and Baptist heritage. The University affirms and celebrates that God has designed sexual relationships to be expressed solely within the marriage relationship between a man and a woman. Temptations to deviate from this norm include any and all sexual behavior outside of the covenant of marriage and any and all same-sex sexual behavior. Moreover, the University affirms that God's original and ongoing intent and action is the creation of humanity manifested in two distinct genders, male and female. The University does not support nor affirm attempts to change one's given biological birth gender. The promotion, advocacy, defense or ongoing practice of sexual relationships and behaviors contrary to God's design is in opposition to University values.

A respect for human life and the individual dignity of human beings as made in the image of God is foundational to sexuality. For this reason, the University condemns sexually exploitive or abusive behavior and any form of sexual harassment. Since pornographic material is considered degrading to human dignity, the University prohibits the possession and use of such material. All students of the University are expected to conduct themselves in accordance with these Biblical standards. Although as a Christian institution of higher learning, the University will respect those whose views diverge from ours; the University will make institutional decisions in light of this policy regarding housing, student admission, retention and other matters.

The University encourages students struggling with these issues to avail themselves of opportunities for serious, confidential discussion and support through the Office of Spiritual Life or through MBU Counseling services.

### **Understanding Consent**

Missouri Baptist University defines consent as follows. Consent is clear, knowing and voluntary. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable clear permission regarding willingness to engage in (and the conditions of) sexual behavior. Consent to any one form of sexual behavior cannot automatically imply consent to any other forms of sexual behavior. Previous relationships or prior consent cannot imply consent to future sexual behavior. Consent cannot be given by someone under the age of 18. Consent cannot be given by someone who is Incapacitated.

## **Substance-Free Community Policy**

### **Overview**

MBU University is committed to self-control and the respect for self and others that enables all individuals to develop intellectually, spiritually, socially, emotionally and physically. Therefore, the University is committed to a community environment free of alcohol, illegal drugs, legal items intended to mimic the effects of illegal drugs or obtain a high, and misuse of legal drugs (Substances).

### **Violations**

The following behaviors violate the Substance-Free Community Policy and betray our Community Commitment to Self-Control:

1. Consumption. Consumption is the use of a Substance(s). Student need not be in the act of consuming at the time her or his incident is discovered; however, the student's consumption should have coincided with or precipitated the incident. Consumption does not necessarily require a finding of impairment or possession.
2. Possession. Possession is the actual presence of a Substance(s) on the student's person or within the student's control at the time of the incident (e.g. in the student's belongings, in a common space accessed by the student, etc.). When no Substances are actually present at the time of the incident, consumption or paraphernalia violations may still apply. If no one claims the substance(s) found, then the owner(s) of the room/space will be found responsible for the substance(s).
3. Impairment. Impairment is a student being in a diminished state of mind at the time of her or his incident due to the use of a Substance(s). Due to the danger to the student and our community, impairment escalates the University's response.
4. Distribution. Distribution is considered supplying or providing substance(s) to others, whether or not for profit (this includes sharing). Distribution will be considered if students are in possession of a large amount of substances (either an excessive amount or bulk amount of individual containers) that a reasonable person would determine was used for multiple servings.
5. Paraphernalia Indicative of Prior Consumption, Possession, or Distribution. Paraphernalia are items found during an incident that would indicate to an objective member of the MBU community that the student engaged in consumption, possession, or distribution of a Substance in the past. Examples include, but are not limited to, empty alcohol bottles, bitters, bottle tops, marijuana pipes, baggies with drug residue, identifications that falsely indicate a student is of age to purchase alcohol, etc.
6. Complicity. Complicity is a student being in the presence of a Substance(s) but not engaging in any of the above behaviors. Complicity will likely receive a lesser response in comparison.

### **University Response to Violations**

MBU takes its responsibility to facilitate the positive development of students seriously. The community's response for violating the Substance-Free Community Policy is consistent with the factors it considers in all incidents, with certain additions. Factors that that escalate the community's response include, but are not limited to, the student's past conduct history, identified concerns of abuse or dependency, the amount or nature of alcohol or drugs involved, student dishonesty or non-cooperativeness during the incident and its subsequent resolution, and danger to the student and/or community posed by the behavior.

Absent escalating factors, the community's response to a student's first violation for drug consumption, possession, impairment, or paraphernalia consistently includes separation from the community via suspension as well as additional sanctions. Drug distribution as well as paraphernalia indicative of distribution consistently results in expulsion on the first violation.

The community's response can vary for alcohol. Absent escalating factors:

- Parental Notification as specified below in the Alcohol and Controlled Substances Notification Policy (Parental Notification)
- First violation of the alcohol policy may result in an educational sanction as well as additional sanctions.
- Second violation of the alcohol policy may result in probation along with other sanctions.

- Third violation of the alcohol policy will most likely include separation from the community via suspension as well as any additional sanctions.

Alcohol distribution, paraphernalia indicative of distribution, and impairment will most likely result in probation but may result in suspension on the first violation.

For the definitions of probation, suspension, and expulsion, please refer to the “Sanctions” subsection under “Adjudication Procedures” in the Spartan Virtues.

Finally, students should note that drugs and alcohol discovered by the University may be turned over to local law enforcement. At that time, local law enforcement may choose to pursue criminal charges, which are separate from MBU’s adjudication process for alleged violations. In compliance with federal guidance, a number of local, state, and federal penalties for alcohol and drug crimes can be found below in the “Criminal Sanctions” section.

### **Responsible Friend Clause**

The well-being and safety of MBU students are of critical importance to our community. Accordingly, special consideration will be given in cases where the likelihood of conduct sanctions may create a disincentive for MBU students to seek necessary medical assistance for impairment.

If a student(s) seeks medical attention on behalf of another student due to that student’s level of impairment, the University will not pursue the typical conduct response for violations of the Substance Free Community Policy against the student who was impaired as well as the student(s) who reported the impairment unless the behavior presents a substantial risk to the safety or orderly operation of the community. To weigh the risk, the university will consider such things as—but not limited to—whether the behavior is repetitive for the impaired student, threats or acts of violence (including sexual violence) occurred during or after the incident, injury to others occurred, significant damage to property occurred, weapons were involved, etc.

Note, a student calling for assistance on behalf of an impaired student must contact Public Safety (314-744-5355), Resident Life, or other emergency officials to report the incident. Stay with the student until an MBU staff or faculty member arrives, and cooperate with emergency personnel and any University investigation for the Responsible Friend Clause to apply.

This policy does not apply for students who report their own medical emergency. This policy does not apply to students who are found by University personnel (i.e. Public Safety, Faculty, Staff, Administration, or Resident Life). In lieu of the typical conduct response, students falling within the Responsible Friend Clause will meet with the Vice President of Student Development, or designee) to discuss the incident, patterns of drug or alcohol use, responsible drinking habits that comport with university policy and state law, and other measures aimed at preventing future occurrence of such behavior. Consequences such as—but not limited to--probation, suspension, and expulsion will not be assigned. Further, the incident will not become part of a student’s official conduct record that is reported externally to employers or other institutions. However, the university will keep the information for internal purposes and consideration, such as—but not limited to—use in future accountability proceedings, use in recommendations for study abroad, consideration in granting positions that represent the university, and conferring university awards. In most cases, consistent with

the university's general policies regarding Substance use, the student's parents or legal guardians will be informed of the incident by letter.

This policy has no bearing on the actions by police or other law enforcement personnel.

### **Confidential Assistance with Substance Use**

Students may seek confidential, professional assistance related to their use or a friend's use of substances via the following MBU services:

- Counseling Services arranged through the Student Development Office
- Health Services located in Spartan Row Building 503
- Pastoral Care in the Office of Faith and Services located in the Student Development Office.

In some instances, these MBU services may recommend referral to specialized care professionals or facilities and will work with the student to identify these resources.

Additionally, the following is a list of non-MBU resources of treatment options. MBU University does not have a contractual relationship with any of the resources listed below. They are simply listed as a courtesy to students. Students should determine for themselves whether they feel the agency will meet their needs.

- Alcoholics Anonymous St. Louis <https://aastl.org/> | 314.647.3677 | 314.647.2907 (Hotline)
- Narcotics Anonymous St. Louis <http://stlna.org/> | 314.830.3232 (Hotline)

### **Alcohol and Controlled Substances Notification Policy (Parental Notification)**

The Higher Education Amendments of 1998 to the Family Education Rights and Privacy Act permit educational institutions to disclose to the parents or legal guardians of a student, information regarding the student's violation of any federal, state or local law or any rule or policy of the institution regarding the use or possession of alcohol or a controlled substance, if the student is under age 21 and the institution determines that the student has committed a disciplinary violation with respect to such use or possession.

The purpose of MBU University's Alcohol & Controlled Substances Notification Policy is to foster broader engagement of the influences that shape students' attitudes and choices regarding the use of alcohol and other controlled substances. While the University holds each student personally accountable for his or her conduct while enrolled, and addresses violations directly with him or her, it recognizes and seeks to support the pivotal role parents and guardians play in students' success by notifying them of incidents involving the use of alcohol or other controlled substances.

Parents or guardians of students under 21 years of age may be notified under any of the following circumstances:

- The student has been found responsible for violation of a federal, state or local law related to alcohol or controlled substances;
- The student has been found responsible for violation of a University policy related to alcohol or other drugs at least one time previous to the current violation;

- The student is required to be transported to a medical facility and treated because of alcohol or other drug use;
- The student has caused harm to him/herself or others while under the influence of alcohol or other drugs;
- The student was responsible for vandalism or other destruction of property while under the influence of alcohol or other drugs;
- The information regarding the student is needed in connection with an emergency to protect the health or safety of the student or other individual; and/or
- Other appropriate circumstances as determined by the Vice President for Student Development & Dean of Students, or designee.

Note, these guidelines do not preclude the University's contacting parents or guardians for other policy violations that may endanger the health and well-being of a student or other individuals in the community.

### **Health and/or Development Risks Associated with Alcohol and Drug Use**

MBU is substance-free because academic research and professional experience demonstrate the decision to abuse alcohol or use drugs has profoundly negative effects on a student's collegiate career. Harvard's School of Public Health found binge drinking of alcohol negatively impacts academic performance, social relationships, risk taking behaviors, and health of college students. Similarly, numerous studies have associated drug use with dependence, lower grades, an increased likelihood of dropping out, missed classes, high-risk sexual activity, difficulty finding purpose and anxiety, depression, and other psychological problems that interfere with learning and personal development. The following provides further details about the health risks of specific drugs as well as alcohol.

Narcotics such as opium, morphine and heroin can cause euphoria, drowsiness, respirator depression, constricted pupils and nausea. The symptoms of an overdose of narcotics are slow and shallow breathing, clammy skin, convulsions, coma and possible death. Persons experiencing withdrawal from addiction to narcotics can experience watery eyes, runny nose, yawning, loss of appetite, irritability, tremors, panic, cramps, nausea, chills and sweating.

Depressants such as barbiturates and Quaaludes can cause slurred speech, disorientation and drunken behavior. An overdose of a depressant may result in shallow respiration, clammy skin, dilated pupils, weak and rapid pulse, coma and possible death. Withdrawal symptoms include anxiety, insomnia, tremors, delirium, convulsions and possible death.

Stimulants such as cocaine and crack can cause increased alertness or euphoria, and increased pulse rate and blood pressure, insomnia and loss of appetite. An overdose of stimulants results in agitation, an increase in body temperature, hallucinations, convulsions and possible death. Withdrawal symptoms include apathy, long periods of sleep, irritability, depression and disorientation. Hallucinogens such as LSD and amphetamines cause delusions and hallucinations, and poor perceptions of time and distance. The effects of an overdose include psychosis and possible death.

Marijuana and hashish can cause euphoria, increased appetite, relaxed inhibitions and disoriented behavior. The effects of an overdose include fatigue, paranoia and possible psychosis. Withdrawal symptoms include insomnia, hyperactivity and decreased appetite.

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses also increase the incidence of a variety of aggressive acts, include spouse and child abuse. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory distress and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described. Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations and convulsions. Alcohol withdrawal can be life-threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and liver.

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than their peers of becoming alcoholics.

### **Criminal Sanctions**

In compliance with the federal Drug-Free Communities Act, the following criminal sanctions are provided to help students understand the risks of substance consumption, possession, and distribution. The list may not be exhaustive; students are encouraged to engage in additional research as well as explore information about drinking laws provided in the AlcoholEDU program MBU makes available to all incoming students.

The State of Missouri lists prohibited acts and prescribed corresponding penalties in State Statute [Chapter 579](#). The full laws can be read on the State of Missouri [website](https://revisor.mo.gov/main/Home.aspx) (<https://revisor.mo.gov/main/Home.aspx>).

The Federal Government of the United States prohibits the following drug trafficking acts and prescribes the corresponding penalties:

**FEDERAL TRAFFICKING PENALTIES**

DRUG/SCHEDULE	QUANTITY	PENALTIES	QUANTITY	PENALTIES
Cocaine (Schedule II)	500–4999 grams mixture	<b>First Offense:</b> Not less than 5 yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual.  <b>Second Offense:</b> Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.	5 kgs or more mixture	<b>First Offense:</b> Not less than 10 yrs, and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual.  <b>Second Offense:</b> Not less than 20 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.  <b>2 or More Prior Offenses:</b> Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.
Cocaine Base (Schedule II)	28–279 grams mixture		280 grams or more mixture	
Fentanyl (Schedule II)	40–399 grams mixture		400 grams or more mixture	
Fentanyl Analogue (Schedule I)	10–99 grams mixture		100 grams or more mixture	
Heroin (Schedule I)	100–999 grams mixture		1 kg or more mixture	
LSD (Schedule I)	1–9 grams mixture		10 grams or more mixture	
Methamphetamine (Schedule II)	5–49 grams pure or 50–499 grams mixture		50 grams or more pure or 500 grams or more mixture	
PCP (Schedule II)	10–99 grams pure or 100–999 grams mixture		100 gm or more pure or 1 kg or more mixture	
PENALTIES				
Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutyric Acid)	Any amount	<b>First Offense:</b> Not more than 20 yrs. If death or serious injury, not less than 20 yrs, or more than life. Fine \$1 million if an individual, \$5 million if not an individual.  <b>Second Offense:</b> Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.		
Flunitrazepam (Schedule IV)	1 gram			
Other Schedule III drugs	Any amount	<b>First Offense:</b> Not more than 10 years. If death or serious injury, not more than 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual.  <b>Second Offense:</b> Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than \$1 million if an individual, \$5 million if not an individual.		
All other Schedule IV drugs	Any amount	<b>First Offense:</b> Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual.  <b>Second Offense:</b> Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.		
Flunitrazepam (Schedule IV)	Other than 1 gram or more			
All Schedule V drugs	Any amount	<b>First Offense:</b> Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual.  <b>Second Offense:</b> Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.		

**FEDERAL TRAFFICKING PENALTIES—MARIJUANA**

DRUG	QUANTITY	1st OFFENSE	2nd OFFENSE *
Marijuana (Schedule I)	1,000 kg or more marijuana mixture; or 1,000 or more marijuana plants	Not less than 10 yrs. or more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than \$10 million if an individual, \$50 million if other than an individual.	Not less than 20 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.
Marijuana (Schedule I)	100 kg to 999 kg marijuana mixture; or 100 to 999 marijuana plants	Not less than 5 yrs. or more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine not more than \$5 million if an individual, \$25 million if other than an individual.	Not less than 10 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75million if other than an individual.
Marijuana (Schedule I)	More than 10 kgs hashish; 50 to 99 kg marijuana mixture More than 1 kg of hashish oil; 50 to 99 marijuana plants	Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine \$1 million if an individual, \$5 million if other than an individual.	Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.
Marijuana (Schedule I)	Less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight) 1 to 49 marijuana plants;	Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual.	Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual.
Hashish (Schedule I)	10 kg or less		
Hashish Oil (Schedule I)	1 kg or less		

\*The minimum sentence for a violation after two or more prior convictions for a felony drug offense have become final is a mandatory term of life imprisonment without release and a fine up to \$20 million if an individual and \$75 million if other than an individual.

