

OSU INSTITUTE OF TECHNOLOGY  
POLICY & PROCEDURES

<p><b>Drug Free Campus</b></p>	<p><b>1-018 ADMINISTRATION July 2014</b></p>
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POLICY

- 1.1 The Drug Free Schools and Communities Act Amendments of 1989 require an institution of higher education to certify to the U.S. Department of Education, that it has adopted and implemented a program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees in order to remain eligible for federal financial assistance of any kind.
- 1.2 The Drug-Free Workplace Act passed by Congress in 1988 requires federal contractors and grantees to certify to the contracting or granting agency that they will provide a drug-free workplace. This policy is adopted in order to comply with this statutory directive.
- 1.3 As set forth in local, state, and federal laws, the rules and regulations of OSU Institute of Technology (OSUIT) prohibit the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees in buildings, facilities, grounds, or other property owned and/or controlled by OSUIT or as part of university activities.

DEFINITIONS

Workplace- OSUIT owned or controlled property or the site for performance of work.

Controlled Substance- Cocaine, marijuana, opiates, amphetamines and any other substance designated a "controlled substance" in schedules I through V of section 202 of the Controlled Substances Act (21 U.S.C. 812).

Criminal Drug Statute- A federal or non-federal criminal statute involving the manufacture, distribution, use or possession of any controlled substance.

Conviction- A finding of guilt (including judicial acceptance of a plea of nolo contendere) or imposition of sentence, or both, by a judicial body determining violations of federal or non-federal criminal drug statutes.

Employee- Shall include OSUIT faculty, administrative and professional staff, classified staff, adjuncts and student appointments.

University Activities- Any activity on or off campus sanctioned by OSUIT PROCEDURES.

- 2.1 In support of this anti-drug abuse legislation, it is the policy of OSUIT to establish and maintain appropriate compliance by:
- A. Publishing and distributing to all employees a written statement regarding this controlled substance prohibition in the workplace, with descriptions of disciplinary actions which may be taken against employees for violation of such prohibition. See Exhibit A, attached hereto.
  - B. Establishing a drug free awareness program.
  - C. Imposing appropriate administrative disciplinary action on, or requiring the satisfactory participation in a drug abuse assistance or rehabilitation program by, any employee who is so convicted or who has otherwise violated this policy.
  - D. Making a good-faith continuous effort to maintain a drug free workplace through the implementation of the requirements set forth in the Drug-Free Workplace Act.

## 2.2 Internal Sanctions

Any student or employee found at any time to have violated the drug-free workplace policy may be disciplined by OSUIT even when the violation has not resulted in a criminal conviction. Employees may also be temporarily suspended if such is deemed necessary to protect the best interest and safety of the university, its components and participants. As an alternative to disciplinary action, the university may require satisfactory participation in a drug abuse assistance or rehabilitation program as a condition to continued employment. The drug abuse assistance/rehabilitation program shall be one that has been previously approved for such purposes by a federal, state or local health, law enforcement or other appropriate agency.

- A. Failure of an employee to report his/her criminal conviction for a violation in the workplace within five days of the conviction is grounds for dismissal of that employee.
- B. For staff employees, appropriate and established leave policies will be followed for the purposes of such treatment and rehabilitation. For student employees and faculty, drug rehabilitation leave will be determined on an individual basis.
- C. Where necessary because of conviction and incarceration, decisions relative to suspension or dismissal or the granting of leave for treatment will be determined individually.

2.3 External Sanctions

A Local, state, and federal laws provide for a variety of legal sanctions for the unlawful possession and distribution of illicit drugs and alcohol. These sanctions include, but are not limited to, incarceration and monetary fines.

B. Federal law provides rather severe penalties for distributing or dispensing, or possessing with the intent to distribute or dispense a controlled substance, and penalties of a less severe nature for simple possession of a controlled substance. The type and quantity of the drug, whether the convicted person has any prior convictions, and whether death or previous injury resulted from use of the drug in question (this, however, is not a factor in a case of simple possession) all affects the sentence. For more information contact Campus Police or the District Attorney's office.

2.4 The university Employee Assistance Program may be contacted for preliminary counsel and advice regarding chemical dependency problems and referral to approved chemical dependence treatment agencies.

2.5 Drug/Alcohol Counseling and Rehabilitation Programs

The Campus Counselor will provide drug/alcohol counseling to students and employees, respectively. Should these programs not meet an individual's needs, there are other programs in the community or nearby. A list of such programs, their location and phone number is maintained in the above-referenced office. Seeking help from, being referred to from these services is confidential, and will not, alone, result in disciplinary action. Upon occasion, mandatory drug/alcohol counseling may be required as a condition of continued employment. Individual privacy will, of course, be maintained in any counseling/rehabilitation process. In addition, the following toll free, hotline numbers may be used for help or advice:

Program	Phone Number	Hours of Operation
Employee Assistance Program (ComPsych Guidance Resources Program)	1-855-850-2397	7 Days a Week 24 Hours a Day
National Institution on Drug Abuse Information and Referral Line	1-800-662-HELP	M-F, 8:30a.m.- 4:30p.m.
The National Federal of Parents for Drug-Free Youth	1-800-554-KIDS	M-F, 8:00a.m. -5:00p.m.
Just Say No Foundation	1-800-258-2766	
National Council on Alcoholism	1-800-622-2255	7 Days a Week 24 Hours a Day

Program	Phone Number	Hours of Operation
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National Drug Abuse Hotline	1-800-241-9746.	
Cocaine Helpline	1-800-COCAINE	
Reach-Out Hotline(alcohol, drug crisis intervention, mental health and referral)	1-800-522-9054	

## OTHER

### 3.1 Health Risks

Alcohol and other drug use represent serious threats to health and the quality of life. Thousands of people die each year from drug-related accidents or health problems. With most drugs it is probable that users will develop psychological and physical dependence. The general categories of drugs and their effects are as follows:

**Alcohol-** short-term effects include behavioral changes, impairment of judgment and coordination, greater likelihood of aggressive acts, respiratory depression, irreversible physical and mental abnormalities in newborns (fetal alcohol syndrome) and death. Long-term effects of alcohol abuse include damage to the liver, heart and brain, ulcers, gastritis, malnutrition, delirium tremors, and cancer. Alcohol combined with other barbiturates/depressants can prove to be a deadly mixture.

**Amphetamines/Stimulants** - (speed, uppers, crank, caffeine, etc.) speed up the nervous system which can cause increased heart and breathing rates, higher blood pressure, decreased appetite, headaches, blurred vision, dizziness, sleepiness, anxiety, hallucinations, paranoia, depression, convulsions and death due to a stroke or heart failure.

Anabolic Steroids - seriously affect the liver, cardiovascular, and reproductive systems. These drugs may cause sterility in males and females, as well as impotency in males.

**Barbiturates/Depressants-** (downers, Quaaludes, Valium, etc.) slows down the central nervous system which can cause decreased heart and breathing rates, lower blood pressure, slowed reactions, confusion, distortion of reality, convulsion, respiratory depression, coma, and death. Depressants combined with alcohol can be lethal.

**Cocaine/Crack-** stimulates the central nervous system and is extremely addictive; both psychologically and physically. Effects include dilated pupils, increased heart rate, and elevated blood pressure, and insomnia, loss of appetite, hallucinations, paranoia, seizures, and death due to cardiac arrest or respiratory failure.

**Hallucinogens-** (PCP, angel dust, LSD, etc.) interrupt the functions of the part of the brain which controls the intellect and instincts. May result in self-inflicted injuries, impaired coordination, dulled senses, incoherent speech, depression, anxiety, violent behavior, paranoia, hallucinations, increased heart rate and blood pressure, convulsions, coma, and heart and lung failure.

**Cannabis** - (marijuana, hashish, hash, etc.) impairs short-term memory, comprehension, concentration, coordination, and motivation. May also, cause paranoia and psychosis. Marijuana smoke contains more cancer-causing agents than tobacco smoke. The way, in which marijuana is smoked, deeply inhaled and held in the lungs for a long period, enhances the risk of getting cancer. Combined with alcohol, marijuana can produce a dangerous multiplied effect.

**Narcotics-** (smack, horse, Demerol, Percodan, etc.)- initially produce feelings of euphoria often followed by drowsiness, nausea, and vomiting. An overdose may result in convulsions, coma, and death. Tolerance develops rapidly and dependence is likely.

Using contaminated syringes to inject such drugs may result in AIDS.

**Tobacco/Nicotine-** some tens of thousands of people in the United States die each year from smoking-related coronary heart disease. Some 30% of the cancer deaths each year are linked to smoking. Lung, larynx, esophagus, bladder, pancreas and kidney cancers strike smokers at increased rates. Emphysema and chronic bronchitis are ten times more likely among smokers.

## Exhibit A

OSU Institute of Technology  
DRUG-FREE WORKPLACE STATEMENT TO ALL

EMPLOYEES:

In accordance with the Drug-Free Workplace Act of 1988, Oklahoma State University Institute of Technology hereby notifies all employees that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited in the workplace. Any employee found to have violated this prohibition may be subject to disciplinary action up to and including dismissal or be required to satisfactorily participate in a drug abuse assistance or rehabilitation program as a condition of continued employment. The drug abuse assistance/rehabilitation program shall be one that has been previously approved for such purposes by a federal, state, or local health, law enforcement or other appropriate agency. The imposition of such disciplinary action or requirement to satisfactorily participate in a drug abuse assistance/rehabilitation program is premised solely upon a violation of this prohibition and does not require a criminal conviction.

As a condition of employment at OSU Institute of Technology, all employees will:

1. Comply with the terms of this statement; and
  
2. Notify the University (through either their immediate supervisor, other supervisory administrator or project director) of any criminal drug statute conviction for a violation occurring in the workplace in writing no later than five days after such conviction.

