

Rights and Responsibilities of Students

As a student at Park University, you should be aware of the rights you have as a student and of the responsibilities associated with being a Park student. These policies apply to ALL Park University students, regardless of whether the student is taking classes online, at a Campus Center, or on the Parkville campus – all delivery modes and all locations. The Student Code of Conduct is based on respect for self and others, and was developed to challenge students to embrace high ethical standards, and interact with other students, faculty, and staff with integrity.

Core Values of Park University:

ACCOUNTABILITY
CIVILITY AND RESPECT
EXCELLENCE
GLOBAL CITIZENSHIP
INCLUSIVITY
INTEGRITY

As a student, you have the right to an opportunity to learn in an environment that is free from discrimination based on race, color, creed, religion, gender, marital status, sexual orientation, national origin, age, disability, or veteran status. It is the responsibility of all members of the Park University community – students, faculty, and staff – to create and maintain an environment where all persons are treated with respect, dignity, and fairness. Students have responsibility for assuming the consequences of their actions. Students are expected to accept their obligations to the entire Park community to honor and respect the value and integrity of each person and to conduct themselves accordingly. In addition, students are responsible for making themselves aware of Park University policies and procedures, all of which are outlined in the Catalog, in the Student Handbook/Planner, and/or on the Park University website: www.park.edu/policies.

The mission of Park University, an entrepreneurial institution of learning, is to provide access to a quality higher education experience that prepares a diverse community of learners to think critically, communicate effectively, demonstrate a global perspective and engage in lifelong learning and service to others. In order to maintain an environment where this mission can be achieved effectively and equitably, Park University promotes civility, respect, and integrity among all members of the community. Choosing to be a member of the Park University community obligates each member to follow these standards and ensures that a campus community of civility is maintained. In that light, the Student Code of Conduct will follow established processes for insuring fundamental fairness and an educational experience that facilitates the development of the individual and/or group.

Student Conduct Code

The primary intent of this Code is to set forth community standards necessary to maintain and protect an environment conducive to learning. Park University standards reflect higher expectations of behavior than may be prevalent outside the University community.

Any student found to have committed or to have attempted to commit the following misconduct on a Campus Center (except to the extent this Student Conduct Code is inconsistent with any provision in an applicable memorandum of understanding, lease or other agreement with the owner of such Campus Center) may be subject to disciplinary sanctions:

1. **Acts of Dishonesty.** Acts of dishonesty, including but not limited to the following:
 - a. **Academic Dishonesty.** Cheating, plagiarism, or other forms of academic dishonesty.
 - b. **False Information.** Furnishing false information to any University Official.
 - c. **Forgery.** Forgery, alteration, or misuse of any Park University document, record, or instrument of identification.
2. **Disruption.** Intentional disruption or obstruction of teaching, research, administration, disciplinary proceedings, or other University activities, including its public service functions.
3. **Threatening, Abusive, or Harassing Behavior.** Physical abuse, verbal abuse, threats, intimidation, harassment, coercion, and/or other conduct which threatens or endangers the physical health, mental health, or safety of any person. Such prohibited conduct includes but is not limited to repeated unsolicited attempts to contact any Park University community member via any means and/or exhibiting other behavior which could be construed as stalking.
4. **Theft.** Attempted or actual theft of and/or damage to property of Park University or property of a member of the Park University community or other personal or public property.
5. **Lewd or Disorderly Conduct.** Conduct that is disorderly, lewd, or indecent; breach of peace; or aiding, abetting, or procuring another person to breach the peace on University premises or at University-sponsored activities.
6. **Hazing.** Any behavior which constitutes hazing, whether such behavior occurs on University Premises at University Activities or off campus.
7. **Failure to Comply.** Failure to comply with directions of University Officials or law enforcement officers acting in performance of their duties including failure to identify oneself to these persons when requested to do so.
8. **Unauthorized Entry.** Unauthorized possession, duplication or use of keys to any University Premises or unauthorized entry to or use of University Premises.
9. **Unauthorized Activities.** Any activity that occurs on or off University Premises that could adversely affect the health, safety or security of a member of the Park University community.
10. **Controlled Substances.** Use, possession, manufacturing, or distribution of Controlled Substances except as expressly permitted by law. Students with confirmed possession or use of controlled substances on University Premises or during any University Activity with no right to legally use such controlled substances may face immediate dismissal.

11. **Alcohol.** Use, possession, manufacturing, or distribution of alcoholic beverages, or public intoxication.

12. **Firearms/Weapons.** Illegal or unauthorized possession of firearms, explosives, other weapons, or dangerous chemicals on Park University premises or use of any such item, even if legally possessed, in a manner that harms, threatens, or causes fear to others. Students with confirmed violation of the Weapons Policy will face immediate dismissal. (See the Weapons Policy.)

13. **Unauthorized Use of Electronics.** Any unauthorized use of electronic or other devices to make an audio or video record of any person while on Park University Premises or while conducting University business, without his/her prior knowledge, or without consent when such a recording is likely to cause injury or distress. This includes, but is not limited to, surreptitiously taking pictures of another person in a gym, locker room, or restroom, or using consensual photographs, videos, or audio in a manner not agreed to by all parties.

14. **Computer Theft and Abuse.** Theft or other abuse of computer facilities and resources, including file-sharing and intellectual property. (See Information Technology Acceptable Use Policy).

15. **Abuse of Student Conduct System.** Abuse of the Student Conduct System, including failure to comply with the sanction(s) imposed under the Student Code.