[https://www.dea.gov/sites/default/files/drug\\_of\\_abuse.pdf](https://www.dea.gov/sites/default/files/drug_of_abuse.pdf)

**Social Order & Community Responsibility (Social Change)**

**Fire Hazards & Combustible Materials**

As an expression of Community Responsibility, specifically in regards to the safety and welfare of our community, combustible materials including, but not limited to, gasoline, gunpowder, flammable chemicals, explosives, etc., are not permitted. Incendiary devices, including fireworks, of any kind are strictly prohibited in University facilities and on the premises of the University. Fire Hazards such as candles, appliances restricted by Resident Life from the Residence Halls, extension cords restricted by Resident Life from the Residence Halls, etc. are not permitted. Smoke detectors, sprinkler systems, alarms and fire extinguishers are integral to student and facility safety and are not to be tampered with, disabled or misused in any way. Smoke detectors must remain plugged in (if not battery operated). Due to its significant importance in protecting the community, the University is assertive in addressing violations of this policy.

**Pets & Other Animals Policy**

Missouri Baptist University strives to promote a safe and healthy learning and working environment. Consequently, pets and other animals are prohibited from University-owned buildings unless the animal is in the service of a person with a disability or the animal is used in classroom instruction. Members of the Missouri Baptist University community and neighbors are free to walk their pets on campus so long as the pets are on a leash and the pets' owners pick up after their pets.

The Missouri Baptist University Policy on Service and Assistance Animals (PPM 7.004) outlines the responsibilities of the students and the University in evaluating and approving requests by students for Service Animals and Assistance Animals. Students who seek an accommodation in the form of a Service Animal or an Assistance Animal must submit the required documentation as set forth in the policy in a timely manner and obtain the advance approval of the Special Needs Coordinator(s) prior to bringing a Service Animal or Assistance Animal to campus. In order to maintain University facilities, and ensure the health and safety of members of the University community, Service Animals and Assistance Animals are subject to standards regarding their care, keeping and behavior.

### **Theft Policy**

Students should respect the property of individuals, the University and others. Students are expected to not have another's property without express permission. A student who keeps property that excludes its rightful owner of its use or enjoyment when the student knows or reasonably should have known the property belonged to another will be treated as if the student took it no matter how it came into the student's possession. The University will escalate its response when a student who has another's property intentionally took it or kept it without express permission.

### **Tobacco-free Campus Policy**

The use of tobacco in any form is not permitted in any of the University buildings or vehicles. Missouri Baptist University is a non-smoking campus. This policy applies to all students, faculty, staff, contractors, vendors, and other visitors to all university property. Prohibited tobacco products including, but are not limited to, cigarettes, cigars, cigarillos, pipes, hookahs, all smokeless tobacco and e-cigarettes.

### **Enforcement**

All faculty, staff, and students have collective responsibility to promote the safety and health of the campus community and, therefore, share in the responsibility of enforcement. The Offices of Public Safety and Resident Life are authorized to issue citations for violations of the policy.

The Office of Resident Life will enforce the policy within the residential community of buildings and proximate exteriors. Students found in violation of the policy will be submitted to the University accountability process.

The Office of Public Safety will also enforce and implement the policy throughout the campus community and will support the actions of the Office of Resident Life.

Faculty, staff, contractors, vendors and other visitors in violation of the policy will be reminded in a professional and courteous manner of the University policy.

Failure to comply with the request should be reported to the Office of Public Safety. Repeated offenses will be reported to their respective supervisors and to the Office of the Provost for further disciplinary action.

### **Sanctions for Violating the Tobacco Free Policy**

The sanctions described below apply to the entire Missouri Baptist University campus including buildings, garages, residence halls and outside open areas. The Offices of Public

Safety and Resident Life are authorized to issue citations for violations of this policy, but MBU is counting on all students, faculty and staff to collectively promote and enforce the policy. We believe that all students, faculty and staff share in the safety and health of the campus community.

**First Violation:**

Inside a Building—Health & Safety Fine of \$150 (The sanction for smoking inside buildings is heightened since that is a leading factor for building fires, especially in residence halls.)

Outside—Health & Safety Fine of \$75

**Second Violation:**

Upon a second violation, a student is required to participate in the formal student conduct process. Sanctions may include, but are not limited to, Health Assessment by medical professionals, participation in an Educational Program/Activity, and a Health & Safety Fine of \$200.

**Third Violation:**

Referral to the Community Accountability Council and sanctions to be determined based on the incident and previous student conduct violations.

**Appeals**

Students may appeal a citation for violating the Tobacco-Free Campus Policy.

If it is a student's first violation, the student has 14 days (two weeks) from the date of the citation to submit the Tobacco Appeal Form. Forms received after 14 days will not be considered for appeal. The form can be found on the [Dean of Students Office website](#). The student should complete the form in its entirety and attach the original citation.

The appeal should be submitted to the Office of Community Accountability for record-keeping purposes. It will then be forwarded to an appellate officer for review. Appellate officers are selected by the Vice President for Student Development & Dean of Students and serve at the VPSD&DOS's discretion. Appeal reviews occur monthly and decisions will be communicated to the student via an e-mail to the student's MBU e-mail address. During review, appellate officers may uphold the citation as is or invalidate the citation which eliminates the fine and the violation from the student's record. Grounds for invalidating a citation are limited to:

1. Actual bias on the part of the person issuing the citation; and/or
2. Citations improperly issued due to location of incident or other misapplication of the policy.

All appellate decisions are final.

If it is a student's second violation or more, the student may appeal in accordance with the Spartan Virtues Accountability Process for conduct violations.

**Unauthorized Entry**

In the interest of student safety as well as successful living and learning, students are expected to not physically enter non-public areas of the university without first receiving the appropriate

permission(s) that grants access. Permission may given in many forms, such as actual permission from the person that controls the area, card access, etc. Further, students are expected to refrain from allowing objects under their control to enter such areas or assisting others without permission to enter such areas. This includes entering or attempting to enter University facilities where the physical environment presents itself to be locked, closed, or restricted (i.e. lights off, after class hours, etc.) Non-public areas include, but are not limited to, residence halls, residence hall rooms, construction areas, athletic playing surfaces, staff or faculty offices, card-restricted rooms/areas, rooftops, balconies, etc.

## **University Posting**

Missouri Baptist University is committed to supporting student engagement in and out of the classroom and to providing a campus environment that is safe, orderly and aesthetically pleasing. To this end, posting on campus is permitted by members of the University community subject to the guidelines and approval processes below. (Note: Materials associated with specific academic and departmental information and activities may be posted by University personnel on bulletin boards in departmental offices/areas and are not subject to approval via this posting policy.)

### **General Guidelines, Access and Privileges**

Posting on campus is permitted only by members of the University community. Specifically, current and recognized student organizations, University departments, academic units, faculty, staff and students are eligible to post on campus.

Off-campus individuals wishing to advertise non-University information and/or events should contact University agencies maintaining virtual communications:

- For Housing (e.g. roommate, lodging, etc.) contact the Office of Residence Life at 314-392-2262.
- For Employment (e.g. jobs, internships, etc.) contact the Office of Career Development at 314.744.5322

Posting is permitted only on Bulletin Boards and other locations. Posting anywhere other than these areas is prohibited. Organizations and/or individuals associated with unauthorized posting may be subject to disciplinary action. For a list of applicable Bulletin Boards and locations please contact the Dean of Students Office at [DeanOfStudents@mobap.edu](mailto:DeanOfStudents@mobap.edu).

All postings must be approved prior to posting on-campus. Any posted material lacking University approval (denoted by an original, non-reproduced, dated approval stamp) or posted past the noted date will be removed. The University is not responsible for the condition of posted materials and will not return materials that are removed. Approved materials may be posted on campus for up to 14 days.

### **Approval Process, Posting Specifications**

A maximum of 20 individual posters per event may be posted. Posting materials may not exceed 11x17. Organizations wishing to display a banner must seek separate approval via the Office of Student Life.

Individuals wishing to post on campus must complete a Posting Request Form, available in Student Development, and submit all materials (actual posters, flyers, etc.) to be posted.

The approval process typically takes 24 hours during the normal business work week.

In order to be considered, postings must be initiated by a member of the MBU Community (i.e. current students, faculty, or staff of the University), announce information applicable and/or events open to the entire MBU University community, and demonstrate direct connection to a member of the MBU Community or extension of the University's life and work.

Postings with subjects or content that is not consonant with MBU University's Governing Ideas or Spartan Commitments are prohibited. This includes but is not limited to postings that promote the sale or use of alcoholic beverages, the use or sale of tobacco or the use of sexually explicit, obscene, derogatory or inflammatory language.

### **Damages and Loss of Privileges**

"Chalking" surfaces and taping, stapling or otherwise affixing materials to painted surfaces and/or glass potentially damages University property and is strictly prohibited. Additionally, flyers may not be placed on vehicles or left in University facilities.

Any organization and/or individual member of the MBU community found in violation of the Posting Policy is subject to disciplinary action including, but not limited to, monetary fine, damage assessment, loss of posting privileges, etc.

### **Political Campaign Posting Policy**

The posting of campaign signs on-campus is prohibited. Exceptions include signs posted by students in their own residence hall rooms or apartments; signage temporarily posted in space reserved by the University or a recognized student organization for a calendared candidate forum, debate or political event.

**\*\*Approval for posting of printed materials on University property does not constitute the institution's endorsement of products, vendors or services mentioned in those materials.\*\***

### **Weapons Free Campus Policy**

Missouri Baptist University is a weapon-free campus. Weapons of any kind are strictly prohibited on University property (on and off the main campus), in University facilities, in vehicles on University property, and at University events. A weapon includes any device defined by statute or the University which in the manner used or intended is capable of producing death, harm or bodily injury to person or property. Such devices include but are not limited to guns (including starter pistols, paintball guns, those that shoot projectiles including pellets, BBs, airsoft beads, potatoes, etc.), explosives, ammunition, knives with blades longer than three inches, slingshots, martial arts weapons, and bow and arrow combinations (including crossbows).

- In the interest of public safety, the weapon-free campus policy includes items resembling weapons including but not limited to replica, non-firing, rubber, plastic and/or toy guns. Stage props are excluded from this prohibition only as stipulated in the theatrical addendum below.
- Those possessing permits to carry concealed weapons in public are subject to this policy and are prohibited from bringing weapons onto campus or into campus facilities (Missouri State Statute 571.107.10).
- Weapons are not permitted on campus property this includes possession or storage by an individual, in a University facility or vehicle on University property. Hunters must

make arrangements to store weapons off campus property and are not permitted to transport weapons on campus.

- Pepper and propellant sprays used for personal protection and self-defense are permitted on campus. Misuse or unauthorized use of these items will be assertively addressed via University conduct processes and/or state and federal statutes. However, electronic devices intended to stun or incapacitate (e.g. Tasers) are considered weapons and are not permitted on campus.
- Exceptions to this policy includes all local, regional, and federal law enforcement officers authorized by their agency to carry a firearm, authorized Missouri Baptist University public safety personnel, theatrical props within the provisions identified below (see addendum), and track and field use of a starter pistol.

### **Guidelines**

1. Weapons are not permitted to be stored on campus or in vehicles. Any weapon on campus in violation of this policy will be seized and returned upon leaving the campus.
2. While it is the desire of Missouri Baptist University personnel to be as redemptive as possible in such situations, violations of this policy by faculty, staff, or students will be subject to the respective disciplinary and judicial processes and/or options outlined in the respective handbook governing the individual.
3. Any person unrelated to the Missouri Baptist University community who is in violation of this policy will be reported or turned over to the appropriate law enforcement officials.
4. Missouri Baptist University, in consultation with its legal counsel, will seek to cooperate with any law enforcement officials conducting investigation related to University property or constituents.
5. Event Services is responsible for ensuring contracts with external parties outline University guidelines and work to ensure parties understand the University's Weapons-Free Campus Policy.

### **Weapon-Free Campus Policy (Theatrical Addendum)**

Stage weapons may be used in preparation and performance of theatrical productions under the restrictions and stipulations that follow:

1. A stage weapon refers to any device or approximation of a device described as a weapon in the University's weapons-free campus policy. This includes but is not limited to guns, knives, swords, spears, bow and arrows, crossbows, whether capable of inflicting bodily injury or not.
2. These stage weapons may be used on campus only in the context of practice for a University-sponsored theatrical event under the authorization of University personnel.
3. Stage weapons are permitted only in defined theatrical performance and practice venues. They must be stored and maintained by authorized University personnel and "checked-out" for use under their approval.
4. Public Safety must be notified of each instance a stage weapon is to be used and each performance and rehearsal at least one week prior.
5. Blades must be blunted, dulled sufficiently so as to pose no actual threat to participants
6. Real operable (even if unloaded) firearms are not permitted. Firearms should be rubber or non-functional replicas, and must be mechanically incapable of firing a projectile.

7. Starter Pistols or other approved theatrical weapons designed to fire a blank and only a blank are also acceptable.
8. Any strange or unusual stage weapon used in a classroom, rehearsal or production event must receive prior approval from security.
9. Audience members must be notified prior to the beginning of the performance when stage firearms are to be in use.

## IV. NOTICES, STATEMENTS, AND SPECIAL REGULATIONS

### Annual Security and Fire Safety Report

The Student Right-to-Know and Campus Security Act, signed into law November 8, 1990, and subsequently revised, requires institutions of higher education such as Missouri Baptist University to issue an annual report describing campus security procedures, facilities, policies, crime prevention programs, statistics and other information. The purpose of the report is to give individuals in the University community the information they need for their personal safety and security while on campus. The Annual Security Information Report containing campus crime reporting procedures, policies, sexual harassment and sexual offense policies, crime statistics and a list of victim advocates is available for viewing on the Public Safety Website. A hard copy version is available through the Office of Public Safety upon request.

### Appropriate Clothing and Shoes

Students are expected to take reasonable steps to protect themselves from avoidable injury; accordingly, clothing appropriate to location, weather and activity are required while on Missouri Baptist University's campus or while participating in a MBU sponsored activity. Please note this includes students wearing shoes in all public areas of campus appropriate to the location and activity (i.e. closed toed shoes in labs, studios and anywhere machinery is in operation; athletic shoes during participation in sports). Students failing to be appropriately attired for any location or activity may be asked to leave the area until acceptable attire is obtained.

### Business Ventures on Campus Notice

Missouri Baptist University supports the entrepreneurial spirit of our students. With the understanding that the primary purpose of the MBU community is one of learning, the University has enumerated expectations to govern business ventures occurring on campus—including those delivered electronically or web-based. While student business ventures are encouraged, the following delineates acceptable and unacceptable behaviors in the operation of a venture. These expectations apply to both for-profit and non-profit ventures. Further, the University does not differentiate between student-led ventures and ventures where a student is acting as an agent or representative of another person or entity.