Such conviction may, of course, result in the employee being disciplined or required to satisfactorily participate in a drug abuse assistance/rehabilitation program as specified above. Failure of an employee to report his/her conviction, as required herein, constitutes grounds for dismissal.

As a further requirement of the Drug-Free Workplace Act, the University has established a drug-free awareness program for the purpose of informing employees about the dangers of drug abuse in the workplace, the University's prohibition of controlled substances in and on OSU property, any available drug counseling, rehabilitation and employee assistance programs, and the penalties that may be imposed for drug abuse violations. An Employee Assistance Program has been created in furtherance of the drug-free awareness program. Information about the drug free awareness program and the Employee Assistance Program may be obtained from University Counseling Services.

Reference is made to Policy and Procedures 1-018 and the Drug-Free Workplace Act of 1988 as sources of information and clarification.

APPENDIX B: Student Rights and Responsibilities Governing Student Behavior

# OKLAHOMA STATE UNIVERSITY INSTITUTE OF TECHNOLOGY

## Student Rights and Responsibilities Governing Student Behavior

Fall 2015 Edition

### **Student Code of Conduct**

#### **I. Introduction**

Oklahoma State University Institute of Technology is committed to creating and maintaining a productive living and learning community/environment which fosters the intellectual, personal, cultural and ethical development of its students. Self-discipline and respect for the rights and privileges of others are essential to the educational process and to good citizenship. By joining the OSU Institute of Technology community, students take on the responsibility to observe and help maintain standards of personal behavior that are a positive contribution to this academic community.

The purpose of Student Rights and Responsibilities Governing Student Behavior is to inform the student body of the standards of behavior expected of students in the OSU Institute of Technology community, the processes in place for enforcing the rules, and the University's response to violations. The Code of Conduct and related processes serve to educate students about their civic and social responsibilities as members of the OSU Institute of Technology community. Therefore, the primary focus of the disciplinary process is on educational and corrective outcomes; however sanctions such as suspension or expulsion from the University may be necessary to reinforce community standards and to protect the campus community. The University has a vested interest in all its students and endeavors to treat all students involved in any disciplinary matter with dignity and respect. Emphasis is placed on due process and objectivity to insure fair treatment.

#### **II. University Disciplinary Authority**

Under authority granted by Article 6, Sections 31 and 31a of the Constitution of the State of Oklahoma and Title 70, 1991 Oklahoma Statutes, Sections 3412(a), (o), Oklahoma State University Institute of Technology is granted full authority to distribute policies and procedures governing the conduct of its students.

By enrolling at Oklahoma State University Institute of Technology, students accept responsibility for compliance with all University policies and contracts. Disciplinary action may also be taken for any violation of local ordinances, state or federal law, on or off campus that adversely affects the OSU Institute of Technology community or the pursuit of OSU Institute of Technology's lawful educational mission, process or function. The University reserves the right to take necessary and appropriate action to protect the safety and well-being of the campus community. Examples of off-campus behavior which may be subject to University disciplinary action include but are not limited to: selling or otherwise providing alcohol to underage

students; selling or distributing illicit drugs, sexual violence, hazing, or actions which result in the serious injury or death of another person(s). Sanctions for violations such as these will generally result in suspension or expulsion from the University. Students shall have the right of due process and appeal as prescribed in this document and other relevant University policies, rules or regulations. Students may be subject to civil and/or criminal penalties in addition to campus sanctions. Campus resolution may proceed before, during or after civil and/or criminal actions are concluded and are not subject to challenge based on the action or inaction of civil authorities.

#### **A. Interpretation**

Any question of interpretation regarding the Code of Conduct shall be determined at the sole discretion of the Executive Vice President or his/her designee for final determination.

#### **B. Statement of Non-Discrimination**

Oklahoma State University Institute of Technology is committed to equitable treatment in providing its services and applying its policies to all members of the University community. This commitment is based on our dedication to educational justice and the promise of each individual, as well as adherence to federal and state laws and the policies of our governing board. To reaffirm the policies and practices applicable at Oklahoma State University Institute of Technology, all should know that OSU Institute of Technology will not tolerate arbitrary and/or unreasonable discriminatory acts and procedures. Any member of the University community who believes he/she has been arbitrarily and/or unreasonably denied services and/or access to programs or activities administered by the University and for which they are eligible may file appeal under current applicable grievance procedures. Grievance procedures and practices applicable to faculty, staff, and students, through the offices of the Vice President of Student Services, and Director for Human Resources. (See Appendix D for detailed statement)

#### **C. Interim Suspension**

Interim Suspension is an immediate suspension from the University, pending further disciplinary proceedings, upon written notice from the Dean of Students, or his/her designee, without an informal or formal hearing. The Dean of Students or his/her designee will base his/her decision on whether the allegation of misconduct is apparently reliable and whether the continued presence of the student on the University campus reasonably poses a threat to the physical or emotional condition and well-being of any individual, including the student, or for reasons relating to the safety and welfare of any University property, or any University function. Interim suspension usually includes physical exclusion from the campus.

A student suspended on an interim basis will be given a prompt opportunity to appear before the Dean of Students or designee within three (3) days following the interim suspension, or in cases involving incarceration, when the student is available.

The interim suspension will remain in effect until a final decision has been made on the pending complaint either through an administrative hearing process or until the Dean of Students determines that the reason for imposing the interim suspension no longer exists.

#### **D. Definitions**

1. The term "adviser" means any person who has agreed to assist a complaining or responding student during a Student Conduct Hearing. The adviser may be an OSU Institute of Technology faculty or staff member, or another OSU Institute of Technology student. The adviser is limited to advising the student and may not speak for or on behalf of a student.
2. The term "complainant" means any individual who files a disciplinary complaint or referral.
3. The term "day" means normal University working/school days, not including Saturday, Sunday and University holidays. Time deadlines may be extended during breaks and University holidays. The term "group" means a number of persons who are associated with each other, but who have not complied with University requirements for registration as a club or an organization.



4. The terms "Institution" and "University" means Oklahoma State University Institute of Technology.
5. The term "club/organization" means a number of persons who have complied with University requirements for registration and/or recognition.
6. The term "student" means any person who is enrolled in courses, either full-time or part-time, including correspondence study, electronic means, or auditing. Students are subject to disciplinary action for conduct that occurs during any period of enrollment. Students who leave the University before a disciplinary matter is resolved may be prohibited from future enrollment until such time as the matter is resolved. Persons who are not officially enrolled for a particular term but who have a continuing relationship with the University are considered "students".
7. The term "University premises" means buildings or grounds owned, leased, operated, controlled, or supervised by the University.
8. The term "University sponsored activity" means any activity on University premises or at an off campus location, which is directly initiated or supervised by the University.
9. The terms "will" and "shall" are used in the imperative sense.
10. The Family Educational Rights and Privacy Act (FERPA) is a federal law passed in 1974 that defines student educational records, who may access those records, and under what circumstances.
11. The term "Administrative resolution" means an avenue for resolution for minor infractions of the stated Code of Conduct.
12. The term "Informal hearing" means a meeting with the Student Conduct Officer, Residential Life hearing officers, or designee to resolve issues of misconduct. The Informal hearing may result in, but is not limited to, a verbal or written reprimand, restrictions, volunteer project/community service, educational class or program, restitution, housing probation, and housing suspension.
13. The term "Formal hearing" means a meeting with the Student Conduct Officer or designee to resolve issues of misconduct. The Formal hearing may result, in is but not limited to, a verbal or written reprimand, restrictions, volunteer project/community service, educational class or program, restitution, graduation hold, cancellation of enrollment, probation, suspension and expulsion.

### **III. Prohibited Conduct**

The following list describes actions which detract from the effectiveness of a University community and for which students are subject to disciplinary action. The list is not all-inclusive but contains examples of prohibited behavior.

1. Academic dishonesty/misconduct including, but not limited to, cheating, plagiarism, unauthorized collaboration, and fraudulent alteration of academic materials. (See OSU Institute of Technology Policy and Procedure Letter 2-017, entitled "Academic Integrity" and Section X of this document for detailed definitions and procedures).
2. Disruption or obstruction of normal University or University sponsored activities including, but not limited to, studying, teaching, research, University administration, or fire, police or emergency services on University premises or at officially arranged University activities off campus.
3. Fighting or physical abuse of any person, including physically restraining or transporting someone against his/her will, or

similar action.

4. Intentionally, recklessly, or negligently engaging in verbal abuse, threats, intimidation, harassment, coercion, and/or other conduct which threatens or endangers the mental or physical health and/or safety of any person or causes reasonable apprehension of such harm.

5. Theft, attempted theft, unauthorized possession, and/or defacement, damage, or destruction of property belonging to the University or others on University property.

6. Hazing is any action or activity which causes or intends to cause physical or mental discomfort, which may demean, degrade, or disgrace any person, regardless of location, intent or consent of participants, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization. (State law classifies hazing as a crime. See Hazing Policy, Appendix J, for the legal definition.)

7. Sexual misconduct includes, but is not limited to, unwelcome sexual contact or acts which involves intimidation, coercion, the implied use or threatened use of force, use of intoxicants to substantially impair the victim's ability to give effective consent, engaging in such acts when there is reasonable cause to believe the other person is in a mental state which renders him/her incapable of understanding the nature of the contact, or where the victim is a minor; indecent exposure; and voyeurism. (See OSU Institute of Technology Policy and Procedure Letter 4-006, entitled "Sexual Misconduct, including Sexual Assault and Sexual Harassment", and Appendix C.)

8. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical contact of a sexual nature when:

- a. Submission to such conduct is made explicitly or implicitly a term or condition of leadership, membership in an organization, student social events, academic standing, or participation in any University activity.
- b. Submission to or rejection of such conduct by an individual is used as a basis for evaluation, particularly in making employment or academic decisions affecting the individual; or
- c. Such conduct has the purpose or effect of unreasonably interfering with the other individual's performance or creating an intimidating, hostile, or offensive educational and University environment. (See OSU Institute of Technology Policy and Procedure Letter 1-009, entitled "Sexual Harassment" and Appendix B.)

9. Stalking- willfully, maliciously, and repeatedly following or harassing another person in a manner that would cause a reasonable person to feel frightened, intimidated, threatened, harassed, or molested.

10. Gambling for money or other things of value on campus or at University sponsored activities except as permitted by law.

11. Failure to comply with the lawful directions of any University employee acting within the scope of their official duties and/or failure to identify oneself to such a person when requested to do so.

12. Violation of published University policies, rules and regulations including, but not limited to, Residential Life behavior standards, solicitation, distribution of literature, financial aid policies, etc.

13. Any act which allegedly violates federal, and/or state law, local ordinances or University policies on University premises, University sponsored or supervised activities, or off campus.

14. Forgery or unauthorized use of Oklahoma State University Institute of Technology documents or records, financial aid documents, computers, electronic mail, telephones, identification, or property or the use of University equipment to perpetrate a violation of the Code of Conduct or to violate local, state, or federal law.

15. Providing false representations to the University in any form. Submission of false information or withholding information at the time of admission or readmission may make an individual ineligible for admission to or continuation in, Oklahoma State University Institute of Technology.

16. Possessing, using, or storing firearms, explosives, weapons, or dangerous chemicals on University property or in the course of any University activity, except as specifically authorized under applicable state law. This includes, but is not limited to, bb guns, paintball guns, knives, swords, handguns, and rifles. (See OSU Institute of Technology Policy and Procedure Letter 1-017, entitled "Weapons, Firearms, Ammunition, Fireworks, Explosives, and Dangerous Chemicals".)

17. False reporting of a bomb, fire, or other emergency.

18. Misuse or unauthorized uses of firefighting, fire sprinkling systems, and other safety equipment or warning devices.

19. Unauthorized entry into or use of any University building, facility, vehicle, equipment room or area. This includes unauthorized possession or use of University keys, computers, lock combinations or other special access codes, including telephone codes.

20. Illegal use, possession, sale or distribution of any state or federally controlled drug, substance or paraphernalia. Students are expected to know and abide by all applicable laws regarding the consumption of low point beer and alcoholic beverages. (Also, see Drug Free Schools and Workplace Policies, Appendices F and G.)

21. Consumption, possession, distribution, sale and the serving of low point beer or alcoholic beverages on the campus, in any of its buildings, and in officially recognized University residence halls, regardless of age. An exception to this policy permits the possession or consumption of low point beer and/or alcoholic beverages by persons of lawful age (21) within the interior living spaces of family housing and facilities specified for non-traditional students.

22. Parties and/or large gatherings which disturb the peace of campus residences or off-campus neighborhoods.

23. The use of tobacco in any form on University property.

24. Violation of University Information Technology policy including, but not limited to, OSU Institute of Technology Policy and Procedure Letter 6 & Q2, entitled "Use of Electronic Mail." The OSU Institute of Technology Data Communications network, devices other than computers, servers, and workstations, must not be plugged into any network port. This includes, but is not limited to, hubs, switches, repeaters, routers, network modems and wireless access points. These devices may be incorrectly configured or incompatible with the Oklahoma State University Institute of Technology network causing outages and reliability problems to all or part of the network.

Computer & Information Services strives to provide high availability and stable network resources relevant to the OSU Institute of Technology community's needs. Units needing additional network resources should contact the CIS Help Desk.

Devices not approved for use on OSU Institute of Technology's Data Communication network will be disabled to ensure the stability and availability of the network.

25. Attempts and complicity: attempts to or encouraging others to commit acts prohibited by this code will be sanctioned to the same extent as if one had committed the prohibited act.

26. Classroom disruption: behavior a reasonable person would view as substantially or repeatedly interfering with the instructor's ability to teach the class or the ability of other students to benefit from the instructional program.

27. Interfering with the discipline procedures or outcomes, including, but not limited to, falsification, distortion or misrepresentation of information before a hearing officer; knowingly initiating a complaint without cause; harassment and/or intimidation of any hearing officer, witness (es), or University personnel before, during or after a proceeding; failure to comply with the sanction(s)

imposed by a hearing officer.

#### **IV. Disciplinary Responsibility**

The responsibility for the campus discipline system is delegated from the Board of Regents for Oklahoma State University Institute of Technology to the Vice President of Student Services through the President. The Vice President of Student Services further delegates discipline authority to the Dean of Students, Student Conduct Office, Residential Life, and designated hearing officers. A Hearing Officer is a University employee who is an officially designated administrator or staff member. The goal is to resolve cases at the lowest possible level for maximum educational benefit.

##### **A. Disciplinary Process**

The following procedures are listed to inform students of the due process procedures in place at OSU Institute of Technology for resolving alleged violations of OSU Institute of Technology regulations. The procedures are designed to allow for fact finding and decision making in the context of the OSU Institute of Technology educational community. The objective is to provide adequate procedural safeguards to balance the rights of the individual with the legitimate interests of the University.

##### **A.1 Complaints**

1. Any member of the University community (faculty, staff, student, or the University) may file a complaint against a student alleging that a violation of the Code of Conduct has occurred.
2. Such complaint shall be filed with the official having jurisdiction as soon as possible but within 30 days of the alleged violation, and 180 days for alleged violations concerning sexual assaults or sexual harassment. The time may be extended at the discretion of the Dean of Students. If an individual is unsure of where to direct a complaint, contact the Student Conduct Office for advice.
3. The complaint must be submitted in writing and signed by the complainant(s). Included must be the date, time, place, name(s) of person(s) involved and sufficient detail to make a determination of whether disciplinary action may be warranted.
4. Name(s) of witness (es) should be included.

##### **A.2 Evidentiary Standards**

The official having jurisdiction will be responsible for compiling sufficient information/evidence to substantiate the charge(s). The evidence must support a determination that it is "more likely than not" that a violation of the Code of Conduct occurred for cases in which the potential sanction is less than expulsion. If expulsion is a possible sanction, the standard of proof shall be that of "clear and convincing evidence". Hearsay evidence and personal testimony may be considered and will be weighed accordingly.

##### **A.3 Disposition of Charges**

Alleged violations of University regulations are resolved through an informal or formal hearing process with a University Hearing Officer. If the Residential Life Hearing Officer believes that suspension or expulsion from OSU Institute of Technology is a possibility, the student will be referred to the Student Conduct Office where the formal hearing procedures will be explained to the student.

##### **B. Formal and Informal Hearings**

1. Upon determination that sufficient evidence exists to believe that a violation of the Code of Conduct may have occurred, the Student Conduct Officer or other Hearing Officer with jurisdiction will notify the student in writing of the alleged charges against him/her. The written notice will be hand delivered directly to the student or mailed to the student's local address as filed in the Registrar's Office.

**Students are responsible for providing and maintaining a current local address to the Registrar's Office.**

2. At the formal or informal hearing the student will be provided with the following:

- a. An explanation of the allegations which have been made;
- b. A summary of the facts and information which substantiate the allegations;
- c. The opportunity to reflect upon and give his/her account of the incident or circumstances involved with the allegation(s).

3. Following the formal or informal hearing the student will be provided with an explanation of the decision of the Hearing Officer. The letter of explanation may be delivered to the student verbally or by the most advantageous means decided by the hearing officer. The results may include one of the following:

- a. the allegation(s)/charge(s) may be dismissed as unfounded;
- b. student may admit to the allegation(s) and a sanction imposed;
- c. the student may be found responsible for violating the Code of Conduct and a sanction imposed.

4. Possible sanctions may include, but are not be limited to, verbal or written reprimand, restrictions, volunteer project/community service, educational class or program, restitution, graduation hold, cancellation of enrollment, conduct probation, suspension and expulsion.

5. Decisions reached at formal or informal hearings may be appealed as follows :

- a. Student Conduct Office formal hearings may be appealed to the Chief Conduct Officer or Dean of Students or his/her designee.
- b. Residential Life informal or formal hearings may be appealed to the Director of Residential Life or his/her designee.

6. Failure to respond to a written allegation of charges, or failure to complete the assigned sanction(s), will result in either a hold being placed on the student's enrollment privileges or graduation, additional disciplinary action, or a decision being made based on the information available at the time. The hearing will proceed even if the student does not show for the hearing.

**\*Honesty statement:** The University expects that all information presented will be truthful and accurate. Be advised that if false information is willfully provided, a student will be in violation of section III (27) of the Code of Conduct and may be subject to disciplinary action.

### **C. Student Rights in Conduct Proceedings**

The University views the discipline process as an educational experience that can promote growth in personal understanding of one's rights, responsibilities and privileges in an educational community.

Accused students have the right to:

1. written notice of the alleged violation(s);
2. have no code violation presumed until found responsible;
3. a timely hearing;
4. be accompanied by an adviser during the hearing (the adviser is limited to advising the student and may not present the

case, question relevant parties, or make statements during the proceedings);

5. review the evidence;
6. may question his/her accuser, either directly or indirectly, at the discretion of the hearing officer;
7. may question witnesses, either directly or indirectly, at the discretion of the hearing officer;
8. present material witnesses (those with firsthand knowledge of the incident);
9. a written notification of the outcome of the hearing;
10. an avenue for appeal from a formal or informal hearing.