Students are expected to not engage in any of the following behaviors in the operation of a business venture:

1. Use the MBU brand and its related marks or the likeness of those marks;
2. Use of a MBU address (physical or electronic), university equipment, or the name and resources of a student organization;
3. Setup a booth or similar establishment on campus; or
4. Interfere with the University's exclusive arrangements with other businesses such as, but not limited to, bookstore items, food service, pouring rights, and athletic and university merchandise licensing.

Understanding that some academic programs and activities encourage specific business ventures by students, this notice may not apply to the business ventures of students approved by the dean of the college or his/her designee in which the venture is taking place. Similarly, the Office of Student Activities may approve a business venture when the venture relates to a student organization or other co-curricular activity. There is no formal process of approval; however, the dean of the college or his/her designee(s) or the Office of Student Activities must have actual knowledge of the business venture's existence before consideration will be given to whether approval exists.

## **Complaint and Grievances**

### **Missouri Baptist University Internal Processes**

If an MBU University student has a grievance regarding the student's academic division or an administrative procedure the student has the right to request a review of his or her particular situation. The student must first attempt to resolve the problem by contacting the relevant department directly and requesting a review of his or her situation. If the grievance is not resolved by contacting the department directly the student should follow up with an e-mail to the representative of that department / area and detail the concern so that the student's concern is documented. The recipient of the e-mail, or an appropriate area designee, will respond in a timely manner.

Because the University already has several published policies and mechanisms for dispute resolution in place, students who contact the Vice President for Student Development & Dean of Students, or his or her designee, may be redirected (back) to the Dean/Division Chair of the relevant academic college or area if it is clear that the process and response were reviewed appropriately and in keeping with the published process; for example grade appeals, etc. (see: Academic Catalog) in these cases the college or area decision and response may be deemed final.

After contacting the appropriate department directly and receiving a final response as described above, any student who still believes he or she has been treated unfairly by a university employee or process, may seek review with possible alternative resolution through the Division of Student Development. "Unfairly" means there was no process of review as described above or in a University publication; or adequate explanation of the final disposition to the student's grievance; or there was a noted bias on the part of the decision maker, which affected the decision.

Students may file a formal complaint by completing the [Student Complaint Form](#) describing the treatment, action, final decision given by the academic or administrative area and the remedy still sought. Complaints will be investigated and / or referred to other offices as necessary. A written response regarding the issue will be sent to the student who initiated the complaint within 30 days.

The Vice President for Student Development & Dean of Students, or designee, serves as the primary coordinator of response and support to students with concerns or those students experiencing a crisis.

Students should first seek a resolution through the institution's procedures above. Grievances that are not resolved internally and may involve state consumerism, state licensing boards, or accreditation may be addressed by following the links provided below.

### **State of Missouri Complaint Procedures**

Should the institution not be able to resolve the student complaint, the student has the right to contact the state of Missouri and its appropriate agency to determine the course of action. Complaints can be filed with the agencies in Missouri:

Department of Higher Education and Workforce Development's complaint procedures can be found at: <https://dhewd.mo.gov/contactus.php>

Complaints related to the application of state laws or rules related to approval to operate or licensure of a particular professional program within a postsecondary institution (college / university) shall be referred to the appropriate State Board (i.e., State Boards of Health, State Board of Education, etc.) within the Missouri State Government. It shall be reviewed and handled by that licensing board ([dese.mo.gov](http://dese.mo.gov), and then search for the appropriate division); and

Complaints related to state consumer protection laws (e.g., laws related to fraud or false advertising) shall be referred to the Missouri Division of Consumer Affairs and shall be reviewed and handled by that Unit <https://ago.mo.gov/civil-division/consumer/consumer-complaints>.

### **Higher Learning Commission Procedures**

Allegations regarding noncompliance with accreditation standards, policies, and procedures may be referred to HLC, 230 South LaSalle Street, Suite 7-500, Chicago, IL 60604. (The Commission's complaint policy, procedure and the Complaint form may be found on their website at: <https://www.hlcommission.org/Student-Resources/complaints.html>).

### **Communicable & Infectious Disease Notification**

Communicable diseases include, but are not limited to, measles, influenza, viral hepatitis-A (infectious hepatitis), viral hepatitis-B (serum hepatitis), human immunodeficiency virus (HIV infection), AIDS, AIDS-Related Complex (ARC), leprosy, Severe Acute Respiratory Syndrome (SARS), including the SARS-CoV-2 (coronavirus or COVID-19) and tuberculosis. Missouri Baptist University may choose to broaden this definition in accordance with information received through the Centers for Disease Control and Prevention (CDC).

Communicable and infectious diseases pose an inherent risk for faculty, staff, and students both on and off campus, while participating in typical daily living, and engaging with others in any public or private settings. This includes University activities and programs such as class attendance, athletics, residential communal living, events/programs, utilizing campus facilities, and other University operations. Faculty, staff, and students have the potential exposure to communicable and infectious diseases both within and outside of the University setting.

The University will take proactive steps to protect the educational environment in the event of an infectious disease outbreak. It is the goal of the University during any such time period to strive to operate effectively and ensure that all essential services are continuously provided and that students and employees are safe.

The University will comply with all applicable statutes and regulations that protect the privacy of persons who have a communicable disease. Every effort will be made to ensure

procedurally sufficient safeguards to maintain the personal privacy of persons who have communicable diseases.

The University is committed to providing authoritative information about the nature and spread of communicable and infectious diseases, including symptoms and signs to watch for, as well as required steps to be taken in the event of an illness or outbreak.

The University will endeavor to provide a clean educational environment, including the regular cleaning and sanitization of objects and areas that are frequently used, such as bathrooms, breakrooms, conference rooms, door handles and railings. In accordance with the Emergency Management Plan. A committee will be designated to monitor and coordinate events around a communicable and infectious disease outbreak, as well as to create University rules that could be implemented to promote safety through infection control.

We ask all faculty, staff, and students to cooperate in taking steps to reduce the transmission of infectious disease in the workplace. The best strategies remain the most obvious—frequent hand washing with warm, soapy water; physical distancing; avoiding large gatherings; covering your mouth whenever you sneeze or cough; wearing a face covering as instructed; and discarding used tissues in wastebaskets. We have also installed alcohol-based hand sanitizers throughout the campus and in common areas.

Keeping the MBU campus safe and healthy is a joint effort requiring the contributions of all members of the University community. Thank you in advance for honoring the University's mission by adhering to health and safety guidelines and showing respect for the well-being of our students, faculty, and staff.

### **Community Life Requirement**

The Community Life Program (CLP) is an essential part of the MBU experience. The CLP seeks to develop the whole person through a variety of events and gatherings by providing students with opportunities for spiritual, educational, and cultural maturity. The CLP emphasizes the Christian identity and mission of the University, accentuating the University's Core Values.

#### **CLP GPA Effects**

All undergraduate students on Main Campus are required to complete the CLP. For each semester of full-time enrollment on Main Campus, students are required to earn 15 CLP points, for a maximum of eight semesters for a total of 120 CLP points. CLP points may be earned from a variety of options, all of which are connected to MBU's Core Values: Faith, Truth, Excellence, Character, & Social Change. At least ten points must be earned through Chapel attendance.

Chapel services are held on Thursdays from 11:00–11:45 AM, and Spartan Lectures are held the first Tuesday of each month from 11:00–11:45 AM (with minor variations at times). No other required meetings for students are held during Chapel or Spartan Lectures.

Each student is responsible for selecting CLP options that will meet the requirement. See the Community Life Program Guide for further details and to find approved options for the CLP.

#### **Chapel Expectations**

Chapel is a gathering of the MBU community to honor and worship God in a variety of ways. As a worship setting, we respect and honor the Lord by respecting and honoring one another. The following guidelines help promote a context of neighbor-love:

- Abstain from use of mobile phones, tablets, computers, and other electronic devices not directly related to the gathering.
- Abstain from personal conversations and activities that distract others from worship.
- Abstain from studying notes or reading books not directly related to the gathering.

Students who engage in disruptive behavior may be asked to leave. Consequences may include, but are not limited to, loss of attendance credit, meeting with Associate Dean of Students, or for repeated or egregious disruptive behavior a referral to the Office of Community Accountability for processing through the University's Community Accountability system.

### **Community Life Program Guide**

All Community Life Program requirements, information on tracking your CLP point progress, and other important information can be found in the Community Life Program Guide on the Office of Spiritual Life website.

### **Directory Information**

It is the responsibility of each student to keep her or his directory information current with the University. This may be accomplished by using myMBU to update the student's address, phone, e-mail and other contact information. The University will rely upon this contact information, maintained by the student, to communicate official information and expectations. Be advised, students are accountable for information communicated in this fashion. Students should check identified contact points regularly and update directory information promptly as appropriate.

### **Emergency Action**

#### **Overview**

The University may impose emergency action upon a student when there is reason to believe, based upon available information, that the student poses an immediate threat to the safety, health or welfare of persons, property or the orderly operation of the University. This action is warranted by potential or threatened danger or disruption, and used only when the serious nature or immediacy of the threat requires immediate action. The action is interim in nature, pending the response of the accountability (disciplinary) process. Following the imposition of emergency action, standard University disciplinary process shall be provided as expeditiously as possible.

Emergency action includes, but is not limited to the following:

- Emergency (Interim) Suspension. This action requires a student to leave University property immediately, and not return during the suspension period, and/or comply with other stated conditions for a specified period. The Vice President for Student Development & Dean of Students, or designee, may impose emergency suspension.
- Emergency (Interim) Housing Relocation/Removal. This action may be imposed upon a student by the Vice President for Student Development & Dean of Students, or designee, or Director of Residence Life, or designee. A student who is removed from

housing cannot enter any residence halls. If a student disregards this action, he or she shall be subject to further disciplinary action and may be treated as a trespasser.

### **Notice of Emergency Action**

A student will receive written documentation of any emergency action taken against him or her.

The documentation shall explain the nature, reason for and duration of the action, as well as any conditions that may apply.

### **Disregard for Emergency Action**

Any student who is suspended on an emergency basis and returns to the campus or University property and/or violates other stated conditions during the specified period shall be subject to further separate action and may be treated as a trespasser. Permission to be on campus for a specific purpose must be requested and obtained in writing or by telephone from the Vice President for Student Development & Dean of Students, or designee, prior to any conduct contrary to the suspension or restrictions.

### **Expression, Demonstration, and Gatherings**

Missouri Baptist University believes in the rights of its community members to pursue their academic and career objectives without unreasonable obstruction or hindrance. We also believe that members of the university community are free to communicate, by lawful demonstration, the positions that they support on vital issues of the day. The University welcomes speakers from a variety of viewpoints and will provide them platforms from which to express their views in an unconstrained manner. Speakers will be evaluated for their contributions to fulfilling the mission of our Christian worldview and contributing viewpoints that challenge the University community to think about our role as Christians within the Kingdom who act to implement social change.

The University, through its teaching, research, and co-curriculum, engages community members in the broadening of knowledge through a Christian worldview. A freedom of expression is critical to the process of learning, and the Missouri Baptist University values in its members a diversity of thought. Peaceful protests and/or rallies present our community with the opportunity to further share information; what they cannot do is endanger community members or disrupt University operations. University administrators may choose not to permit a rally or demonstration if safety or the performance of University business become compromised.

This policy applies to all students at Missouri Baptist University. Failure to abide by the policy may result in referrals to the Office of Community Accountability.

For the purpose of this document the terms public speech, rally, march, demonstration and protest are used interchangeably.

### **MBU's Status as a Private Institution**

There are differences between public and private institutions. Public institutions are established by government entities (e.g. the state of Missouri) and are subject to the authority of that state government and as an extension the US government. Public institution employees are subject to the constraints of the US Constitution. Private institutions, such as the Missouri

Baptist University, are not legally bound by the provisions described in the constitution but instead the relationship between the university and its students, faculty and staff is contractual in nature. To that end, the University has the right to develop and create its own policies, procedures and rules about how it operates which includes the right to determine who can and cannot come to its campuses.

### **Events Covered by this Policy**

Classroom Speakers/ Guests Speakers invited by the faculty of the University and sponsored by faculty through their departments, programs, or as part of a class, and presenting in an academic space (classrooms and lecture halls), enjoy the benefits of academic freedom as long as the intended audience is the University community. Speakers or presenters invited by faculty instructors for the purposes of instruction within an individual course curriculum can do so with department/college approval.

Students, faculty, and staff are responsible for their guests and are accountable for their guests' conduct on campus, including any property damage that takes place.

An individual member or group of members of the MBU community may also invite any person to address the community as long as the procedures in this document are followed.

Planned Protests, Rallies, or Demonstrations Protests, or demonstrations under this policy are classified as any event planned with the expressed purpose of gathering multiple people to raise awareness about, or express a viewpoint on, any issue or cause. These events require advanced arrangements with the University as outlines below (Advance Arrangements).

### **Spontaneous Events**

A spontaneous event is permitted involving University members only. These include responses to world or local events, vigils, and/or celebratory gatherings (e.g. Cardinals win the World Series, MBU wins a championship). Recognizing that there are times when things happen that preclude the ability to plan an event, the University has designated areas main campus where these events may occur (see section below). Restrictions to these spontaneous events include: any construction; amplified speech; disruption of the business of the university, and blocking traffic. Generally, these events would (should) take place between the hours of 9:00 a.m. - 9:00 p.m.

### **Counter Protests**

Planned protests, rallies, or demonstrations may invite protest by persons or groups whose ideas lie in contrast. Student organizations and University departments are required to plan for the possibility of counter protests when organizing events. In cases where dissenting views are likely to be expressed, the University will reserve the right to identify areas designated for counter protest to protect the freedom of expression of all parties. Student organizations and University departments are required to plan for the possibility of counter protests when organizing events.

### **Planning and Execution of Event**

#### **Community Notification**

Whenever possible, the MBU community will be notified to the extent possible that a protest or demonstration will be, or is, taking place.

### **Advance Arrangements**

Individual students and recognized clubs and organizations may organize protests, rallies, or demonstrations in concert with the Office of Student Life. Working with this office as they would for the planning of any community program, students and clubs/organizations should submit a request 2 weeks in advance for appropriate event support services, but no less than two business days prior to the date of the proposed protest, rally, or demonstration. Submissions two business days prior to the proposed protest, rally, or demonstration increase the logistical challenges to approving the activity. This will ensure that University officials can assist students in the planning of their event, and to help anticipate the possibility of counter protests (see Counter Protests). MBU staff will be present during protests, rallies, or demonstrations to monitor the event's safety and to ensure the event does not interrupt University operations. Protests, rallies, or demonstrations slated to occur on an adjacent street or sidewalk (see Approved Locations) may require city permits and/or adherence to city ordinances. Students proposing such events will need to work within the parameters as set forth by local and state government.

**Approved Main Campus Locations for Exterior Demonstrations Include:** Area in front of the Field Academic Building, Quad, and on patio adjacent to the Sports and Recreation Center (SRC).

Protests and demonstrations may not take place in classrooms, corridors, or in or near the Pillsbury Chapel & Dale Williams Fine Arts Center, but may take place inside designated University event spaces if approved in advance.

As part of advanced planning, event organizers can work with the Office of Student Life to identify an interior location on campus that could serve as a location in inclement weather or other location that would meet an extenuating need of the event.

The entirety of the main campuses and all University-owned buildings and properties are private property. The public spaces on the main campus include the outer North Forty Road, College Park Drive at the border of campus adjacent to Parking Lot C, and Cadet Park adjacent to Spartan Field. The North Forty Road is governed by the State, College Park Drive is governed by the City of Creve Coeur, and Cade Park is governed by the City of Town & Country.