### **Complainant Victim Rights.**

To encourage students to take responsibility for reporting code violations, complainants or victims have the right to:

1. be given an explanation of the discipline process;
2. have access to evidentiary material in advance of the hearing;
3. be present during the entire hearing;
4. be accompanied by an adviser during the hearing (the adviser is limited to advising the student and may not present the case, question relevant parties, or make statements during the proceedings);
5. a timely hearing;
6. may question the accused and material witnesses, either directly or indirectly; at the discretion of the hearing officer;
7. in the case of sexual assault, the Conduct Officer may in its discretion, exclude evidence of the victim's past sexual history from discussion during the hearing. The past sexual history of the victim with persons other than the alleged perpetrator shall be presumed irrelevant. If the accused is found responsible for violating the Code of Conduct, the victim may submit an impact statement;
8. in cases of crimes of violence or sexual assault, the right to be notified of the outcome of any disciplinary proceeding;
9. an avenue for appeal from an formal or informal hearing.

### **D. Re-entry Committee**

Students must submit a letter of request for re-entry into the university after suspension has occurred. A committee comprised of the Chief Conduct Officer, Chief of OSUIT Police, Vice President of Student Services and the Dean of Students will review the file and make a decision on re-entry into the university.

Housing re-entry requests will be reviewed by the Director of Residential Life, Dean of Students and the Chief of OSUIT Police.

### **V. Appeal Procedure**

Discipline decisions or grievance hearing recommendation(s) made by a Hearing Officer may be appealed to the appropriate appeals officer, or his/her designee, by the accused student or the complaint student

An appeal is not a new hearing, but is a review of the record of the original hearing. It serves as a procedural safeguard for the student. The burden of proof shifts from the University to the student or group charged with the offense. The student or group must show that one or more of the listed grounds for appeal (V.2) have merit.

1. Appeals for Residential Life administrative hearings must be submitted in writing to the Director of Residential Life within two (2) University working/school days of receiving the decision of the previous lower hearing. Appeals for Student Conduct Office hearings must be submitted in writing to the Vice President of Student Services within two (2) Oklahoma State University Institute of Technology working/school days of receiving the decision of the previous lower hearing. Failure to file an appeal within the prescribed time constitutes a waiver of any right to an appeal.

2. The appeal must cite at least one of the following criteria as the reason for appeal and supporting argument(s):

- a. The original formal or informal hearing was not conducted in conformity with prescribed procedures.
- b. The evidence presented at the lower previous hearing was not "sufficient" to justify a decision against the student or group.
- c. Evidence which could have substantially affected the outcome of the hearing has been discovered since the hearing.
- d. The sanction was not appropriate for the violation.

3. The appropriate appeals officer, Director of Residential Life or Dean of Students will review the record of the original hearing, including documentary evidence. It is the appeals officer's discretion to convert any sanction imposed to a lesser sanction, to rescind any previous sanction, or to return a recommended sanction to a hearing officer for review and/or reconsideration. If there is new evidence which is believed to substantially affect the outcome, or evidence presented at the lower previous hearing(s) was "insufficient" to justify a decision against the student or group, or the Appeals Officer finds that procedural error did occur, the matter may be remanded to the appropriate Hearing Officer with instruction for either a rehearing of the entire matter or reconsideration of specific issues.

4. The final decision may be communicated in writing by the Director for Residential Life or the Dean of Students to the appealing student or group, with a copy sent to appropriate offices. The decision will normally be communicated within ten (10) working/school days of receiving the written recommendation, but may take longer during University recesses or in a complex case.

5. The decision of the Director for Residential Life or the Dean of Students shall be final.

## **VI. Implementation of Sanctions**

Disciplinary actions or grievance decisions may be implemented upon a decision of the hearing, until either the time for appeal has expired, until the entire appeal process is completed or the individual or group voluntarily waives the right to appeal in writing. Ultimately, the hearing officer has the right to make the decision on when the sanction will be implemented.

Reviewing authority is retained by the Dean of Students, Chief Conduct Officer, and the Director of Residential Life, at his/her discretion, to convert any sanction imposed to a lesser sanction, to rescind any previous sanction, or to return a recommended sanction to a hearing officer for review and/or reconsideration.

## **VII. Disciplinary Files and Records**

1. Case referrals will result in the development of a disciplinary file in the name of the accused student. If the student is found not responsible for the charges, the file will be marked no action, no record, and shall not constitute a disciplinary record. Such files will be destroyed after one year.

2. The files of students found responsible for charges against them, with sanctions less than suspension or expulsion, will

generally be maintained in the Student Conduct Office for three (3) years from the calendar year of record, after which time they are destroyed.

3. Records of cases in which suspension or expulsion from the University occur, are kept for seven (7) years.

4. Confidentiality: All disciplinary records are confidential and may not be disclosed in whole or in part except as provided by law, or by the written authorization of the student, under legal compulsion, or where the safety of other persons may be involved. Disciplinary records are maintained separate from the student's academic record, but are part of the student's educational record.

5. Re-release of disciplinary information/records: Unless otherwise accepted, individuals participating in disciplinary proceedings are bound by law to not disclose information discussed in the proceedings. When disciplinary records are permitted to be disclosed to an individual only, that information should not be re-disclosed, under penalty of law.

### **VIII. Disciplinary Sanctions**

Although not intended to be inclusive, the following are possible sanctions that may be imposed, either singularly or in combination for a student, group, club or organization.

1. **Reprimand** may be oral or written, warning that further violations of University regulations could result in additional disciplinary action.

2. **Restriction** upon a student's privileges for a period of time and may include but not be limited to denial of use of facilities or access to parts of campus, denial of the right to represent the University, denial of participation in extra-curricular activities.

3. **Voluntary project, community service or education class** or project beneficial to the individual, campus or community may be prescribed.

4. **Restitution** for loss, damage, or injury to University property or other owners, or injured parties. Restitution shall be limited to the actual cost of repair or replacement and/or damage to property or person, such as medical bills.

5. **Enrollment Hold** is a "hold" on enrollment privileges for failure to meet with the Student Conduct Officer or other hearing officer or for failure to comply with assigned conditions or complete assigned sanctions. This hold can prevent the adding or dropping of classes and enrolling for subsequent terms.

6. **Cancellation of Enrollment** can be implemented where a previous hold has been cleared with the condition that the enrollment will be cancelled for failure to meet the conditions of the clearance. If cancelled, the refund of tuition or fees will be subject to the University's normal withdrawal policy.

7. **Graduation Hold** for failure to respond to a request to meet with the Student Conduct Officer or other hearing officer, or for non-compliance with disciplinary sanctions. The Dean of Students may place a hold on a student's participation in graduation exercises and/or diploma.

8. **Conduct Hold** is a "hold" that will require a student to seek re-entry as a result of a hearing, before any business can be conducted.

9. **Conduct Probation** is a specified period of time during which the student is warned that s/he is not in good standing with University, and that further violations of University regulations will subject him/her to suspension or expulsion from the University. Probation may include additional conditions or sanctions. The probationary status and conditions are documented in writing.



10. **Disciplinary Suspension** is written notification of the termination of a student's status with the University for a specified period of time and includes a student's total separation from the University. Conditions for re-admission shall be stated in the written notification, including approval of the Student Conduct Office. Suspension will be recorded on the front of the academic transcript during the period of suspension and shall become a permanent part of the student's disciplinary record. Upon readmission to the University, the suspension notation shall be moved to the back of the student's transcript. Any refund of tuition or fees will be subject to the University's normal withdrawal policy.

11. **Disciplinary Expulsion** is written notification of permanent separation of the student from the University. Expulsion will be recorded on the front of the academic transcript and becomes a permanent part of a student's disciplinary record. Any refund of tuition or fees will be subject to the University's normal withdrawal policy.

President of the Student Government Association. One of the faculty members shall be designated as chairperson of the ad hoc board by the Vice President for Academic Affairs.

a. The ad hoc board shall hear the appeal as soon as is reasonably possible and shall adhere to all rules, regulations, and procedures applicable to the Academic Appeals Board which shall be in force at the time of the consideration of the appeal.

#### **IX. Student Appeal of the Final Grade to the Academic Appeals Board:**

The following statements regarding appeals of a final grade are excerpted from the official University policy. For a detailed copy of this policy and the procedure governing grade appeals (Policy and Procedure Letter 2-016, entitled "Appeal of Final Grade Not Involving Allegation of Dishonesty or Misconduct") and/or for assistance with the filing of an appeal, contact the office of the Vice President for Academic Affairs.

1. It is the responsibility of the faculty members of Oklahoma State University Institute of Technology to communicate to students early in the term a clear statement of the grading practices and procedures that will be used to determine the student's final grade. If a student believes those practices and procedures were not consistently and accurately followed when the faculty member determined the student's final grade, the student shall have the right to appeal the case to the Academic Appeals Board within four months after the grade was assigned, or six weeks after the student begins a new semester, whichever comes first, if informal discussion fails to resolve the issue.

2. In hearing a case, the Academic Appeals Board shall base its decision of changing or not changing the assigned grade solely upon whether the grade was assigned fairly within the grading system adopted by the faculty member. In all other instances, the case will be referred back to the departmental level for resolution.

3. The Academic Appeals Board has the authority to instruct the Registrar to change a final course grade.

#### **X. Conduct Rights and Obligations of Student Clubs and Organizations**

As individual students are asked to uphold certain expectations, organizations and their officers are under obligation to the University and larger community to maintain high standards of ethics and conduct. This includes proper maintenance of financial records and sponsorship of events and activities that uphold the standards of the University. An activities that encourage the improper conduct of student members which violate the prohibitions contained within the Student Rights and Responsibilities Governing Student Behavior may cause the charter of the organization to come under judicial review by the Director of Student Life.

### **A. Benefits Afforded Student Clubs/Organizations**

The opportunity to use designated University-owned areas and/or facilities for club/organization meetings and sponsored activities;

1. The opportunity to promote your club/organization and its officers in campus publications where other recognized clubs/organizations are listed;
2. The opportunity to announce club/organization sponsored programs and activities in the OSU Institute of Technology activity announcements and list information on OSU Institute of Technology student club/organization directories, located in Covelle Hall and the Student Union;
3. The opportunity to post information in specified areas following the guidelines for "Distribution of Literature", Section XIII, E;
4. The opportunity to request funding from the student fee allocation committee after existing as an active OSU Institute of Technology student club/organization for a period of one (1) year (Request for funding does not apply to those groups that have been given special permission to act as a student club/organization);
5. The opportunity to use the OSU Institute of Technology name to show affiliation;
6. The opportunity to use the non-postage campus mail service for the distribution of materials pertaining to the business of the organization.

### **B. Obligations of Student Clubs/Organizations**

1. Required Information: Each student club/organization is required to submit the following information to the Office of Student Life at the beginning of each fall semester or when new officers are elected.

- a. name, address, and telephone number of each officer;
- b. name of the organization's faculty/staff advisor;
- c. time and place of regularly scheduled meetings;
- d. the purpose of the organization.

Changes during the school year need to be reported promptly.

2. Participation: All clubs/organizations will be represented at the monthly President's Roundtable Luncheon.

3. Advisors: All clubs/organizations must have an advisor who is a full-time faculty or staff member. Exceptions to this rule may be granted by the Office of Student Life. Sponsors are ultimately held accountable for actions taken by the club/organization. Advisors responsibilities include:

- a. attending group meetings and sponsored activities;
- b. assisting in program and/or project development;
- c. serving as a resource to the club/organization with regard to University Policy and procedures;
- d. advising the club/organization on financial matters.
- e. serving as the point of contact between the club/organization and Student Life.

4. Financial Obligation: All funds of recognized clubs/organizations must be kept on deposit with the University. All funds must be deposited with the Bursar within 24 hours of receipt. Funds of clubs/organizations may not be used to purchase alcohol or beer.

5. Meetings: It is the responsibility of the student club/organization to schedule its meetings and activities in accordance with the policies of the University, campus, student activities, and the building being scheduled. All student club/organization activities shall be properly organized and supervised. All student activities must be approved through the Student Life Office. Copies of approved Campus Activity Requests will be forwarded to the appropriate offices.

To assure sponsored activities meet all requirements, the following procedures must be observed:

a. Authorized student club/organizations planning an entertainment activity, project, or activities for raising funds must complete and submit a Campus Activity Request to the Student Life Office for approval prior to advertising, scheduling, making commitments, or related arrangements. Activity requests should be approved seven days prior to the activity and should be announced in Student Life activity announcements during the week of the event.

b. The sponsor is to assist the student group in completion of Campus Activity Request forms and will be responsible for arrangements and supervision of the activities. All school activities sponsored by a campus club should have two faculty and/or staff members as chaperons. For club recreational activities off-campus, the number of chaperons assigned, in addition to sponsor(s), shall be at the discretion of the Director of Student Life and Division Chair.

6. Poster and Posting Regulations: Distribution of handbills, pamphlets, flyers, etc., is a privilege granted only to students of recognized clubs/organizations. All such literature must bear the name of the club/organization on the front page of the material distributed and be approved by the Office of Student Life. Such material may be distributed only in those areas designated as distribution areas by the Office of Student Life or Residential Life, as appropriate. A copy of the literature to be distributed must be filed in the Office of Student Life. Special permission may be granted to other groups by the Student Life Office for distribution only on designated public boards. (See Section XIII, E, "Distribution of Literature" for more details.)

7. Production of Club Items and Apparel: Student clubs may wish to produce items such as, but not limited to, T-shirts, caps, mugs, towels, notebooks, banners, or clothing. Any item bearing the University name, logo, and/or club name must be approved through the Student Life Office. A full design layout of the item(s) to be produced must be submitted to the Student Life Office for approval prior to purchase.

### **C. Student Clubs/Organizations Misconduct**

It is not possible to list every potential situation which might result in a determination that a student club/organization has violated the policies of the University. Advisor/students violating University Policy will be referred to a Hearing Officer. If it is found more likely than not that advisors/students were in violation of University Policy while representing their club/organization, the Director of Student Life will make a determination regarding the club/organization's status which could result in probation or suspension of the registration as a recognized club/organization by the University. Any appeals of the decision made by the Director of Student Life shall be made to the Dean of Students.

#### **D. Code of Ethics for Student Clubs/Organizations**

1. Relationship of student club/organizations to the University: Registration of a club/organization does not mean that the University supports or adheres to/by registered student groups. Responsibility for any action which violates federal, state, or local laws or University regulations is assumed by the individual groups, their officers and members.

2. Introduction of Code of Ethics: The extension of privileges by the University as detailed in this document requires registered student clubs/organizations to conduct their organizations and activities as responsible bodies in their relationships with their members, other students, the community and the University. Clubs/organizations and their members are subject to being governed and sanctioned by the same rules and regulations established for individual students. In addition to statutory obligations, this Code of Ethics has been established for the students by the students as a set of guidelines for all registered student club/organizations. Each registered student club/organization is encouraged to adopt and abide by this Code of Ethics.

3. Specific Standards of Ethics:

a. Academic: In accordance with the larger mission of the University, the Code of Ethics encourages a portion of a club's/organization's activities reflect a conscious effort to enrich each member's academic development.

b. Character Development: The moral conduct and personal behavior of each member affects the organization's image. This makes it important for the individual to act at all times with self-respect and integrity. University policy prohibits students from cheating, using alcohol on campus, providing fraudulent information, or in any way misrepresenting themselves in interactions with the campus or larger communities.

c. Community Relations: Supportive, communicative and positive relations with the community will result in mutual benefit. The impression made by a club/organization on the community reflects upon the University as a whole. All organizational members will conduct themselves so as to support a positive relationship with the community.

d. Financial Management: Members shall handle both institutional and private funds judiciously, recognizing the annual transfer of debt responsibility. Members shall not incur debts (either individually or in the name of the organization) which result in organizational disability.

e. Health and Safety: Members shall take basic precautionary measures to ensure individual and group safety. An appropriate program would encompass a concern for mental, emotional and physical well-being.

f. Leadership Development: The continuing existence of the organization requires a regular succession of effective leaders. An appropriate program would provide for the development of the members' leadership skills for future positions of service and authority.

g. Legal Responsibility: Each club's/organization's members have a responsibility to know and uphold all relevant federal, state, and local laws and University policies. Student clubs/organizations should be

knowledgeable of and comply with the expectations set forth by the University for individual students and student clubs/organizations.

h. Multi-Cultural Sensitivity: Both the University community and the larger society are diverse, with persons from differing ethnic and cultural backgrounds. Clubs/organizations must recognize and respect the cultural heritage of others. Compliance with the Oklahoma State University Equal Educational Opportunity Policy is required. Guidance regarding the interpretation and implementation of this policy is always available at the Student Life Office, or the Student Services Office.

### **E. Obtaining Recognition as a Student Club/Organization**

Registration entitles your club/organization to certain privileges, assists the Student Life Office in its advisory responsibilities to your club/organization, provides resources and needed information, and furnishes potential new members with a point of contact to your club/organization. To receive recognition as an OSU Institute of Technology student club/organization, your group must complete the following three (3) steps:

1. Have an accepted Petition for Recognition Form on file in the Student Life Office
  - a. meet with the intended sponsor and Director of Student Life prior to beginning the process of petitioning;
  - b. complete the Petition for Recognition Form which should be filled out by the intended sponsor and include the following information:
    - i. name of group;
    - ii. purpose of group;
    - iii. objectives of group;
    - iv. state if your group will duplicate the function of any existing club/organization on campus;
    - v. state if the need and desire of students will be sufficient to maintain a strong organization (Fifteen or more charter members are required to form a club/organization and to remain active);
    - vi. signature of intended sponsor and intended sponsor's division chair, department head or supervisor acknowledging that he/she is aware of the responsibilities and requirements of sponsoring a student club/organization on the OSU Institute of Technology campus.
2. Have an approved Constitution and By-Laws on file in the Student Life Office
  - a. draft the constitution and by-laws using the following outline:
    - i. the purpose of the group;
    - ii. methods of electing/selecting officers and members;
    - iii. role of the officers;
    - iv. goals and how they will be met (committees, funding, etc.);
    - v. anti-discriminatory clause within the membership section of your group's constitution.
  - b. Constitutions and by-laws are approved by the Director of Student Life and the Dean of Students.
  - c. All student clubs/organizations are required to update/revise their constitution and by-laws a minimum of one time every three years and submit a copy to the Student Life Office.
3. Have a current/updated club/organization Registration Form on file in the Student Life Office

### **F. Drug Free Workplace**

#### **I. Purpose and Scope**

1.01 The Drug-Free Workplace Act passed by Congress in 1988 requires federal contractors and grantees to certify to the contracting or granting agency that they will provide a drug-free workplace. This policy is adopted in order to comply with this statutory directive.

## II. Definitions

2.1 Workplace- Oklahoma State University Institute of Technology owned or controlled property or the site for performance of work.

2.2 Controlled Substance- Cocaine, Marijuana, opiates, amphetamines and any other substance designated a "controlled substance" in schedules I through V of section 202 of the Controlled Substances Act (21 U.S.C. 812).