### **Building Occupancy**

Students hosting protests, rallies, or demonstrations must do so in a manner consistent with established building occupancy codes. Doing so is but one measure of ensuring the safety of participants. Building occupancy will be determined by the Office of Public Safety based on square footage requirements, current furniture configuration and proper egress. Building opening and closing times will be determined by the Office of Public Safety based on regularly scheduled usage, which varies depending on the time of year. Building occupancy and opening/closing times can be obtained from the Office of Public Safety.

### **Restriction from Buildings (individuals and groups)**

The University may deny individuals access to all or some University property, if a person(s) is known to have or has engaged in criminal activity, suspicious activity, or behavior that is or is

likely to be threatening, violent, or disruptive to University operations and activities. MBU may restrict access to buildings and outdoor areas during both business and nonbusiness hours.

### **Construction**

The Vice President for Student Development & Dean of Students, or designee, must approve any structure (stage, tent, etc.) to be erected for use during a protest, rally, or demonstration. Necessary consultation will occur with the Office of Public Safety and/or Campus Operations.

### **Disorderly Conduct**

Conduct which is disorderly; breach of peace; or aiding, abetting, or procuring another person to breach the peace on University premises or at functions sponsored by, or participated in by, the University is prohibited (See Missouri Baptist University Spartan Virtues, Spartan Handbook located at <https://www.mobap.edu/about-mbu/publications/student-handbook/>).

### **Disruption and Obstruction**

The following actions are prohibited: Intentional or unintentional obstruction of the free flow of pedestrian or vehicular traffic on University premises or at University-sponsored or supervised functions. Participation in any behavior which disrupts the normal operations of the University and infringes on the rights of other members of the University community is also prohibited. (See Missouri Baptist University Spartan Virtues, Spartan Handbook located at <https://www.mobap.edu/about-mbu/publications/student-handbook/>).

### **Noise Levels**

While amplified sounds (voices, music) may be part of a protest, rally, or demonstration, those that impact the operations of the University may need to be lowered at the discretion of the University official on site. The City of Creve Coeur requires a permit for amplified outdoor sound and can be obtained from the Creve Coeur Police Department. City ordinance only allows amplified outdoor sound:

- No earlier than 7:00 a.m. seven (7) days a week
- No later than 10:00 p.m. Monday through Thursday
- No later than 12:00 a.m. Friday and Saturday

### **Special Circumstances**

The University recognizes that some demonstrations may occur over a period of hours or days (i.e. late night into morning events). Similarly, some protests, rallies, or demonstrations may draw large attendance warranting the need for an increased presence among University officials including the Office of Public Safety. Any such events will require the approval of the Vice President for Student Development & Dean of Students, or designee, who will consult with the Office of Public Safety, Campus Operations, etc. It will also be necessary that the faculty or staff advisor associated with the club or organization be present throughout the duration of the event when it occurs over a period of hours or days, is expected to draw a large crowd, or when a counter protest should be anticipated.

### **Solicitation and Distribution of Information**

Handbills, pamphlets, flyers and quarter-sheets may be distributed on any location on main campus except in classrooms or offices in use. When handbill distribution is associated with a particular event, whether indoor or outdoor, the locations of distribution may be restricted to preserve safety and security but material distribution may not be wholly prevented or unnecessarily restricted (e.g. at a campus event-commencement etc.). Distribution is subject to

the Missouri Baptist University Posting Policy as found in the Policy and Procedure Manual. Additional information about the University Posting Policy can be found in the Dean of Students Office located in the Field Academic Building.

### **Posters, Placards, Banners and Signs**

Students, student organizations, faculty, staff, and employees commonly post signs and flyers to inform the University community of upcoming events or expressing their opinions. The University allows this practice within regulations designed to reasonably govern what, when and where the event takes place for the protection of the students, University property, and appearance of the campus.

Banners and/or signs must be approved in accordance with the policies of the Office of Student Life.

Placards, banners, and signs used during a protest, rally, or demonstration may not impede upon the operations of the University and thus should not block sidewalks, entryways, or the like. While allowed, if found to impede upon the operation of the University, placards, banners, and signs may be relocated at the request of University officials.

### **Media/Public Relations**

The Office of University Communications is responsible for communications including media relations, public relations, publications, advertising/marketing and web sites for the University. All communications with the media should be coordinated through the Office of University Communications. Students are encouraged to contact the Office of University Communications with items that might be of interest. Faculty, staff and students may not speak on behalf of the University unless previously approved.

Media may be allowed on campus, pending approval from the Office of University Communications. Media will be limited to a designated location in the Pillsbury Chapel & Dale Williams Fine Arts Center, Art Gallery area. The designated location will be identified with appropriate signage. Media are not allowed to leave the area unless given written permission from the Vice President of Enrollment, Marketing, and University Communications stating the parameters to move about campus including the ability to speak with students, faculty, or staff. Media in violation of leaving the designated location may be asked to leave University property by the Office of Public Safety.

### **Involuntary Withdrawal**

Involuntary withdrawal is not intended to be disciplinary in nature. This process outlines when and how a student may be involuntarily withdrawn from the University for demonstrating behavior that:

- Poses a danger of causing imminent physical harm to the student or to others
- Unreasonably disrupts the normal educational processes and orderly operation of the University
- Engages, or threatens to engage, in behavior which would cause property damage

A student who demonstrates the behaviors listed above, may be on emergency (interim) suspension from the University and/or University Housing on an interim basis pending an administrative meeting. The decision to post interim suspension will be communicated to the student in writing.

The student will be contacted in writing by a University official to schedule an administrative meeting with the Vice President for Student Development & Dean of Students, or designee. The student has a right to be accompanied by an advisor or advocate (MBU faculty, staff, or student or parent). The student can provide testimony and relevant supportive documents at the meeting. The University official will review all documents before making a decision to withdrawal.

If a student is withdrawn under the provisions listed above, the student can appeal the decision by providing a written notice of appeal to the Vice President for Student Development & Dean of Students.

Upon receipt of the appeal the VPSD&DOS shall afford the student a meeting at which time the student may present supporting evidence and reply to evidence presented by others. The student has the right to be accompanied by an advisor or advocate, but the student may not have an attorney present at the meeting. The VPSD&DOS will review all information and inform the student of the final decision in writing.

### **Deviations from Established Accountability (Disciplinary) Procedures**

A student accused of violating University disciplinary regulations may be diverted from the normal disciplinary process by the Vice President for Student Development & Dean of Students, if the VPSD&DOS believes that the student is suffering from a medical, mental or emotional disorder and this disorder has influenced the student's behavior. In such an event, the VPSD&DOS may refer a student for evaluation, at the student's expense, by an independent licensed psychiatrist or psychologist chosen by the University.

Any pending disciplinary action may be withheld until the evaluation is completed at the discretion of the Vice President for Student Development & Dean of Students. A student who fails to cooperate and complete the evaluation may be withdrawn, or referred for disciplinary action, or both. Finally, as a condition of continued enrollment at the University, the Vice President for Student Development & Dean of Students may require the student to secure counseling or therapy.

### **Facility Usage**

Only MBU faculty, staff and student organizations are allowed to book campus space. All individuals using MBU facilities are expected to adhere to all university Spartan Commitments, policies, and guidelines as well as all local, state and federal laws concerning health, safety and public order. Failure to comply may result in forfeiture of the privilege of using university facilities. Anyone using university facilities will be held responsible for any damages done to the area during the time of scheduled use. More detailed information regarding campus facilities can be found at <https://www.mobap.edu/facility-rental/>.

### **FERPA Notification of Rights**

The Family Educational Rights and Privacy Act (FERPA) affords eligible students certain rights with respect to their education records. (An "eligible student" under FERPA is a student who is 18 years of age or older or who attends a postsecondary institution at any age.) These rights include:

1. The right to inspect and review the student's education records within 45 days after the day the University receives a request for access. A student should submit a written request that identifies the record(s) the student wishes to inspect to the Office of Records (for academic records), the Office of Student Development (for disciplinary records), the Office of Student Financial Services (for financial records), the Office of Career Development (for placement records), or the Academic Success Center/Special Needs Coordinator (for Special Needs/individual accommodation records). A University official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the University official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.
2. The right to request the amendment of the student's education records that the student believes is inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

A student who wishes to ask the University to amend a record should write the University Office responsible for the record, clearly identify the part of the record the student wants changed, and specify why it should be changed.

If the University decides not to amend the record as requested, the University will notify the student in writing of the decision and the student's right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

3. The right to provide written consent before the University discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

The University discloses education records without a student's prior written consent under the FERPA exception for disclosure to University officials with legitimate educational interests. A University official typically includes a person employed by the University in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel and health staff); a person serving on the board of trustees; or a student serving on an official committee, such as a disciplinary or grievance committee. A University official also may include a volunteer or contractor outside of the University who performs an institutional service or function for which the University would otherwise use its own employees and who is under the direct control of the University with respect to the use and maintenance of PII from education records, such as an attorney, auditor, or collection agent or a student volunteering to assist another University official in performing his or her tasks. A University official typically has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for the University.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the University to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:  
Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW

Washington, DC 20202

FERPA permits the disclosure of PII from students' education records, without consent of the student, if the disclosure meets certain conditions found in § 99.31 of the FERPA regulations. Except for disclosures to University officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the student, § 99.32 of FERPA regulations requires the institution to record the disclosure. Eligible students have a right to inspect and review the record of disclosures. A postsecondary institution may disclose PII from the education records without obtaining prior written consent of the student

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- To other University officials, including teachers, within the University whom the University has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the University has outsourced institutional services or functions, provided that the conditions listed in § 99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(3) are met.
- To officials of another educational institution where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of § 99.34.
- To authorized representatives of the U. S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as a State postsecondary authority that is responsible for supervising the university's State-supported education programs. Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf.
- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid.
- To organizations conducting studies for, or on behalf of, the University, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction.
- To accrediting organizations to carry out their accrediting functions.
- To parents of an eligible student if the student is a dependent for IRS tax purposes.
- To comply with a judicial order or lawfully issued subpoena.
- To appropriate officials in connection with a health or safety emergency, subject to § 99.36.
- Information the University has designated as "directory information" under § 99.37.
- To a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense, subject to the requirements of § 99.39. The disclosure may only include the final results of the disciplinary proceeding with respect to that alleged crime or offense, regardless of the finding.
- To the general public, the final results of a disciplinary proceeding, subject to the requirements of § 99.39, if the University determines the student is an alleged perpetrator of a crime of violence or non-forcible sex offense and the student has

committed a violation of the University's rules or policies with respect to the allegation made against him or her.

- To parents of a student regarding the student's violation of any Federal, State, or local law, or of any rule or policy of the University, governing the use or possession of alcohol or a controlled substance if the University determines the student committed a disciplinary violation and the student is under the age of 21.

## **Film Policy**

The MBU community supports the ownership rights of those who create art. Accordingly, members should be aware of the following information regarding the use of films on campus.

### **Public Performance Exhibition**

The University has a copyright policy that addresses appropriate behavior regarding copyrighted works.

The Federal Copyright Act (Title 17 of the United States Code) governs how copyrighted materials (such as film) may be used. Buying a film, in most cases, does not give one the right to show the film outside of one's home or residence hall room. Any public showing requires a license.

Motion picture titles are listed with certain corporations that license them for public viewing for colleges, hospitals, airlines, etc. These corporations have the authority to give customers the legal right to show movies. Films cannot be shown at meetings, events or in residence hall lounges without obtaining a public performance license, even if no admission fee is charged. If done "willfully and for purposes of commercial advantage or private financial gain," they are a federal crime (Section 506). Even innocent or inadvertent infringers are subject to substantial civil damages (ranging from \$500 to \$20,000 for each illegal showing) and other penalties such as court costs and attorney's fees (Sections 501-505).

### **"Face-to-face" Teaching Exemption**

The "face-to-face teaching exemption" is valid only in situations where a teacher is present in a classroom, using a film for the purpose of teaching to students in a so-called "face-to-face" manner. This educational exemption is narrowly defined and only applies to full-time, nonprofit academic institutions. This would include classroom and scheduled co-curricular learning experiences but does not include recreational activities.

### **Co-Curricular Learning Experiences**

If you are planning a co-curricular learning experience program that involves showing a movie, you MUST limit attendance to MBU students, faculty and staff. Copyright laws do not allow non-university affiliated people to be in attendance for these types of programs. You will be required to obtain a public performance license on co-curricular learning experience film programs that are open to the public.

## **Graduation Judicial Restrictions**

Missouri Baptist University reserves the right to delay, deny or revoke a student's graduation and award of degree under certain circumstances. Such circumstances could include: violation of Student Code of Conduct; being the target of an ongoing criminal investigation involving an alleged crime of moral turpitude; discovery by the University of a student's pre-graduation conduct in violation of the Student Code of Conduct or local, state or federal criminal statutes.

## Identification Cards

All MBU students are required to obtain a personal identification card from the Office of Public Safety. Identification cards are used for a number of purposes on campus including, but not limited to, access to residence halls/apartments, access to the Spartan Recreation Center fitness areas, access to sporting events, verification of Chapel attendance, use of meal plans and general identification to appropriate authorities. All students are required to produce an identification card to positively identify themselves if requested by a member of the Office of Public Safety or Division of Student Development staff.

## Lawn and Grounds

The grounds of Missouri Baptist University are maintained for the use of entire community and for providing a campus environment that is safe, orderly and aesthetically pleasing. This notification refers to all grounds in general and specifically the Quad which is often used for recreational activities and campus programming. With this in mind, the following policy has been developed to balance maintenance of the lawn and grounds as well as needs and use of the campus community.

Recognizing we are a residential campus, we believe that students need a place to relax, renew and recreate in outdoor spaces around campus. To that end, the lawns are able to be used for light active recreation such as Frisbee, jogging, or passing a ball.

Tournament and competition team sports play causes concentrated use of the lawn which both damages the turf and excludes the use of the space by others. These types of activities are not allowed.

As a result, these rules are in effect:

- Organized team sports play is not allowed on the lawn.
- Cleats are prohibited.
- No stakes are to be driven or other excavations allowed. Underground irrigation systems, electrical conduit and other utilities are located below the lawn and beds, some within 12" of the surface.
- Tarps or other ground covers shall not be placed on lawns for any reason for any length of time.
- Facilities Management Services reserves the right to prohibit use of lawns at any time due to field conditions and maintenance requirements.

We expect our community members to prioritize the safety of themselves and our campus resources in their use of the lawn and grounds. As such:

- No motorized vehicles shall be permitted on sidewalks, lawns or planted areas with an exception of landscape vehicles and equipment, coordinated events by Event Services for programming.
- Bike riding is prohibited on lawns.
- No person shall climb up or rappel down any tree, building, or structure on University property.
- Attachment of hammocks, swings, or ropes of any kind to trees is prohibited.
- Walking pets, service animals, or comfort animals without a leash is prohibited on campus.

## Ownership of Creative Works

### **Academic Works**

Unless Missouri Baptist University provides prior written notice to the contrary, the intellectual property rights to all materials created by MBU students to satisfy course requirements for their respective majors and degree programs shall belong to the students who created the materials.

### **Student Employee Works**

All materials created by MBU students within the course and scope of their employment by MBU, in whatever medium they may exist, are rendered at MBU's request and direction as "Work Made for Hire" and shall be the sole property of MBU. The student worker shall have no further rights in it.

### **Student Organization Works**

The University owns the intellectual property rights to all materials created by MBU students in the course and scope of their participation in co-curricular activities of student organizations which are chartered by or affiliated with Missouri Baptist University including but not limited to the Student Government Association and Student Activities Board.