2.3 Criminal Drug Statute- a federal or non-federal criminal statute involving the manufacture, distribution, dispensation, use or possession of any controlled substance.

2.4 Conviction- a finding of guilt (including judicial acceptance of a plea of nolo contendere) or imposition of sentence, or both, by a judicial body determining violations of federal or non-federal criminal drug statutes.

2.5 Project Director- the individual having administrative supervision over a project resulting from a federal grant or contract.

2.6 Employee- shall include Oklahoma State University Institute of Technology faculty, administrative and professional staff, classified staff, and student appointments.

## III. Policies

3.01 In support of this anti-drug abuse legislation, it is the policy of Oklahoma State University Institute of Technology to establish and maintain appropriate compliance by:

a. Publishing and distributing to all employees a written statement regarding this controlled substance prohibition in the workplace, with descriptions of disciplinary actions which may be taken against employees for violation of such prohibition.

See Exhibit A, attached hereto.

b. Establishing a drug-free awareness program.

c. Notifying the contracting or granting agency within 10 days of receiving notice of an employee's criminal violation occurring in the workplace.

d. Imposing appropriate administrative disciplinary action on, or requiring the satisfactory participation in a drug abuse assistance or rehabilitation program by, any employee who is so convicted or who has otherwise violated this policy.

e. Making a good-faith continuous effort to maintain a drug-free workplace through the implementation of the requirements set forth in the Drug-Free Workplace Act.

## IV. Procedures

4.1 A copy of the written statement referenced in 3.01 (a) regarding the controlled substance prohibition in the workplace shall be disseminated to all current employees, posted in each department of the University and given to each new employee.

4.2 The project director will have the responsibility of explaining this policy to employees working on a federal contract grant.

4.3 An employee shall notify the project director or, in the absence of a project director, his/her immediate supervisor or other supervisory administrator, in writing, of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.

4.4 The project director shall notify the Office of the Executive Vice President for an employee's criminal drug statute conviction for violation occurring in the workplace. The Executive Vice President shall notify in writing the federal contracting or granting agency of such conviction as required by the pertinent statute and regulations. The project director's notification shall be made in a timely manner so that the Executive Vice President may comply with the time requirement set forth herein.

## Oklahoma State University Institute of Technology Drug-Free Workplace Statement

To All Employees:

In accordance with the Drug-Free Workplace Act of 1988, Oklahoma State University Institute of Technology hereby notifies all employees that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited in the workplace. Any employee found to have violated this prohibition may be subject to disciplinary action up to and including dismissal or be required to satisfactorily participate in a drug abuse assistance or rehabilitation program as a condition of continued employment. The drug abuse assistance/rehabilitation program shall be one that has been previously approved for such purposes by a federal, state, or local health, law enforcement or other appropriate agency. The imposition of such disciplinary action or requirement to satisfactorily participate in a drug abuse assistance rehabilitation program is premised solely upon a violation of this prohibition and does not require a criminal conviction.

As a condition of employment at Oklahoma State University Institute of Technology, all employees will:

1. Comply with the terms of this statement; and
2. Notify the University (through either their immediate supervisor, other supervisory administrator or project director) of any criminal drug statute conviction for a violation occurring in the workplace in writing no later than five days after such a conviction. Such conviction may, of course, result in the employee being disciplined or required to satisfactorily participate in a drug abuse assistance/rehabilitation program as specified above. Failure of an employee to report his/her conviction, as required herein, constitutes grounds for dismissal.

As a further requirement of the Drug-Free Workplace Act, the University has established a drug-free awareness program for the purpose of informing employees about the dangers of drug abuse in the workplace, the University's prohibition of controlled substances in and on OSU Institute of Technology property, any available drug counseling, rehabilitation, and the penalties that may be imposed for drug abuse violations. Counseling services have been made available, free of charge, to all employees in furtherance of the drug-free awareness program. Information about the drug-free awareness program may be obtained from the Office of Counseling Services and Human Resources. Reference is made to OSU Institute of Technology Policy and Procedure Letter 1-018, entitled "Drug Free Campus Policy Statement" and the Drug-Free Workplace Act of 1988 as sources of information and clarification.

#### Suspensions and Disciplinary Actions

4.5 An employee found at any time to have violated the drug-free workplace policy may be disciplined by Oklahoma State University Institute of Technology even when the violation has not resulted in a criminal conviction. Employees may also be temporarily suspended if such is deemed necessary to protect the best interest and safety of the University, its components and participants. As an alternative to disciplinary action, the University may require satisfactory participation in a drug abuse assistance or rehabilitation program as a condition to continued employment. The drug abuse assistance/rehabilitation program shall be one that has been previously approved for such purposes by a federal, state, or local health, law enforcement or other appropriate agency.

4.6 In determining whether a violation of the drug-free workplace policy has occurred and disciplinary action to be imposed as a result of such violation, the OSU Institute of Technology Policy and Procedure Letter 6, entitled "Drug Free Workplace" shall be followed insofar as the employees are concerned.

4.7 One of the actions set forth above in 4.05 (i.e. discipline or satisfactory participation in a drug abuse assistance/rehabilitation program) shall be taken within 30 days of receiving notice from an employee of a conviction as provided for in 4.03.

4.8 Failure of an employee to report his/her criminal drug statute conviction for a violation in the workplace within five days of the conviction is grounds for dismissal of that employee.

4.9 For staff employees, appropriate and established leave policies will be followed for the purposes of such treatment and rehabilitation. For student employees and faculty, drug rehabilitation leave will be determined on an individual basis.

4.10 Where necessary because of conviction and incarceration, decisions relative to suspension or dismissal or the granting of leave for treatment will be determined individually.

#### **Counseling and Rehabilitation Sources**

4.11 The University Counselor may be contacted for preliminary counsel and advice regarding chemical dependency problems and referral to approved chemical dependence treatment agencies.

## **G. OSU Institute of Technology Policy for All Students and Employees Regarding the Drug-Free Schools & Communities Act**

### **I. Purpose**

The Drug Free Schools and Communities Act Amendments of 1989 require an institution of higher education to certify to the U.S. Department of Education by 10-1-90, that it has adopted and implemented a program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees in order to remain eligible for federal financial assistance of any kind. This policy is adopted by Oklahoma State University Institute of Technology to comply with this statutory directive.

### **II. Policy**

As set forth in local, state, and federal laws, and the rules and regulations of the University, Oklahoma State University Institute of Technology prohibits the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees in buildings, facilities, grounds, or other property owned and/or controlled by the University or as part of University activities.

### **III. Internal Sanctions**

Any student or employee of the University who has violated this prohibition shall be subject to disciplinary action including, but not limited to, suspension, expulsion, termination of employment, referral for prosecution and/or completion, at the individual's expense, of an appropriate rehabilitation program. Any disciplinary action shall be taken in accordance with applicable policies of the University.

### **IV. External Sanctions**

Local, state, and federal laws provide for a variety of legal sanctions for the unlawful possession and distribution of illicit drugs and alcohol. These sanctions include, but are not limited to, incarceration and monetary fines.

Federal law proscribes severe penalties for distributing or dispensing, or possessing with the intent to distribute or dispense, a controlled substance, and penalties of a less severe nature for simple possession of a controlled substance. The type and quantity of the drug, whether the convicted person has any prior convictions, and whether death or previous injury resulted from use of the drug in question (this, however, is not a factor in a case of simple possession) all affect the sentence. For example, if less than 50 kilograms of marijuana are involved and it is your first offense (no prior convictions), then you are subject to imprisonment of not more than 5 years, a fine of \$250,000, or both. If, however, 50-100 kilograms of marijuana are involved instead of less than 50, and all other factors are the same as in the preceding example, you are subject to imprisonment of not more than 20 years, unless death or serious injury results from the marijuana use, then you are subject to not less than 20 years or life, a fine of \$1,000,000, or both. While the penalties for simple possession are less severe, the first conviction still carries a sentence of up to a year imprisonment, a fine of at least \$1,000 but not more than \$100,000, or both. With regard to simple possession, the number of convictions makes both the minimum period of imprisonment and fines greater. Under special provisions for possession of crack, a person may be sentenced to a mandatory term of at least 5 years in prison and not more than) 20 years, a fine of \$250,000, or both.

**Starting July 1, 2000, conviction under Federal or State law involving the possession or sale of a controlled substance shall make a student ineligible to receive any grant, loan, or work assistance beginning with the date of conviction and ending as follows: (1) conviction for possession of a controlled substance: first offense - 1 year; second offense - 2 years; third offense - indefinite; (2) sale of a controlled substance: first offense - 2 years; second offense- indefinite. Students may regain eligibility earlier than specified by satisfactorily completing a rehabilitation program or other requirement as specified in the regulations.**

State Law provides similar penalties with regard to the simple possession, distribution, or possession with the intent to distribute a controlled dangerous substance. Simple possession of marijuana is a misdemeanor and carries a punishment of up to 1 year in the county jail. A second or subsequent conviction for simple possession of marijuana carries 2-10 years in the state penitentiary. Possession of marijuana with the intent to distribute is a felony and carries a punishment of 2 years to life in the penitentiary and a fine of up to \$20,000 for the first conviction. A second or subsequent conviction carries a punishment of 4 years to life in prison and a fine of up to \$40,000. Depending upon the quantity involved, a convicted individual could be sentenced under the Oklahoma "Trafficking in Illegal Drugs Act" which provides for much harsher penalties.