### **University Sponsored Organizations, Clubs, and Events**

Missouri Baptist University retains all ownership rights in intellectual property created by MBU students for production, conception, design and promotion of University-produced events, regardless of any academic credit earned through the students' participation. Examples of such clubs and events include but are not limited to Theater Department and Theater Productions or Spirit Wing and events.

### **Residence Hall Security and Access**

Missouri Baptist University and its students are committed to the safety of the residential community. Students should note they are responsible for their own safety and security. MBU has committed significant resources to establish a safe and secure campus environment. These include, but are not limited to:

1. Alarmed emergency doors (may not be used for normal entrance to or exit from residence halls);
2. Card access permits a student to gain access only to his/her designated residence hall or apartment complex;
3. Office of Public Safety, which provides escorts to students traveling across campus;
4. Office of Public Safety, which provides on-campus patrols 24 hours/day (vehicular, bike and pedestrian) and emergency response;
5. Exterior lighting which provides improved visibility along campus passageways;
6. Emergency alert and contact stations positioned in multiple campus locations; and
7. Safety awareness programs.

These services rely heavily on student support and compliance. Accordingly, all students living in residence agree that upon receipt of their key to their residential facility they are personally responsible for complying with the safety expectations. Violations of these expectations may be processed through the university discipline system.

1. Students are expected to lock their residence hall/apartment door when they are not present.
2. Students are expected to report immediately the loss of their key(s) to Residence Life staff.

3. Students are expected not to loan, duplicate or give their key(s) or MBU University ID card to anyone, for any reason.
4. Students are expected to not to prop open any outside entrance, lobby, stairwell, or laundry room doors.
5. Students are expected to keep windows locked when their room/apartment is not occupied. Further, they are expected to not to use windows as exits or entrances to any room.
6. Students are expected to report any suspicious person(s)/activities to the Office of Public Safety or a Residence Life staff member.
7. Students are expected to not to activate a fire alarm or emergency alarm unless warranted by an emergency. Students should understand that this action is a prosecutable offense and will be addressed aggressively.
8. Students are expected to not to leave guests of the opposite gender unattended in my room/apartment.
9. Students are expected to abide by all Missouri Baptist University Residence Life policies and procedures that are found in the Housing Occupancy Agreement, The Spartan Virtues Handbook, and Residence Life Handbook.

For the full text of MBU's building security measures and student expectations related to residential keys and access, please review the "Move-In Agreement" section of The Residence Life Handbook.

Finally, Residence Life works closely with MBU's Facility Management Services to ensure security and access measures are in working order. If students or staff notice an alarmed emergency door, card access reader, exterior lighting along campus passageways, or emergency alert and contact stations are not in good working order, they should notify the Residence Director of the building or Office of Public Safety.

### **Roller Skates, Rollerblades, Skateboards & Other Coasting Devices**

Skateboards, long boards, rollerblades, skates, and other coasting devices ("Devices") may be used outdoors on campus so long as such use does not present a safety hazard to pedestrians and so long as such use does not cause property damage. Persons using these Devices ("Operators") must use caution and act in a safe manner at all times for the safety of pedestrians, themselves, and others. Operators must yield to pedestrians. In times of heavy pedestrian traffic, when sidewalks and pathways are congested (such as when classes change between the hours of 8AM and 4PM on weekdays), Operators shall dismount and/or remove Devices completely and walk. Operators are prohibited from engaging in tricks (sliding, grinding, jumping, etc.) anywhere on university grounds and may not otherwise operate Devices in parking garages or university buildings or on stairs, railings, and/or retaining walls. Violations of these policies will result in disciplinary action.

Use of Devices is at the Operator's own risk. Operators should be aware that they are personally liable for injury to people or damage to property caused by their activity. In addition, Operators are expected to know and adhere to all applicable laws and regulations governing use of public roads, sidewalks and other public areas. Local municipalities generally prohibit the use of Devices on public roads.

### **Hoverboards**

The Consumer Product Safety Commission is currently investigating the fires and safety concerns with the hoverboards. In the interest of the Missouri Baptist University community and safety of our students, hoverboards are banned from all University property. This includes the use, possession, and storage of hoverboards and similar devices until the cause of hoverboard fires have been fully understood and the risks have been mitigated. Residents are asked to remove the hoverboards immediately from the residential housing facilities. If you have any questions, please contact the offices of Resident Life or Student Development.

### **Rented Scooters – Rented Dockless Bicycles**

For the safety and well-being of the campus community, rented scooters may only be utilized on public streets near campus where cars are allowed. These electronic/motorized devices are NOT allowed to be operated, stored or left on Missouri Baptist University property. In addition, rented dockless bicycles are NOT allowed to be left or stored on campus.

Questions about this policy should be directed to the Division of Student Development.

### **Cautionary Note**

Like any other sport or method of transportation, the use of Devices involves inherent risks that can lead to injury or death of the Operator or bystanders. Missouri Baptist University strongly urges Operators to fully understand the inherent risks and how best to manage such risks. Wearing protection equipment while operating Devices is strongly recommended. A properly fitted helmet will dramatically reduce chances of traumatic brain injury during a fall, while other safety equipment like slide gloves, knee and elbow pads, and padded shorts will help minimize bodily harm in case of accident.

### **Search and Seizure**

A search of a student, a student's possessions or a student's on-campus residence may be authorized by Vice President for Student Development & Dean of Students, or designee, if there is reasonable cause to believe that prohibited or unlawful activity has occurred. Any items found that violate the Student Code of Conduct or any local, state or federal laws will be seized and reported to the appropriate authorities.

### **Student Authorization to use Photograph or Video**

From time to time, University personnel will photograph or videotape campus events for the instructional, documentary, promotional, public relations and/or advertising purposes of Missouri Baptist University. MBU students included in such photographs or video agree that the photographs or video may be used for these purposes by MBU. If a student objects to this provision, he or she should provide written notice of this objection to the Office of University Communications, which can be reached at 314.392.2303.

### **University E-mail Communications to Students**

The University commonly employs MBU-provided student e-mail accounts to notify students of official communications. Accordingly, students are expected to check their MBU-provided e-mail accounts daily. A student is considered to have received an official communication from the University upon it being sent to the student's MBU-provided account.

Other notification methods available inside the learning management system are provided for the convenience of the student and are not a substitute for checking the University email account.

University email accounts should not be used for confidential or sensitive information. There should be no expectation of privacy.

### **Email Privacy**

E-mail has made employment and academic activities of the University more efficient by enabling us to make better use of our time. However, unsecured or inappropriate e-mail usage can be problematic. To avoid these problems, remember the following:

- Refrain from disclosing your access codes/passwords to anyone.
- Send e-mail only from your personal e-mail address.
- MBU's e-mail system is for use by faculty, staff, and students in carrying out their employment and academic activities. It is not intended for personal use.
- Prior to sending an e-mail message, ask yourself whether you would feel comfortable if the text of the message were posted on a bulletin board on campus or printed in the newspaper. Would public disclosure cause unnecessary embarrassment or create liability?
- The privacy of e-mail sent or received on University equipment cannot be guaranteed.

Please note the following regarding e-mail privacy:

- If the e-mail pertains to a student, it may be an "educational record." In accordance with the Family Educational Rights and Privacy Act, a student may have the right to inspect and review the e-mail.
- The use of private "mailboxes" and passwords in an e-mail system does not provide any privacy from people who will see e-mail forwarded, printed out, or left displayed on an unattended computer screen.
- MBU makes no representations regarding the security of the e-mail system from casual users or hackers.
- Although it is a violation of University policy and ethics for members of the IT staff to monitor the content of e-mail messages, e-mail may be accessed and read by others who have a need to know in the event that the University conducts an investigation into any form of misconduct, is involved in litigation requiring discovery of e-mail, and in other limited situations.
- Students may wish to minimize the chance that a sensitive communication sent via e-mail is misdirected or accessed without permission by sending the communication through regular mail, campus mail, or by personal delivery.

### **University Facilities Usage**

The university prohibits vendors of entertainment or other services in any university facilities without prior written authorization by appropriate university officials. The university reserves the right to deny any forms of entertainment or service that is inconsistent with the mission and purpose of the institution.

### **Use of Internet and Computer Resources**

#### **Computer Use Policy**

#### **Background**

This document specifies acceptable uses of university hardware, software, and network resources. Students, staff, faculty, and others with permission may also connect a personal computer to the university network within the limits of this Acceptable Use Policy (AUP).

### **Purpose**

The purpose of this Acceptable Use Policy is to assure that the University computers and network continue to be effective resources for teaching, learning, research and University business. The University's computer and network infrastructure enriches the teaching, learning and research environment by providing students, faculty and staff access to services such as:

- Email for communicating with other members of the University community, as well as with friends, relatives, colleagues and other correspondents throughout the world.
- On-line library catalogs, electronic journals, databases, and other sources of electronic information available through Internet.
- The Worldwide Web.
- myMBU portal for accessing course content, student information, and announcements.

**Definitions** The following are terms used throughout this Acceptable Use Policy and should be understood:

- University network, network, or the network. This includes, but is not limited to, Ethernet network, WiFi network, servers, firewall, databases, files, network bandwidth, usernames, and passwords.
- Network Credentials. This includes user names/IDs and passwords assigned or maintained by the University.
- University computer. This is any computer owned by Missouri Baptist University.
- Resources. This is a comprehensive term referring to University owned/licensed computer hardware and software, and/or the University's network.
- Software. This term refers to a collection of source code and libraries which have been compiled into an executable file or otherwise interpreted to "run" in computer memory, where it can perform both automatic and interactive tasks with data.
- Privately owned computer. This is a computer owned by someone other than the University, which is used to access the University computers or network.
- Network patron or patron. Authorized network users. The University network is not for public use and computer and network access is restricted to authorized faculty, staff, students, and those patrons who have been approved by the appropriate University personnel. Exceptions to this policy are restricted computer resources that have been explicitly identified for public use (such as the Library computers, labs and computer pods in other open areas designated for student use). Patrons who are not faculty, staff, or students must receive written authorization to use the network from the Library Director or a full-time librarian.

### **Policy**

#### **Patron Network Access**

Patrons (including faculty and staff) attempting to access the University network on personally owned computers may do so only via the WiFi network and student designated Ethernet wall ports in campus residences. See section below "Required Actions for Privately-Owned Computers". Faculty and staff using University owned computers may connect to the network via either Ethernet wall ports or the WiFi network. Any patron using a non-designated network connection will be asked to disconnect. Repeated violations may result in the patron having their network access privileges revoked.

## **Monitoring & Privacy**

It is the policy of the University that the University network and computers are the property of the University to be used for University-related business. Patrons have no expectation of privacy when utilizing the University computers or network, even if the use is for personal purposes. The University reserves the right to inspect, without notice, the contents of computer files, regardless of medium, the contents of electronic mailboxes and computer conferencing systems, systems output, such as printouts, and to monitor network communication when:

1. It is considered reasonably necessary to maintain or protect the integrity, security or functionality of University or other computer resources or to protect the University from liability.
2. There is reasonable cause to believe that the users have violated this policy or otherwise misused computing resources.
3. An account appears to be engaged in unusual or unusually excessive activity.\
4. It is otherwise required or permitted by law. Additionally, the user ID and computing services of the individuals involved may be suspended during any investigation of misuse of computing resources.

## **Content Filtering**

The University's connection to the Internet is a filtered connection. University patrons are intentionally blocked from reaching certain types of content via the University network. The blocked categories include, but are not limited to: pornography, gambling, and computer hacking. Exceptions may be requested on case-by-case basis by contacting the IT helpdesk.

## **Acceptable Use**

All computers connected to the University network have access to the internet. To protect The University's status within the internet and to assure legitimate access to the University computers and network, patrons using these University resources, including those accessing them via their privately-owned computers, are expected to abide by the following rules:

- Illegal activities are prohibited. Prohibited activities include but are not limited to distributing copyrighted material such as software, text, music or images in ways prohibited by the copyright holder, obtaining copyrighted material in ways prohibited by the copyright holder, breaking into computers or computer accounts that you are not authorized to use, and monitoring network traffic in order to obtain passwords or other private information. Persons found to be using University computers or network for illegal activities will have their computer and network access privileges revoked and may be subject to disciplinary action. Any evidence of illegal use of the network or computers will be turned over to the appropriate authorities.
- Installing unauthorized software on University owned computers is prohibited. Generally, faculty, staff, students, and patrons are prohibited from installing any software on University owned computers. The only exception is if a member of the University's IT staff gives explicit authorization to do otherwise. Persons found to be installing unauthorized software on University computers will have their computer and network access privileges revoked and may be subject to disciplinary action.
- Immoral activities are prohibited. In keeping with the University's policies for staff, students, and faculty; use of the network for immoral activity is not acceptable. Examples of immoral uses of the University computers and network include but are not limited to using these resources to view or retrieve pornographic material, engage in

illicit relationships, harass others, or engage in gambling activities. Persons found to be using University computers or network for immoral activities may have their computer and network access privileges revoked and may be subject to disciplinary action. Any evidence of immoral use of these University resources will be turned over to the appropriate authorities.

- All commercial activities other than University-approved business are prohibited. Specifically, resale of network connectivity, operation of a business through the network, and sale of computing resources are prohibited. Persons found to be using University computers or network for commercial activities other than University business may have their computer and network access privileges revoked and may be subject to disciplinary action. Any evidence of commercial use of these University resources will be turned over to the appropriate authorities.
- Excessive bandwidth use is prohibited. The University network and the Internet are shared by many people. Sustained high traffic generated by an individual computer can interfere with the activities of others. When monitoring reveals excessive traffic by individual computers, IT personnel will attempt to contact the owners of these computers and ask them to correct the problem. If problems cannot be resolved expeditiously, offending computers may be disconnected from the network.
- Sharing Network Credentials is prohibited. University computer accounts are for the exclusive use of the individual to whom they were assigned, and users may not allow or facilitate unauthorized access to University computer accounts, computers or networks. This prohibition includes, but is not limited to, the sharing of user IDs and passwords with any individual or service. Persons found to be sharing network credentials may have their computer and network access privileges revoked and may be subject to disciplinary action.
- Disguising or falsifying message sources is prohibited. Persons who attempt to mislead, defraud or harass others by disguising or falsifying sources of electronic mail or other signed messages may have their network access privileges revoked and may be subject to disciplinary action. Any evidence of fraudulent use of these University resources will be turned over to the appropriate authorities.
- Interfering with legitimate use of network by others is prohibited. For example, activities such as using packet sniffers to monitor network communications, harassing other patrons of the network (sexually or otherwise), damaging other people's files, propagating chain electronic letters, and sending junk electronic mail are prohibited. Persons found to be interfering with legitimate use of the University network by others may have their computer and network access privileges revoked and may be subject to disciplinary action. Any evidence of malicious use of these University resources will be turned over to the appropriate authorities.
- Circumvention of security systems or content filters is prohibited. Although isolated encounters with the University's security and filtering systems are expected in routine use of the network, repeated attempts to access filtered content or circumvent the University's security and filtering system will be investigated by the IT staff and reported to the Senior VP for Academics. The Senior VP will refer the details of the violation to the appropriate senior administrator for possible disciplinary action as follows:
  - Faculty – Senior VP for Academics notified
  - Student – Senior VP for Student Development notified
  - Staff -- The staff member's direct supervisor
  - Senior Administrator -- President notified

### **Disciplinary Action**

The University considers the violation of this acceptable use policy to be a serious offense and subject to the disciplinary actions described in the Student Handbook, Employee Handbook, and combined policy manual. Such discipline may take many forms, including employee termination and/or student dismissal.