In addition, state law provides that possession of or possession with the intent to consume 3.2 beer by someone under 21 years old is a misdemeanor punishable by a fine not to exceed \$100.00 or by appropriate community service not to exceed 20 hours. Possession of other alcoholic/intoxicating beverages by someone under 21 years old is a



misdemeanor punishable by imprisonment in the county jail for not more than 30 days, a fine not to exceed \$100.00, or both. There are also state laws concerning driving under the influence of alcohol and using a false driver's license to obtain 3.2 beer or other alcoholic beverages. Depending upon the number of previous convictions or gravity of the circumstances you may be convicted of a felony or misdemeanor for such an offense. It is most likely that you will also forfeit your driving privileges in the event you are convicted of such an offense.

There are also Okmulgee laws similar to those described above. If drugs are involved the city will, most likely, defer to the state or federal authorities because their penalties are more severe. If alcohol is involved, you may be convicted of violating both local and state law and punished according to both laws. Courts do not excuse individuals convicted of these offenses from a prison sentence to go to college or work. A conviction for such an offense is a serious blemish on your record which could prevent you from entering many careers or obtaining certain jobs. Further information regarding these local, state, and federal laws may be found at the Human Resources office, OSU Institute of Technology Police Department and the Dean of Students where copies are available to students and employees. Students and employees are encouraged to review this information. The above-referenced examples of penalties and sanctions are based on the relevant laws at the time of adoption of this policy statement. Such laws are, of course, subject to revision or amendment by way of the legislative process.

## V. Health Risks

Alcohol and other drug use represent serious threats to health and quality of life. Alcohol and other drug use increase the risk of accidents, birth defects, HIV/AIDS, and other disease. Combining drugs may lead to unpredictable effects and many prescription and nonprescription drugs are potentially addictive and dangerous. Major categories of drugs and probable effects are below.

**Alcohol** impairs judgment and coordination, and in many persons causes a greater likelihood of aggressive and/or violent behavior. Even short-term use may cause respiratory depression and, when consumed by pregnant women, may cause irreversible physical and mental abnormalities in newborns (fetal alcohol syndrome) or even death. Long-term use may lead to irreversible physical and mental impairment, including liver disease, heart disease, cancer, ulcers, gastritis, delirium tremens, and pancreatitis. Alcohol interacts negatively with more than 150 medications. Driving while under the influence of alcohol is particularly dangerous and is a major cause of traffic-related deaths. **Barbiturates** (depressants, Quaaludes, Valium, Zanax, etc.) depress central nervous, cardiovascular, and reparatory functions. Barbiturate use may lower blood pressure, slow reactions, and distort reality. Convulsions, coma, and death are outcomes associated with barbiturate use. Combining the consumption of barbiturates with alcohol or 3.2 beer is especially dangerous.

**Cocaine/Crack** are powerful central nervous system stimulants that constrict blood vessels, dilate pupils, increase blood pressure, and elevate heart rate. Cocaine use may induce restlessness, irritability, anxiety, paranoia, seizures, cardiac arrest, respiratory failure, and death. Cocaine is extremely addictive, both psychologically and physically. Great risk exists whether cocaine is ingested by inhalation (snorting), injection or smoking. Compulsive cocaine use may develop even more rapidly if the substance is smoked and smoking crack cocaine can produce particularly aggressive paranoid behavior in users.

**Date Rape Drugs** (Rohypnol, rophies, roofies, GHB, Ketamine, etc.) may incapacitate a person, particularly when used with alcohol. Rohypnol and GHB (gamma-hydroxybutyrate) are characterized as "date rape" drugs because they incapacitate victims, thereby increasing vulnerability to sexual assault and other crime. Sedation, relaxation, and amnesia are associated with Rohypnol use. Rohypnol may be psychologically and physically addictive and can cause death if mixed with alcohol or other depressants. GHB usage may result in coma and seizures and, when combined with methamphetamine, appears to cause an increased risk of seizure. Combining use with other drugs such as alcohol can result in nausea and difficulty in breathing. GHB may also produce withdrawal effects, including insomnia, anxiety, tremors, and sweating. Ketamine may induce feelings of near-death experiences.

**Ecstasy** (X, Adam, MDMA, XTC, etc.) has amphetamine-like and hallucinogenic properties. Its chemical structure is similar to other synthetic drugs known to cause brain damage. Ecstasy use may cause psychological difficulties, including confusion, depression, sleep problems, drug craving, severe anxiety, paranoia and even psychotic episodes. Similar difficulties may occur weeks after taking MDMA. Physical symptoms such as increases in heart rate and blood pressure may result from use of such substances. Other physical symptoms include muscle tension, blurred vision, nausea, rapid eyes movement and involuntary teeth clenching.

**Hallucinogens** (acid, PCP, LSD, psilocybin [mushrooms]) are the most potent mood-changing chemicals and may produce unpredictable effects that may impair coordination, perception, and cognition. Some LSD users experience flashbacks, often without warning, without the user having taken the drug again. Violence, paranoia,

delusions, hallucinations, convulsions, coma, cardiac arrest, and respiratory failure may result from hallucinogen use.

**Marijuana** (pot, grass, hash, cannabis sativa, etc.) may impair memory, attention, coordination, and learning. Short term effects of smoking marijuana may include problems with memory, learning, distorted perception, difficulty in thinking and problem solving, loss of coordination, increased heart rate, anxiety, and panic attacks. Persons who smoke marijuana regularly may have many of the same respiratory problems as tobacco smokers, including daily cough and phlegm, chronic bronchitis, and more frequent chest colds. Because users of marijuana deeply inhale and hold marijuana smoke in their lungs, they incur a higher risk of getting lung cancer.

**Narcotics** (heroin, pain medication [Demerol, Percodan, Lortab, etc.]) may produce temporary euphoria followed by depression, drowsiness, cognitive impairment and vomiting. Narcotic use may cause convulsions, coma, and death. Tolerance and dependence tend to develop rapidly. Using contaminated syringes to inject drugs may result in contracting HIV and other infectious diseases such as hepatitis.

**Nicotine** (tobacco, cigarettes, cigars, chewing tobacco, nicotine chewing gum and patches) is highly addictive and, according to the Surgeon General, the major cause of stroke and is the third leading cause of death in the United States. Over time, higher levels of nicotine must be consumed in order to achieve the same effect. Nicotine consumption results in central nervous system sedation and, after initial activation, may cause drowsiness and depression. If women smoke cigarettes and also take oral contraceptives, they are more prone to cardiovascular and cerebrovascular diseases than other smokers. Pregnant women who smoke cigarettes run an increased risk of having stillborn or premature infants or infants with low birth weight.

**Steroids** (anabolic-androgenic) may permanently damage liver, cardiovascular, and reproductive systems. Possible side effects include liver tumors, cancer, jaundice, fluid retention, and hypertension. In men, steroids may cause shrinking of testicles; reduced sperm count, infertility, baldness, breast development, and increased risk for prostate cancer. In women, steroid use may cause growth of facial hair, male-pattern baldness, menstrual changes, enlarged clitoris, and deepened voice.

**Stimulants** (amphetamine, methamphetamine, speed, crystal, crank, Ritalin, caffeine, various over-the-counter stimulants and diet aids) are powerful central nervous system stimulants that may increase agitation, physical activity, and anxiety. Stimulants may decrease appetite, dilate pupils, and cause sleeplessness. Dizziness, higher blood pressure, paranoia, mood disturbance, hallucination, dependence, convulsions, and death due to stroke or heart failure may also result from use.

Reference: National Institute on Drug Abuse, National Institutes of Health [www.nida.nih.gov](http://www.nida.nih.gov)

## **VI. Drug/Alcohol Treatment Resources**

Oklahoma State University Institute of Technology offers counseling and referral sources for OSU Institute of Technology students and employees.

### **Counseling Services (students and employees) Clack Center,**

OSU Institute of Technology (918)-293-4988

### **Infirmary**

Student Union, OSU Institute of Technology (918) 293-4946

*Additional treatment and informational resources appear below.*

### **Center for Substance Abuse**

#### **Treatment Information and Referral Line**

1-800-662-HELP (4357)

### **National Council on Alcoholism and Drug Dependence Hope Line**

1-800-622-2255, 24 hours a day

### **National Institute on Drug Abuse**

National Institutes of Health  
1-888-NIH-NIDA (644-6432)  
www.nida.nih.gov

**Reach-Out Hotline**

1-800-522-9054

Alcohol, drug, domestic violence, sexual assault, rape crisis intervention and mental health referral.

**OSU Institute of Technology Area Resources**

**Muscogee (Creek) Nation Community**

**Services** (Native Americans only)

410W. 6th Street  
Okmulgee, OK 74447  
(918) 758-1910

**St. John Medical**

**Center** 4720 S. Harvard  
Tulsa, OK 74135  
(918) 748-9868  
(918) 744-3900 (Inpatient)

**12 & 12**

5333 E. Skelly Drive  
Tulsa, OK 74135  
(918) 664-4224

**Metropolitan Tulsa Substance Abuse Services (MTSAS)**

3637 N. Lewis  
Tulsa, OK 74110  
(918) 428-8888

**Palmer Drug Abuse Program**

711 S. Sheridan Rd  
Tulsa, OK 74112  
(918) 832-7763

**Creaks Mental Health Services**

400 W. 6th  
Okmulgee, OK 74447  
(918) 756-9250

**Alcoholics Anonymous:**

OKMULGEE- (918) 756-3638  
TTY/TTD- (405) 524-1100

<b>Student Conduct</b>	<b>4-001 STUDENT SERVICES June 2013</b>
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POLICY

- 1.1 1.1. Student Conduct policy and procedures contained herein are applicable to all OSU Institute of Technology (OSUIT) students, regardless of race, color, national origin, sex, marital status, and are intended to accomplish the following:
- A. Create and promote a productive living and learning community/environment which fosters the intellectual, personal, cultural and ethical development of its students.
  - B. Promote self-discipline and respect for the rights and privileges of others to the educational process and to good citizenship.
  - C. Teach students to take on the responsibility to observe and help maintain standards of personal behavior that are a positive contribution to this academic community.

DISCIPLINARY PROCESS

- 2.1 The following procedures are listed to inform students of the due process procedures in place at OSUIT for resolving alleged violations of the Institution's regulations. The procedures are designed to allow for fact finding and decision making in the context of the OSUIT educational community. The objective is to provide adequate procedural safeguards to balance the rights of the individual with the legitimate interests of the university.
- 2.2 Complaints
- A. Any member of the university community (faculty, staff, student, or the university) may file a complaint against a student alleging that a violation of the Code of Conduct has occurred.
  - B. Such complaint shall be filed with the official having jurisdiction as soon as possible but within 30 days of the alleged violation, and 180 days for alleged violations concerning sexual assaults or sexual harassment. The time may be extended at the discretion of the Vice President of Student Services. If an individual is unsure of where to direct a complaint, contact the Student Conduct Office for advice.
  - C. The complaint must be submitted in writing and signed by the complainant(s). Included must be the date, time, place, name(s) of person(s) involved and sufficient detail to make a determination of whether disciplinary action may be warranted.
  - D. Name(s) of witness(es) should be included.

## 2.3 Evidentiary Standards

The official having jurisdiction will be responsible for compiling sufficient information/evidence to substantiate the charge(s). The evidence must support a determination that it is "more likely than not" that a violation of the Code of Conduct occurred for cases in which the potential sanction is less than expulsion. If expulsion is a possible sanction, the standard of proof shall be that of "clear and convincing evidence". Hearsay evidence and personal testimony may be considered and will be weighed accordingly.

## 2.4 Disposition of Charges

Alleged violations of university regulations are resolved through an informal or formal hearing process with a Student Conduct Officer. If the Residential Life Conduct Officer believes that suspension or expulsion from OSUIT is a possibility, the student will be referred to the Student Conduct Office where the formal hearing procedures will be explained to the student.

## 2.5 Formal and Informal Hearings

A. Upon determination that sufficient evidence exists to believe that a violation of the Code of Conduct may have occurred, the Student Conduct Officer with jurisdiction will notify the student in writing of the alleged charges against him/her. The written notice will be hand delivered directly to the student or mailed to the student's local address as filed in the Registrar's Office. Students are responsible for providing and maintaining a current local address to the Registrar's Office.

B. At the formal or informal hearing the student will be provided with the following:

1. An explanation of the allegations which have been made;
  2. A summary of the facts and information which substantiate the allegations;
3. The opportunity to reflect upon and give his/her account of the incident or circumstances involved with the allegation(s);
- A. Following the formal or informal hearing the student will be provided with an explanation of the decision of the Student Conduct Officer. The letter of explanation may be delivered to the student verbally or the most advantageous means decided by the Student Conduct Officer. The results may include one of the following:

1. The allegation(s)/charge(s) may be dismissed as unfounded;
  2. Student may admit to the allegation(s) and a sanction imposed;
  3. The student may be found responsible for violating the Code of Conduct and a sanction imposed.
- B. Failure to respond to a written allegation of charges or failure to complete the assigned sanction(s) will result in either a hold being placed on the student's enrollment privileges or graduation, additional disciplinary action, or a decision being made based on the information available at the time. If the student does not attend the hearing, the hearing will proceed.

- C. Possible sanctions may include but not be limited to verbal or written reprimand, restrictions, volunteer project/community service, educational class or program, restitution, graduation hold, cancellation of enrollment, conduct probation, suspension and/or expulsion.
  
- D. Decisions reached at formal or informal hearings may be appealed as follows:
  - 1. Student Conduct Office formal hearings may be appealed to the Chief Conduct Officer or Vice President of Student Services or his/her designee.
  
  - 2. Residential Life informal hearings may be appealed to the Director, Residential Life.
  
- E. Honesty Statement: The University expects that all information presented will be truthful and accurate. Be advised that if false information is willfully provided, a student will be in violation of the Code of Conduct of and may be subject to disciplinary action. (*Student Rights and Responsibilities Governing Student Behavior*, Section III Prohibited Conduct; Article 27.)

## 2.2 Student Rights in Conduct Proceedings

The university views the discipline process as an educational experience that can promote growth in personal understanding of one's rights, responsibilities and privileges in an educational community.

- A. Accused students have the right to:
  - 1. written notice of the alleged violation(s);
  
  - 2. have no code violation presumed until found responsible;
  
  - 3. a timely hearing;
  
  - 4. be accompanied by an advisor during the hearing (the advisor is limited to advising the student and may not present the case, question relevant parties, or make statements during the proceedings);
  
  - 5. review the evidence;
  
  - 6. may question his/her accuser, either directly or indirectly, at the discretion of the conduct officer;
  
  - 7. may question witnesses, either directly or indirectly, at the discretion of the hearing officer;
  
  - 8. present material witnesses (those with firsthand knowledge of the incident);

9. a written notification of the outcome of the hearing;

10. an avenue for appeal from a formal or informal hearing.

#### B. Complainant/Victim Rights

To encourage students to take responsibility for reporting code violations, complainants or victims have the right to:

1. be given an explanation of the discipline process;
2. have access to evidentiary material in advance of the hearing;
3. be present during the entire hearing;
4. be accompanied by an advisor during the hearing (The advisor is limited to advising the student and may not present the case, question relevant parties, or make statements during the proceedings.);
5. a timely hearing;
6. question the accused and material witnesses, either directly or indirectly, at the discretion of the conduct officer;
7. request that evidence of his/her past sexual history be excluded from discussion during the hearing, in the case of sexual assault (The Student Conduct Officer has the discretion to make this decision. The past sexual history of the victim with persons other than the alleged perpetrator shall be presumed irrelevant. If the accused is found responsible for violating the Code of Conduct, the victim may submit an impact statement.);
8. be notified of the outcome of any disciplinary proceeding, in cases of crimes of violence or sexual assault.
9. an avenue for appeal from a formal or informal hearing.

#### 2.3 Re-entry Committee

Students must submit a letter of request for re-entry into the university after suspension has occurred. A committee comprised of the Chief Conduct Officer, Chief of Police, Vice President of Student Services, and the Executive Vice President will review the file and make a decision on re-entry into the university.

Housing re-entry requests will be reviewed by the Director, Residential Life and the Vice President for Student Services.

## 2.4 Appeal Procedure

Discipline decisions or grievance hearing recommendation(s) made by a Hearing Officer may be appealed to the appropriate appeals officer, or his/her designee, by the accused student or the complainant student.

An appeal is not a new hearing, but is a review of the record of the original hearing. It serves as a procedural safeguard for the student. The burden of proof shifts from the university to the student or group charged with the offense. The student or group must show that one or more of the listed grounds for appeal have merit. (*Student Rights and Responsibilities Governing Student Behavior*, Fall2013 Edition, Page 8; Section IV. Disciplinary Responsibility, Article V. Appeal Procedure.)

- A. Appeals for Residential Life administrative hearings must be submitted in writing to the Director, Residential Life within two (2) OSUIT working/school days of receiving the decision of the previous lower hearing. Appeals for Student Conduct Office hearings must be submitted in writing to the Vice President of Student Services within two (2) OSUIT weekday/school days of receiving the decision of the previous lower hearing. Failure to file an appeal within the prescribed time constitutes a waiver of any right to an appeal.
- B. The appeal must cite at least one of the following criteria as the reason for appeal and supporting argument(s):
1. The original formal or informal hearing was not conducted in conformity with prescribed procedures.
  2. The evidence presented at the lower previous hearing was not "sufficient" to justify a decision against the student or group.
  3. Evidence which could have substantially affected the outcome of the hearing has been discovered since the hearing.
  4. The sanction was not appropriate for the violation.
- C. The appropriate appeals officer, Director, Residential Life or the Vice President of Student Services, will review the record of the original hearing, including documentary evidence. It is the appeals officer's discretion to convert any sanction imposed to a lesser sanction, to rescind any previous sanction, or to return a recommended sanction to a hearing officer for review and/or reconsideration. If there is new evidence which is believed to substantially affect the outcome, or evidence presented at the lower previous hearing(s) was insufficient to justify a decision against the student or group, or the Appeals Officer finds that procedural error did occur, the matter may be remanded to the appropriate Student Conduct Officer with instruction for either a rehearing of the entire matter or reconsideration of specific issues.
- D. The final decision may be communicated in writing by the Director, Residential Life or the Vice President of Student



Services to the appealing student or group, with a copy sent to appropriate offices. The decision will normally be communicated within ten (10) working/school days of receiving the written recommendation, but may take longer during university recesses or in a complex case.

E. The decision of the Director, Residential Life, or the Vice President of Student Services, shall be final.

APPENDIX D: 4-004 Students' Right to Know

<b>Students' Right to Know</b>	<b>4-004 STUDENT SERVICES JULY 2013</b>
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POLICY

- 1.1 The intent of the university is to provide as safe an environment as possible for its students to pursue their academic endeavors, and provide them with factual information relative to crime on campus and the environment in which they will be living and studying.
  
- 1.2 OSU Institute of Technology (OSUIT), in compliance with the "Campus Crime Awareness and Campus Security Act of 1990," distributes policies related to campus security to all OSUIT students, employees, and applicants for enrollment or employment. This includes, but is not limited to, the *Student Handbook* and on the institution's web page.

PROCEDURES

- 2.01 Statistics of specific types of crime are shown for the past three years and published annually in the *OSUIT Catalog*. Updates are made daily to the current year's campus crime report located on the Campus Safety web page.

Approved: August 1996

Revised: July 2005

Revised: July 2009

Revised: July 2013