### **Required Actions for Privately-Owned Computers**

In addition to compliance with the University Acceptable Use Policy, privately-owned computers accessing the University network must meet certain requirements. The following required items will help insure that the University network and its patrons remain free of malicious attacks from viruses, hackers, and the like. Those accessing the University network with privately-owned computers found to be in violation of these requirements may have their network access privileges revoked.

- Up-to-date virus protection. All privately-owned computers connected to the University network must have an anti-virus product installed and must have up-to-date virus definitions. Network patrons whose computers do not comply with this requirement will have their network access privileges revoked until the situation is corrected. If you need a recommendation for an anti-virus product, please consult with an IT representative.
- Up-to-date software patches. Windows, Macintosh, and Linux operating systems and applications are regularly updated with security patches. All privately owned computers connected to the University network must have current security patches installed. Network patrons whose computers do not comply with this requirement will have their network access privileges revoked until the situation is corrected. If you are unsure how to install these, please consult with an IT representative.
- Use designated network connections only. Patrons (including faculty and staff) attempting to access the University network on personally owned computers may do so only via the WiFi network. Resident students are also provided with Ethernet wall ports in their residence rooms.

### **Liability**

The user of a privately-owned computer connected to the University network is responsible at all times for the security of their accounts, passwords, data and system. Missouri Baptist University cannot be held and cannot accept responsibility or liability for any loss or damage to data, intellectual property or equipment connected to the University network.

## **V. ACCOUNTABILITY PROCESS FOR VIOLATIONS OF SPARTAN COMMITMENTS**

### **INTRODUCTION**

#### **Applicability**

The following applies to violations of the Code of Conduct which is the University's judicial system for students. However, process statements under Missouri Baptist University's Academic Integrity and Honor Code and Sexual Misconduct Policies may differ from statements in this section. Those differences supersede information provided here.

## Terms

1. Accountability Officer(s) make judgments on what behavior has occurred and do not make judgments about the worth of the person; accordingly, character information is not warranted. Information can be presented in various forms, such as documentation, witness statements, or personal accounts. During an Inquiry, the Accountability Officer in charge determines whether information is appropriate to the proceeding and will direct the student based upon that determination.
2. Administrative Inquiry. An "Administrative Inquiry" is conducted by the Associate Dean of Student overseeing Community Accountability or his/her designee in lieu of a Community Accountability Council Inquiry. The Vice President for Student Development and Dean of Students or his or her designee reserves that right to route particular inquiries to an Administrative Inquiry.
3. Accountability Process. The "Accountability Process" encompasses the rights afforded to a student by Missouri Baptist University and stated procedures for resolving an Incident.
4. Advisor. An "Advisor" is defined as a member of the university community (i.e. faculty, staff or peer.) that accompanies a student to his or her Inquiry as an emotional support to the student. The Advisor may not speak or otherwise participate in an Inquiry. No representation by an attorney is permitted regardless of community membership.
5. Authorized University Official. An "Authorized University Official" is a designee of the Vice President for Student Development & Dean of Students who is authorized to give notice of an incident to a student. Such authorized university officials may include, but are not limited to, members Residence Life, members of the Office of Campus Security or members of the Dean of Students.
6. Community Accountability Council. The "Community Accountability Council" is composed of a minimum of 3 Accountability Officers which may include student(s) advised by the Dean of Students Office and faculty or staff that conduct the Inquiry into a student's alleged violations. The DOS will assign Accountability Officers to a Community Accountability Council from the pool of individuals who have been trained on the Spartan Virtues accountability proceedings. The Dean of Students Office reserves that right to designate this body to adjudicate particular inquiries. This board is overseen by the Associate Dean of Students assigned to oversee the Office of Community Accountability.
7. Community Accountability Outcome Letter. At the conclusion of an Inquiry, the student will receive a response from the Accountability Officer(s) in the form of a "Community Accountability Outcome Letter." In this response, the Accountability Officer(s) will state any decisions regarding responsibility and any Consequences. The response will be provided electronically to the student within a reasonable amount of time.
8. Consequences. Students who accept or are found responsible for an incident are given "Consequences" that focus on education, restitution and punishment.
9. Incident. The term "Incident" refers to student behavior(s) that a member of the Missouri Baptist University community alleges to violate the Code of Conduct.
10. Information. Rather than providing evidence, "Information" is presented during an Inquiry for the purpose of clarifying details. Information may only address facts related to the incident such as who, what, when, where and—when intent is appropriate to the finding of responsibility or Consequences—why.
11. Information Session. An "Information Session" is conducted prior to a Community Accountability Council Inquiry or an Administrative Inquiry. During an Information Session, a student may view currently available University Information related to the

- Incident, may receive instructions regarding the Accountability Process, and may have any existing violation definition reviewed with him or her.
12. Inquiry. An "Inquiry" is an opportunity for the university to determine what happened during an Incident by weighing the provided information—both by the university and the student subject to the accountability process—before making decisions about responsibility, when the student has denied responsibility, and, if necessary, Consequences.
  13. Notice of Community Responsibilities. The "Notice of Community Responsibilities" acts as official university notice for the student and begins the accountability process.
  14. Preponderance of the Evidence. "Preponderance of Evidence" means that the information, as a whole, shows that the fact(s) supports the conclusion that it is "more likely than not" that the student engaged in the alleged behavior.
  15. Responsible and Not Responsible. A student makes a declaration of "Responsible" or "Not Responsible" prior to an Inquiry on the Notice of Community Responsibilities. The student may make the declaration at the time the Notice of Community Responsibilities is received or at a time prior to the Inquiry. When a student declares he or she is Not Responsible, the Accountability Officer(s) will decide whether or not the student is responsible during an Inquiry by a Preponderance of the Evidence. Responsible or Not Responsible is used rather than guilty or not guilty.
  16. Student Affairs Hold. A "Student Affairs Hold" is a mechanism used for compliance among the student population in regards to participation and completion of the accountability process. A Student Affairs Hold is an official stop on a student's university records, which may prevent a student from registering, dropping and/or adding classes, requesting transcripts, graduating etc.
  17. Suspension Hold. A suspension hold may be placed on a student's account during his or her suspension period. A Suspension Hold is only removed after a student's suspension period has run its course. Transcripts may be made available from the Registrar during the suspension period; however, the transcript will note the suspension. A Suspension Hold may prevent a student from re-enrolling, registering for classes, dropping or adding courses, graduating and more.
  18. University Representative. A "University Representative" is empowered to schedule inquiries and conduct Information Sessions. A University Representative may also serve as an accountability Officer. A University Representative includes the Associate Provost and Dean of Students or his/her designee. The University Representative will most often be a staff member of either Residence Life or Community Accountability. The Notice of Community Responsibilities should indicate the University Representative a student should contact with questions.

### **Philosophy**

Missouri Baptist University is an evangelical Christian institution and expects that all community members conduct themselves in accordance with Christian principle. The University mission states that we enable "The University is committed to enriching its students' lives spiritually, intellectually, and professionally, and to preparing students to serve in a global and culturally diverse society." In order to prepare students for this mission, the university upholds high ideals and expectations for each member of the campus community. These ideals are expressed in the university's Code of Conduct. MBU's accountability process is designed to be a part of the educational mission of the University, one that focuses on upholding the commitments inherent in the MBU community. The accountability process

teaches all members of the university appropriate and acceptable behavior within a community.

The university provides an educationally focused accountability process in which members of the MBU community may resolve violations of the Code of Conduct with mutual respect for one another while fostering relationships. These relationships help to create an environment of accountability holding members of the community responsible for their actions with the ultimate goal of encouraging and fostering the personal growth and development of each student.

### **Guiding Principles**

When there are violations of the Code of Conduct, the accountability process will be governed by the following:

- Fairness. The process should strive to be consistent, clear, comprehensive and, when possible, efficient.
- Education. The process, including potential consequences should strive to be educational. Students are encouraged to consider issues such as responsibility for actions and making wise choices.
- Restorative. The process should strive to repair the harm, reduce the risk of reoccurrence, and restore the member to full status as a community member.
- Respect. The process should strive to be characterized by respect for all individuals as well as the community as a whole and the commitments outlined for our campus.

### **University Accountability & Criminal or Civil Systems**

MBU's accountability system is not equal to a criminal or civil court system. The two systems are independent, have different purposes, processes, and standards used to determine responsibility and Consequences. The procedural defense of double jeopardy does not apply. While some procedural elements may seem similar, MBU's system is founded on educational philosophies and fundamental fairness rather than criminal or civil court systems. As a private institution, Missouri Baptist University's accountability process seeks fundamental fairness by establishing these rights and procedures. Accordingly, MBU does not adhere to the standards of Constitutional Due Process.

During an Inquiry, students present Information. Consequently, standard rules of evidence do not apply in the university's accountability process. Also, in contrast to the prevailing evidentiary standard in criminal matters for determining guilt, "beyond a reasonable doubt" does not apply. To be consistent with comparable evidentiary standards used by other institutions of higher education, Accountability Officers use a Preponderance of the Evidence standard to determine responsibility. Due to the difference in standards, MBU uses specific terminology in its accountability process, which is defined under Terms in this section.

### **Accountability Procedures**

#### **Notice**

1. When an Incident has occurred, a student will be provided notice of the Incident via a Notice of Community Responsibilities by an Authorized University Official electronically via email.
2. A Notice of Community Responsibilities may only be given to a student by an Authorized University Official. Any member of the MBU community may report an Incident (see Authority).

3. A Notice of Community Responsibilities must include the following information to be considered effective notice: the alleged violation(s), approximate date of the Incident, and instructions that information about the Accountability Process can be found in The Spartan Virtues.
4. A reasonable attempt to deliver a copy of Notice of Community Responsibilities at the time of the Incident will be made. If the situation does not reasonably allow for delivering a Notice of Community Responsibilities at the time of the Incident, then the student should be delivered a Notice of Community Responsibilities no later than 15 business days after an Authorized University Official knows about the Incident barring institutional breaks or other reasonable delays.
5. A Notice of Community Responsibilities is delivered to the student's MBU e-mail address and is considered to provide the student with notice of the Incident. In accordance with university policy, students are expected to check their e-mail daily.
6. Failure or refusal to respond to notice of the Incident (i.e. not checking campus mail, avoiding attempted contact efforts by University officials, etc.) may result in an Inquiry being conducted in the student's absence and Consequences being assigned (see Pre-Inquiry).

### **Pre-Inquiry**

1. Once notice has been provided, a student should contact the University Representative indicated on the Notice of Community Responsibilities within the two business days following the issue date of the Notice of Community Responsibilities in order to schedule an Inquiry. University Representatives reserve the right to schedule an Inquiry time, date, and location at his/her sole discretion and may take under consideration such factors as student's schedule, Accountability Officer(s) schedule, prejudice to the student of delaying the Inquiry date, the time necessary to collect information, nature of the alleged violation(s) and other factors.
2. A student's failure or refusal to contact the appropriate University Representative within the allotted two business days will be treated as the student's acceptance of responsibility for all alleged violations, will waive any privilege to an Information Session, and will result in an Inquiry being scheduled and conducted in the student's absence.
3. An Information Session is conducted prior to a Community Accountability Council Inquiry or an Administrative Inquiry. During an Information Session, a student may view currently available University Information related to the Incident, may receive instructions regarding the Accountability Process, and may have any policy language reviewed with him or her. The university reserves the right to redact information when it poses a risk to the safety of an individual or individuals.

### **Inquiry**

1. If a student attempts to cancel a scheduled Inquiry prior to its commencement, he or she must provide documentation to the appropriate University Representative supporting a valid reason. Granting a postponement is at the discretion of the University Representative.
2. If a student fails to appear at a scheduled Inquiry, he or she waives the privilege to participate in the Inquiry. The student will be accountable for the outcome of the Inquiry.
3. If the Accountability Officer(s) or the University Representative needs to reschedule the Inquiry prior to its commencement, the University Representative will make a

reasonable effort to notify the student of the new time, date and location of the Inquiry. The University Representative will set a new Inquiry time, date and location at his or her sole discretion and may take under consideration such factors as student's schedule, Accountability Officer(s) schedule, prejudice to the student of delaying the Inquiry date, the time necessary to collect information, nature of the alleged violation(s) and other factors.

4. An Inquiry is a closed meeting involving only those who have information regarding what happened, the optional Advisor, and those responsible for the Accountability Process.
5. During an Inquiry, the student will have the opportunity to challenge or clarify University Information related to the Incident and present his/her own Information related to the Incident.
6. The student will have the opportunity to question any person involved in the Incident who appears in person to provide information.
7. The student may request permission to bring a person or persons who have Information related to the Incident to the Inquiry. The name of any person appearing on the student's behalf must be submitted and approved by the University Representative one (1) working day prior to the Inquiry. A student must complete a Witness Request Form (available from the University Representative).
8. The Accountability Officer(s) will determine whether Information is relevant to what happened during an Incident and may redirect a person if Information is determined to be irrelevant.
9. The Accountability Officer(s) may take action against a person or Advisor who is interfering with the Inquiry in his or her sole discretion. Such action includes—but is not limited to—halting the Inquiry, rescheduling the Inquiry, or removing the person or Advisor from the Inquiry and proceeding in his or her absence.
10. At the conclusion of the Inquiry, the Accountability Officer(s) will deliberate responsibility if a student has denied responsibility for an alleged violation. A preponderance of the evidences standard will be used by the Accountability Officer(s) to make decisions regarding responsibility.
11. A student's prior accountability record will be considered only during the Consequence phase of the Inquiry and will not be considered during the deliberation of responsibility.
12. If a student is responsible for a violation(s)—either by the student's own admission or the decision of the Accountability Officer(s)—the Accountability Officer(s) will recommend Consequences. In some cases it may be necessary to schedule a second meeting in order to give the Accountability Officer(s) sufficient time to assign Consequences.
13. The decision(s) by the Community Accountability Council will be based on a simple majority vote by the board. The Recommendations of Responsibility and Consequences will be sent to the VPSD&DOS, or designee, for final determination and Consequences.

### **Community Accountability Outcome Letter**

1. Decisions regarding responsibility and Consequences, if any, will be delivered to the student in writing through the student's MBU e-mail address. The student is considered to have received the Outcome Letter upon the letter being sent via e-mail.

### **Appeals**

1. Accountability Officer(s) decisions related to responsibility or Consequences can be appealed, provided that one or more of the reasons for appeal is relevant to the case. The appellate officer varies depending on the initial Accountability Officer(s). The Accountability Officer(s) or University Representative can direct a student to the appropriate appellate officer.
2. All appellate responses are final; however, rulings of suspensions or expulsions from any university administrator or Community Accountability Council are automatically subject to review by the Vice President for Student Development & Dean of Students.
3. Appeal Request
  - a. A written request should be completed and submitted to the Vice President for Student Development & Dean of Students within two business days from the date the student receives the Community Accountability Outcome Letter. The appeal request form is available from the student's Accountability Officer(s) or University Representative.
  - b. The Vice President for Student Development & Dean of Students will review the request to determine if the request meets the grounds for an appeal. The request should state the reason(s) for appeal and the supporting facts. In order for an appeal to be considered valid, the request and supporting facts must be directly connected to one or more of the reason(s) for appeal. If the appeal fails to meet the reason(s) for appeal, then the appeal will be denied. Student(s) will be notified that their appeal was denied due to failure to connect their request to one or more of the reason(s) for appeal.
4. The reasons for appeal are limited to:
  - a. Procedural error, which had a bearing on the original decisions.
  - b. New information that was not available at the time of the Inquiry which had a bearing on the original decision(s).
  - c. Information demonstrating that there is no way a reasonable person could have arrived at decisions similar to the original decisions absent bias.
5. Appellate Review
  - a. If the appellate officer grants an appellate review, he or she will review the request within 15 business days of the appeal submission.
  - b. On appeal, the student bears the burden to clearly state on the appeal request form and any supporting materials that an error has occurred during the Accountability Process.
  - c. The student is not required to be in attendance for the appellate review and will not be included in the review. The student may request to meet with the appellate officer. Requests are granted at the discretion of the appellate officer.
6. Appellate Decisions
  - a. If the Appellate Officer grants an appellant review, the Appellate Officer has the option of affirming the original decision(s) regarding responsibility and Consequences, affirming the original decision(s) regarding responsibility and modifying the Consequences, or reversing the original decisions regarding responsibility and Consequences.
  - b. Appellate responses are communicated in writing and sent to the student's MBU e-mail address. The student is considered to have received the appellate response upon the response being sent to the student's MBU e-mail address.
  - c. Suspensions, expulsions and removal from campus housing Consequences will not take effect until the appellate process is complete, except in the case of an emergency action.

## **Accountability Process For Students Who Leave Missouri Baptist University before Resolution**

1. **Incomplete Consequences.** If a student completed the accountability process and received Consequences but leaves MBU without completing the Consequences, then the student's accountability record will indicate that he or she has incomplete Consequences and a Student Development hold will be placed on the student's official university record/account. This hold will prevent a student from obtaining transcripts and reapplying to the university. Additionally, other institutions and groups requesting verification of a student's standing with the university will receive a report of "not in good standing." Depending on the severity of the issue the incident may also be reported to other institutions incident to the student's enrollment and in accordance with his or her FERPA rights.
2. **Notice Provide.** If a student has been given notice but leaves MBU before the accountability process has been completed, he or she is still accountable for his or her actions and the process will continue regardless of the student's participation. The student will receive notice of the continued process, opportunity to participate, and documentation of the outcome. Should the student receive Consequences and fail to complete those Consequences, then the student's accountability record will indicate that he or she has Incomplete Consequences, and a hold will be placed on the student's official university record/account. This hold will prevent a student from obtaining transcripts and reapplying to the university. Additionally, other institutions and groups requesting verification of a student's standing with the university will receive a report of "not in good standing." Depending on the severity of the issue the incident may also be reported to other institutions incident to the student's enrollment and in accordance with his or her FERPA rights.
3. **Notice Not Provided.** If a student leaves MBU before he or she is given notice regarding his or her alleged incident, all documentation of the incident will be placed in the student's accountability record, and a hold will be placed on the student's account. This hold will prevent a student from obtaining transcripts and reapplying to the university. Additionally, other institutions and groups requesting verification of a student's standing with the university will receive a report of "not in good standing." Depending on the severity of the issue the incident may also be reported to other institutions incident to the student's enrollment and in accordance with his or her FERPA rights. If the student wished to obtain transcripts or reapply to the university, then the incident must be addressed through the accountability process.

### **Process Statements**

#### **Jurisdiction**

Missouri Baptist University reserves the right to address student behavior or student organization activity on-campus, off-campus, and online when such behavior or activity is inconsistent with the Code of Conduct or has an adverse impact on the MBU community, its members, or the pursuit of its objectives. Any incident involving an individual student's behavior or a student organization's activity that is believed to be inconsistent with federal, state and local laws may be addressed as well. The university also has the authority to address behavior that occurs during sponsored off-campus events and programs (including the university's international programs) when it is determined that the behavior conflicts with the university's policies and/or educational mission.

#### **Scope**

Missouri Baptist University's Code of Conduct applies to student behavior occurring from the time of admission until the actual awarding of a degree or other separation from the institution completed without unresolved conduct violations. For entering students, a student's violation of the Code of Conduct occurring prior to the opening of residence halls for the admitted semester may be addressed through reevaluation of the admission offer. In such cases, the student will receive a written letter stating the decision of the reevaluation. After the opening of residence halls for the admitted semester, a student's behavior will be addressed in accordance with the Spartan Virtues' Accountability Process. A student's intention to live on or off campus does not alter this policy. Pursuant to the Spartan Virtues, authority for student accountability ultimately rests with the Vice President for Student Development & Dean of Students or his/her designee(s). For entering students, professional staff members from University Admissions may be responsible for implementing accountability decisions.

### **Authority**

1. Authority for student accountability ultimately rests with the Vice President for Student Development & Dean of Students or his/her designee(s). Under the direction of the Vice President for Student Development & Dean of Students, professional staff members from the Division of Student Development are responsible for implementing the accountability process for students.
2. Any member of the Missouri Baptist University community may report an Incident. The Vice President for Student Development & Dean of Students or his/her designee reserves the right to determine the most appropriate method for responding to the alleged Incident (e.g. Issuing a Notice of Community Responsibilities, speaking informally with the student, etc.).
3. The Vice President for Student Development & Dean of Students or his/her designee(s) reserves the right to choose the appropriate Accountability Officer(s) to adjudicate Incidents. Considerations in selecting the appropriate Accountability Officer(s) includes, but is not limited to, the need for confidentiality, anonymity, community or individual safety, or expediency.
4. All Accountability Officer(s) have the authority to consult with other appropriate university officials in order to effectively resolve an incident.
5. The Vice President for Student Development & Dean of Students or his/her designee(s) reserves the right to extend or reduce any deadlines associated with the Accountability Process if the effect of the extension or reduction would benefit the student.
6. The Vice President for Student Development & Dean of Students or his/her designee(s) reserves the right to place a Student Affairs hold on a student's account to bar withdrawal while an Incident is pending accountability.

### **Confidentiality**

1. Decisions regarding accountability matters are confidential and become a part of the student's educational record, and are, therefore, subject to federal regulations set forth in the Family Educational Rights and Privacy Act (FERPA) of 1972. Those involved in inquiries should not comment on any aspect of the case or outcome with anyone other than the student unless allowed to do so in accordance with FERPA, Title IX, Clery Act, or other federal provision related to student privacy.
2. Should anyone involved in the accountability process be asked for public comment, he or she should be aware of his or her duty to refuse comment and instead should refer

the question to the Vice President for Student Development & Dean of Students or his or her designee for an official statement.

3. Persons found to be in violation of this Confidentiality provision will be subject to university accountability action. Such disclosure of information is not only in violation of university policy but also of federal statutes.
4. Upon request, the university will disclose the results of any accountability proceeding conducted by the institution against a student who is the alleged perpetrator of any crime of violence or a non-forcible sex offense to the alleged victim or his/her next of kin if the alleged victim is deceased.

### **Documentation of Accountability Record**

1. All documentation related to the incident will be placed in the student's conduct file. A student's accountability file(s) and record(s) will be maintained by the Student Development Office.
2. All accountability files and records will be retained for 10 years.

### **Disruption of Accountability Process**

1. No one will engage in conduct that disrupts an Inquiry, lessens the authority or dignity of an Accountability Officer, or otherwise obstructs justice on campus.
2. No one will cause, attempt to cause, or coerce a student to give false information in any Inquiry.
3. Students will fully comply with instructions of an Accountability Officer.
4. Behavior that disrupts the Accountability Process will be treated as a violation of the Spartan Commitment of Critical Thinking and Discernment.

## **Consequences**

### **Philosophy**

The philosophy behind Missouri Baptist University's Consequences is developmental. We believe in an ongoing developmental process of individuals' assuming responsibility for the effect their behaviors have on themselves. Additionally, students are expected to engage in individual behavior that creates a mutually beneficial living and learning community for all. In determining appropriate Consequences for incidents, the institution is guided by three considerations that foster the student's development.

1. Education
  - a. What type of Consequence will assist the student in understanding why the commitment and/or policy violated is important?
  - b. What type of Consequences will either cause or reaffirm the student's reflection on his or her behavior?
  - c. What impact does the student's behavior have on him or her and the campus community?
2. Restoration & Restitution
  - a. What Consequence will make the student or community whole, as if the behavior had never happened?
3. Duty to Community
  - a. What Consequence will serve as a deterrent to future behavior of the student and other members of the MBU Community?
  - b. What Consequence is necessary, to communicate to the student the seriousness of the violation, signify to the MBU community that this type of

behavior is unacceptable, and reassure the community the university will uphold other's accountability to their responsibilities?

- c. What Consequence is necessary to encapsulate the shock or insult the community feels as a result of a particular act?

### **Potential Consequences**

In all cases, sanctions for violation(s) can include, but are not limited to, the following:

1. Verbal Reprimand.
2. Written Reprimand.
3. Removal of University Housing. A person removed from MBU housing for accountability reasons will be responsible for all housing charges assessed for the semester he/she is removed. Students will forfeit their housing deposit. Additionally, the student will be responsible for the complete payment of his/her current meal plan, unless he/she receive an exemption from University Housing.
4. Restitution and/or Fines.
5. Reflection Essays.
6. Letters of Apology.
7. Required attendance in educational seminars, programs, etc.
8. Drug Testing.
9. Loss of privileges, such as the privilege to move off-campus, membership in co-curricular organizations, etc.
10. Permanent No-Contact Orders between involved individuals.
11. Permanent No-Trespass Order on MBU's campus for an individual.
12. Limited Probation. Limited Probation is defined as a period of time during which any further violation of the same nature within the Code of Conduct puts the student's status with the University in jeopardy. If the student is found "responsible" for another violation of the same nature during the period of Limited Probation, serious consideration will be given to imposing a sanction of Institutional Probation, Suspension or Expulsion. Limited Probation could potentially affect the students' ability to represent the University in leadership positions or on athletic teams, participation in student activities or study abroad opportunities, your entrance into University residence halls or other areas of campus, or contact with another specific person(s). The University may choose to treat violations of a different nature either as separate from the limited probation or extend the limited probation to encompass that behavior. In those circumstances, the University will consider the totality of the students' conduct record when determining an appropriate sanction.
13. Institutional Probation. Institutional Probation is defined as a period of time during which any further violation of the Code of Conduct puts the student's status with the University in jeopardy. If the student is found "responsible" for another violation during the period of Institutional Probation, serious consideration will be given to imposing a sanction of Suspension or Expulsion. Institutional Probation could potentially affect his/her ability to represent the University in leadership positions or on athletic teams, participation in student activities and study aboard opportunities, entrance into University residence halls or other areas of campus, or contact with another specific person(s).
14. Deferred Disciplinary Suspension. Deferred Disciplinary Suspension is used for offenses found serious enough to warrant Disciplinary Suspension, but where the specific circumstances of the case mitigate the offense or for repeated offenses of a less serious nature. Deferred Disciplinary Suspension is a designated period of time during

which a student is given the opportunity to demonstrate the ability to abide by the community's expectations of behavior articulated in the Rules of Conduct. During a Deferred Disciplinary Suspension, the student will be officially suspended from the university, but the suspension will be deferred, meaning that the student may continue to attend classes. The suspension will be enforced for failure to complete any assigned educational sanctions by the deadline(s) and/or for any subsequent violation of the Rules of Conduct, unless the Vice President for Student Development & Dean of Students determines otherwise in exceptional circumstances. If the student is found in violation for any subsequent violation(s) of the Rules of Conduct while on Deferred Disciplinary Suspension, including failure to complete any assigned educational sanctions by the deadline(s), the student will be suspended for a minimum of two one (12) semesters, in addition to the educational sanctions imposed for the subsequent violation. Students placed on Deferred Disciplinary Suspension will have a conduct overlay placed on their transcripts for the period of time that the Deferred Disciplinary Suspension is in effect. The conduct overlay is a notation indicating that the student is not in good standing. Deferred Disciplinary Suspension may include the denial of specific university privileges, including but not limited to loss of good standing, which may become a matter of record; denial of the privilege to occupy a position of leadership or responsibility in an University registered student organization, publication, or activity, or ability to represent the University in an official capacity or position; trespass of University facilities or other areas of campus or contact with another specified person(s). The duration of any Deferred Disciplinary Suspension period and the specific restrictions imposed will be determined by the OSC on a case-by-case basis.

15. Suspension from Missouri Baptist University. Separation from the University for a specified period, which includes loss of all tuition, fees, coursework and other privileges of an enrolled student.
16. Expulsion from Missouri Baptist University. Separation from the University without the possibility of readmission. A student will lose all tuition, fees, coursework and other privileges of an enrolled student.

### **Further Information and Contact Information**

#### **Paperwork and Information**

Forms and other guidelines necessary for administering the disciplinary process are available in the Student Development Office on the second floor of the Field Academic Building.

#### **Contact**

If you have any additional questions about the Code of Conduct, please contact the Vice President for Student Development & Dean of Students at 314-392-2211 or e-mail [Benjamin.lion@mobap.edu](mailto:Benjamin.lion@mobap.edu).

## **VI. CAMPUS ACTIVITIES**

### **Student Organizations & Leadership**

#### **Division of Student Development Multiple Leadership Policy**

As we aspire to be exceptional at engaging and educating students, the Division of Student Development believes that in order to maximize the students potential and to ensure the

success of each organization, a student may hold only one concurrent executive leadership position, as defined by the Division of Student Development, at a time.

Executive leadership positions as defined by the Division of Student Development include the following positions within the following organizations:

- SGA President, Vice President
- Orientation Council
- Orientation Leaders
- Residence Assistants
- Office of Student Life Student Leaders
- Office of Spiritual Life Student Leaders
- Office of International Experiences Student Leaders
- Fitness & Recreation Leadership Team

Individual exceptions can be made by the Vice President for Student Development & Dean of Students on a case-by-case basis.

## **Missouri Baptist University Student Clubs and Organization Classifications**

### **Overview**

Co-curricular involvement is a vital part of the overall collegiate student experience. It provides students the opportunity to apply what they are learning inside the classroom to their lives outside of the class. Research by George Kuh found co-curricular involvement enhances student learning and cognitive, psychosocial, moral and ethical development. Additionally, research by Helen and Alexander Astin found co-curricular involvement can lead to students developing greater self-knowledge of their talents and strengths as well as improving their leadership competence and the capacity to mobilize themselves and others to serve and work collaboratively. This involvement through student activities prepares students for personal and professional success beyond graduation. We affirm the choice of our students to be involved in the campus and community and student organizations provide one avenue to engage in a co-curricular experience.

### **Student Organizations Defined**

A student organization is a group of currently enrolled MBU University students who form together for a common purpose, for which they do not receive academic credit. Any group of students which meets regularly, elects or appoints officers, collects dues, conducts a program or in any other way consistently functions as an organization is required to seek university recognition through the Office of Student Activities.

If an organization has a relationship with an outside or inter/national entity the policies and procedures of MBU will supersede any of the outside affiliation.

The Office of Student Activities utilizes a classification system to clarify privileges, responsibilities, governance and the legal relationship between recognized student organizations and Missouri Baptist University. Organizations fit into a classification by fulfilling every aspect of the definition. University recognition provides a set of general privileges that apply to every student organization, regardless of classification. Within each classification there are additional privileges and responsibilities that are associated with existing as a

recognized MBU student organization. All recognized student organizations fall under one of the four classifications listed below:

- Chartered
- Affiliated
- Registered
- Academic

More detailed information regarding each classification can be found in the Student Club and Organization Handbook.

### **University Recognition for New Student Clubs and Organizations**

When a group of students meets the definition of a student organization, it is required to apply for formal recognition by MBU through the Office of Student Activities. Recognition provides MBU the opportunity to extend resources and support to student organizations and to manage opportunities to enhance the student experience, enrich the campus community, and advance the mission and vision of the university. After receiving University recognition, student clubs and organizations must remain in good standing and must annually renew their recognition status. Failure to annually renew recognition status will result in the organization being placed on inactive status. For more information regarding maintaining University Recognition please refer to the Student Organization Handbook.

### **Organizational Behavioral Expectations**

Student club and organization recognition comes with many privileges. With those privileges come expectations related to the behavior of student leaders and organizational members. Leaders and members of student organizations at Missouri Baptist University are expected to uphold all facets of the University's Spartan Virtues and all policies found in Spartan Virtues Handbook and the Student Organization Handbook. As an expression of the institution's vision, mission and values, student organizations and their members are expected to commit themselves to faith, truth, excellence, character, and social change.

### **Organizational Programming & Events**

Organizational activity significantly influences individual experience and the campus culture in general. For this reason, the activities of student organizations are expected to be congruent with the University's Spartan Virtues and to abide by all University rules, policies and procedures. This expectation applies to all organizational activities both on and off campus.

MBU encourages the free exchange of ideas in order to promote an educational environment that is in accordance with its Spartan Virtues to Critical Thinking. However, the university reserves the right, in its sole discretion, to refuse a program or to require adjustments in the program that do not comport with the standards of the community or lack any redeeming literary, scientific, political, artistic or social value.

### **Organizational Activity**

Missouri Baptist University affirms students' opportunities to be involved in the campus and community, and student organizations provide one avenue to enrich the co-curricular experience. Organizational activity significantly influences individual experience and the campus culture in general. For this reason, the activities of student organizations' members and guests are expected to be congruent with the University's Spartan Virtues and to abide by

all University rules, policies and procedures. This expectation applies to all organizational activities both on and off campus.

Additionally, activities planned or hosted by an individual member(s) of an organization may be considered organizational activities. Please note: the degree to which an organization is responsible for the activity of its members is not necessarily dependent upon the number of members engaging in the activity. When the act, event, or activity grows out of, or is directly related to, the student organization's activities or an environment created and knowingly permitted by the organization, or when a member of an organization is violating local, state or federal law, the organization may be held responsible and may be subject to disciplinary action.

The following questions guide consideration of whether an event will be considered organizational activity:

1. What is the purpose of the activity?
2. Who is attending the activity? Why are they attending? Is it mandatory for members?
3. What resources or funding are supporting the event?
4. How is the event being publicized or communicated?
5. Has organizational leadership (e.g. President, Advisor, Chairperson, etc.) helped to coordinate this activity or is leadership participating?
6. Would a reasonable person think this activity is associated with the organization?

Missouri Baptist University is not responsible for any injury, damage, debt or other liability caused by the acts or omissions of student organizations that are in violation of the University's Spartan Virtues, Student Organization Behavioral Expectations or other university policies found in The Spartan Virtues Handbook.

If your organization needs assistance in determining if an activity is organizational in nature, a member should contact the Office of Student Activities for clarification prior to the activity.

### **Student Organization Addendum to the Substance Free Campus Policy**

The university's "Substance-Free Community Policy" can be found under the Spartan Virtues to Self Control section of the Spartan Virtues. It addresses the specific rules and expectations regarding the use of alcohol and drugs. Student organization activities are required to be congruent with the Substance-Free Community Policy, the Community Commitments and to abide by all other rules, policies and procedures of the university found in The Spartan Virtues Handbook. These expectations apply to all organizational activities both on and off campus.

In addition, student organizations may not host or participate in events held at establishments whose primary purpose is selling alcohol. When fundraising student organizations may not partner, receive funds or goods from venues or vendors whose primary purpose is selling alcohol.

Organization members should at no time serve or dispense alcoholic beverages. All student organization fundraising activity must be in compliance with the Student Organization Fundraising policy.

### **Student Organization Accountability Process**

The following is an overview of the student organization adjudication process. Additionally, the university has the authority to take emergency action against an organization for alleged violations of our Code of Conduct, which is outlined within this overview.

In addition to addressing violations on an organizational level, Missouri Baptist University reserves the right to address individual students through the adjudication process.

For the purposes of this section, the Vice President for Student Development & Dean of Students also includes his or her designee(s), which may be staff in the Office of Student Activities.

### **Reporting Code of Conduct Violations by Student Organizations**

1. To begin the Investigation into an alleged organizational violation of the Vice President for Student Development & Dean of Students, or designee, (Investigator) will contact individuals who may have information regarding what happened during an incident (Individual) to request a meeting times. When an Individual knows or reasonably should know of this request and fails to respond, the Investigator may take action to compel compliance. Such acts may include, but are not limited to, student affairs holds, fines, removal from leadership positions within the organization, removal from the organization, and alleging violations of the Failure to Comply Policy.
2. Once a request is made, the Individual should contact the Investigator within the two business days in order to schedule a meeting. The Investigator reserves the right to schedule a meeting time, date, and location at his/her sole discretion and may take under consideration such factors as his/her schedule, Individual's schedule, prejudice to the organization of delaying the meeting, the time necessary to collect information, nature of the alleged violation(s) and other factors.
3. Conducting an Investigation:
  - a. The Individual may participate in person (preferred), in writing, by phone, or electronically.
  - b. When meeting with the Investigator, the Individual is entitled to:
    - i. Present information in any form (personal account, text messages, emails, etc.) regarding what happened during the alleged incident;
    - ii. Provide names of other individuals with information regarding what happened during the alleged incident to participate in the investigation; and
    - iii. Not provide information in response to questions at his or her choosing.
  - c. When meeting with the Investigator, the Individual is not entitled to:
    - i. An advisor; or
    - ii. Currently available University information about the incident
  - d. The Investigator will determine whether information is relevant to what happened during an incident and may redirect a person if information is determined to be irrelevant.
  - e. The Investigator may take action against an Individual who is interfering with the investigation in his or her sole discretion. Such action includes--but is not limited to—halting the Investigation, rescheduling the Investigation, permanent removal from the Investigation, and alleging a separate failure to comply violation.
  - f. The Investigator may meet with Individuals as many times as he or she reasonable believes is necessary to collect information.

- g. Once the Investigator determines that the investigation into what happened is complete, the Investigator will document the information provided by each Individual involved (Documents).

#### **Review**

1. The Vice President for Student Development & Dean of Students, or designee, and Director of Student Activities will review the Documents to determine if there is reasonable cause to continue.
2. Based on the review, the incident will either continue under the Student Organization Accountability Process, be referred for individual violations of the Code of Conduct, be closed, or result in other action within the administrative discretion of the Vice President for Student Development & Dean of Students, or designee, and Director of Student Activities.
3. If the incident continues under the Student Organization Accountability Process, the Vice President for Student Development & Dean of Students, or designee, will assign an Accountability Officer(s) to adjudicate the organization's alleged violation(s) of the Code of Conduct.
4. If the incident continues under the Student Organization Accountability Process, the Vice President for Student Development & Dean of Students, or designee, may contact the organization regarding emergency action or other measures intended to insure the safety or orderly operation of the MBU community.

#### **Notice**

1. When the review leads to violations being alleged against a student organization, the president or similar student leader of the organization (President) will be provided notice of the alleged violations via a Notice of Community Responsibilities.
2. A Notice of Community Responsibilities must include the following information to be considered effective notice: the alleged violation(s), approximate date of the Incident(s), and instructions that information about the Accountability Process can be found in The Spartan Virtues Handbook.
3. The President should be delivered a Notice of Community Responsibilities no later than 15 business days after the Vice President for Student Development & Dean of Students, or designee, knows about the incident barring institutional breaks or other reasonable delays.
4. A Notice of Community Responsibilities delivered in person or to the President's MBU e-mail address is considered to provide the President with notice of the Incident. When delivery is not in person, notice is complete upon sending the Notice of Community Responsibilities, not upon receipt. In accordance with university policy, Presidents are expected to check their e-mail daily.
5. Failure or refusal to respond to notice of the Incident (i.e. not checking campus mail, avoiding attempted contact efforts by University officials, etc.) may result in an Inquiry being conducted in the President's absence and Consequences being assigned (see Pre-Inquiry).

#### **Pre-Inquiry**

1. Once notice has been provided, a President should contact the University Official indicated on the Notice of Community Responsibilities within the two business days following the issue date of the Notice of Community Responsibilities in order to schedule an Inquiry. University Officials reserve the right to schedule an Inquiry time, date, and location at his/her sole discretion and may take under consideration such

factors as President's schedule, Accountability Officer(s) schedule, prejudice to the President of delaying the Inquiry date, the time necessary to collect information, nature of the alleged violation(s) and other factors.

2. A President's failure or refusal to contact the appropriate University Official within the allotted two business days will be treated as the Organization's acceptance of responsibility for all alleged violations, will waive any privilege to an Information Session, and will result in an Inquiry being scheduled and conducted in the President's absence.
3. Prior to the commencement of an Inquiry, a President must indicate whether he or she accepts or denies responsibility for an alleged violation(s). If a President will have a Community Accountability Council Inquiry or an Administrative Inquiry, the President should indicate whether he/she accepts or denies responsibility for an alleged violation(s) no later than the conclusion of the Information Session.
4. An Information Session is conducted prior to a Community Accountability Council Inquiry or an Administrative Inquiry. During an Information Session, a President may view currently available University Information related to the Incident, may receive instructions regarding the Accountability Process, and may have any policy language reviewed with him or her. The university reserves the right to redact information when it poses a risk to the safety of an individual or individuals.

### **Inquiry**

1. If a President attempts to cancel a scheduled Inquiry prior to its commencement, he or she must provide documentation to the appropriate University Official supporting a valid reason. Granting a postponement is at the discretion of the University Official.
2. If a President fails to appear at a scheduled Inquiry, he or she waives the organization's privilege to participate in the Inquiry. The organization will be accountable for the outcome of the Inquiry. If he or she needs to reschedule, the President should notify the Community Official 1 working day prior to the Inquiry. Requests to reschedule are at the discretion of the Community Official.
3. If the university needs to reschedule the Inquiry prior to its commencement, it will make a reasonable effort to notify the President of the new time, date and location of the Inquiry. The University Official will set a new Inquiry time, date and location at his or her sole discretion and may take under consideration such factors as President's schedule, Accountability Officer(s) schedule, prejudice to the organization of delaying the Inquiry date, the time necessary to collect information, nature of the alleged violation(s) and other factors.
4. An Inquiry is a closed meeting involving only those who have information regarding what happened during an incident and those responsible for the Accountability Process.
5. During an Inquiry, the President represents the organization and will have the opportunity to challenge or clarify University Information related to the Incident and present his/her own Information related to the Incident.
6. The President will have the opportunity to question any person involved in the Incident who appears in person to provide information.
7. The President may request permission to bring a person or persons who have information related to what happened during an incident to the Inquiry. The name of any person appearing on the President's behalf must be submitted and approved by the University Official 1 working day prior to the Inquiry. A President must complete a Witness Request Form (available from the University Official).

8. The Accountability Officer(s) will determine whether Information is relevant to what happened during an Incident and may redirect a person if Information is determined to be irrelevant.
9. The Accountability Officer(s) may take action against a person who is interfering with the Inquiry in his or her sole discretion. Such action includes—but is not limited to— halting the Inquiry, rescheduling the Inquiry, or removing the person or Advisor from the Inquiry and proceeding in his or her absence.
10. At the conclusion of the Inquiry, the Accountability Officer(s) will deliberate responsibility if a President has denied responsibility on behalf of an organization for an alleged violation. A preponderance of the evidences standard will be used by the Accountability Officer(s) to make decisions regarding responsibility.
11. An organization’s prior accountability record will be considered only during the Consequence phase of the Inquiry and will not be considered during the deliberation of responsibility.
12. If an organization is responsible for a violation(s)—either by the President’s own admission or the decision of the Accountability Officer(s)—the Accountability Officer(s) will assign Consequences. In some cases it may be necessary to schedule a second meeting in order to give the Accountability Officer(s) sufficient time to assign Consequences.
13. The decision(s) by the Community Accountability Council will be based on a simple majority vote by the board.

### **Community Accountability Outcome Letter**

1. Decisions regarding responsibility and Consequences, if any, will be delivered to the President in writing through the President’s MBU e-mail address or in person. When delivery is not in person, the President is considered to have received the Community Accountability Outcome Letter upon the letter being sent via e-mail.

### **Appeals**

1. Accountability Officer(s) decisions related to responsibility or Consequences can be appealed, provided that one or more of the reasons for appeal is relevant to the case. The appellate officer varies depending on the initial Accountability Officer(s). The Accountability Officer(s) or University Official can direct a President to the appropriate appellate officer.
2. All appellate responses are final.
3. Appeal Request
  - a. A written request should be completed and submitted to the appropriate appellate officer, within two business days from the date the President receives the Community Accountability Outcome Letter. The appeal request form is available from the President’s Accountability Officer(s) or University Official.
  - b. The request should state the reason(s) for appeal and the supporting facts. In order for an appeal to be considered valid, the request and supporting facts must be directly connected to one or more of the reason(s) for appeal. If the reason(s) for appeal are not met the appeal request will be denied.
  - c. An appellate officer will review the written request, appeal request form and any accompanying information and can decide whether or not to grant an appellate review.
  - d. If the appellate officer finds no basis for an appeal review, then the original decisions regarding responsibility and Consequences will stand, and the

President will be notified in writing sent via e-mail to the President's MBU e-mail address.

- e. The reasons for appeal are limited to:
  - i. Procedural error, which had a bearing on the original decisions.
  - ii. New information that was not available at the time of the Inquiry which had a bearing on the original decision(s).
  - iii. Information demonstrating that there is no way a reasonable person could have arrived at decisions similar to the original decisions absent bias.

### **Appellate Review**

1. If the appellate officer grants an appellate review, he or she will review the request within 15 business days of the appeal submission.
2. On appeal, the President bears the burden to clearly state on the appeal request form and any supporting materials that an error has occurred during the Accountability Process.
3. The President is not required to be in attendance for the appellate review and will not be included in the review. The President may request to meet with the appellate officer. Requests are granted at the discretion of the appellate officer.

### **Appellate Decisions**

1. If the Appellate Officer grants an appellant review, the Appellate Officer has the option of affirming the original decision(s) regarding responsibility and Consequences, affirming the original decision(s) regarding responsibility and modifying the Consequences, or reversing the original decisions regarding responsibility and Consequences.
2. Appellate responses are communicated in writing and delivered in person or sent to the President's MBU e-mail address. When delivery is not in person, the President is considered to have received the appellate response upon the response being sent to the President's MBU e-mail address.

### **Accountability for Organizational Policies**

Violations of policies that are exclusively organizational in nature and do not restate, overlap, or interfere with Spartan Commitments and Policies may be adjudicated by the appropriate person(s) within the organization (Organizational Leadership). Organizational Leadership may take additional action based upon the particular values or standards unique to that organization a member or organization found responsible for violating the Code of Conduct once the University's Accountability Process is complete.

### **Withdrawal of University Recognition**

Student organization recognition comes with many privileges. As the University grants these privileges upon conveying official recognition, it can withdraw them for cause. Any organization found not living into the written mission and purpose agreed upon by the organization and the Office of Student Activities, may lose privileges, may be placed on probation, or may lose official University recognition status. Additionally, any organization found responsible for a major violation of University policies or found responsible for a series of violations of University policies may lose privileges, may be placed on probation, or may lose official University recognition status.