16. **Policy Violation.** Violation of any Park University Policy, including but not limited to, residential life policy, drug and alcohol policy, weapons policy, harassment free institution policy, information technology acceptable use policy, sexual assault policy, and all policies which appear in full in the Park University Catalog, Park University Student Handbook, and/or Park University website.

17. **Local, State and Federal Agencies.** Park University will cooperate with local, state and federal criminal agencies, and may initiate criminal investigations into the conduct of Park University Students when deemed appropriate.

Sanctions

The following sanctions may be imposed upon any student found to have violated the Student Code:

1. Warning – A notice in writing to the student that the student is violating or has violated institutional regulations.

2. Probation – A written reprimand for violation of specified regulations. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to violate any institutional regulation(s) during the probationary period.

3. Loss of Privileges – Denial of specified privileges for a designated period of time.

4. Fines – Previously established and published fines may be imposed.

5. Restitution – Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.

6. Discretionary Sanctions – Work assignments, essays, service to the University, or other related discretionary assignments.

7. Interim Suspension – Interim Suspension from the residence halls and/or other campus facilities or programs may be imposed to ensure the safety and well-being of members of the University community, to ensure the student's own physical or emotional safety and well-being, or if the student poses an ongoing threat of disruption of, or interference with, the normal operations of the University. The Interim Suspension does not replace the regular process, which shall proceed on the normal schedule, up to and through a Student Conduct Board Hearing, if required.

8. Residence Hall Suspension – Separation of the student from the residence halls for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.

9. Residence Hall Expulsion – Permanent separation of the student from the residence halls.

10. University Suspension – Separation of the student from Park University for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.

11. University Expulsion – Permanent separation of the student from Park University.

12. Revocation of Admission and/or Degree – Admission to or a degree awarded from Park University may be revoked for fraud, misrepresentation, or other violation of University standards in obtaining the degree, or for other serious violations committed by a student prior to graduation.

13. Withholding Degree - Park University may withhold awarding a degree otherwise earned until the completion of the process set forth in this Student Conduct Code, including the completion of all sanctions imposed, if any.

Other information regarding Sanctions:

1. More than one of the sanctions listed above may be imposed for any single violation.

2. Other than University expulsion or revocation or withholding of a degree, disciplinary sanctions shall not be made part of the student's permanent academic record, but shall become part of the student's disciplinary record. Upon graduation, the student's disciplinary record may be expunged of disciplinary actions other than residence hall expulsion, University suspension, University expulsion, or revocation or withholding of a degree, upon application to the Assistant Dean of Student Life. Cases involving the imposition of sanctions other than residence hall expulsion, University suspension, University expulsion or revocation or

withholding of a degree shall be expunged from the student's confidential record seven years after final disposition of the case.

3. In situations involving both an Accused Student(s) and a Student(s) claiming to be the victim of another Student's conduct, the records of the process and of the sanctions imposed, if any, shall be considered to be the educational records of both the Accused Student(s) and the Student(s) claiming to be the victim because the educational career and chances of success in the academic community of each may be impacted.

4. The following sanctions may be imposed upon groups or organizations:

a. Those sanctions listed above.

b. Loss of selected rights and privileges for a specified period of time.

c. Deactivation. Loss of all privileges, including University recognition, for a specified period of time.

5. In each case in which a Student Conduct Board determines that a student and/or group or organization has violated the Student Code, the sanction(s) shall be determined and imposed by the Assistant Dean of Student Life or his/her designee. In cases in which persons other than, or in addition to, the Assistant Dean of Student Life, has been authorized to serve as the Student Conduct Board, the recommendation of the Student Conduct Board shall be considered by the Assistant Dean of Student Life in determining and imposing sanctions. The Assistant Dean of Student Life is not limited to sanctions recommended by members of the Student Conduct Board. Following the Student Conduct Board Hearing, the Student Conduct Board and the Assistant Dean of Student Life shall advise the Accused Student, group and/or organization (and a complaining student who believes s/he was the victim of another student's conduct) in writing of its determination and of the sanction(s) imposed, if any.

Filing a Complaint Regarding a Violation of the Student Code

Any member of the Park University community may file a complaint against a Student for violations of the Student Code. A complaint shall be prepared in writing and directed to the Assistant Dean of Student Life. Any complaint should be submitted as soon as possible after the event takes place, preferably within one (1) week of the incident. Forms for this purpose are available from the Office of Student Life.

Appeals

1. A decision reached by the Student Conduct Board or a sanction imposed by the Assistant Dean of Student Life that is academic in nature may be appealed by the Accused Student(s) or Complainant(s) to the Provost within five (5) school days of the decision. Such appeals shall be in writing and shall be delivered to the Provost or his/her designee.

2. A decision reached by the Student Conduct Board or a sanction imposed by the Assistant Dean of Student Life that is not academic in nature may be appealed by the Accused Student(s) or Complainant(s) to the Dean of Student Life within five (5) school days of the

decision. Such appeals shall be in writing and shall be delivered to the Dean of Student Life or his/her designee.

3. Except as required to explain the basis of new information, an appeal shall be limited to a review of the verbatim record of the Student Conduct Board Hearing and supporting documents for one or more of the following purposes:

a. To determine whether the Student Conduct Board Hearing was conducted fairly in light of the charges and information presented, and in conformity with prescribed procedures giving the complaining party a reasonable opportunity to prepare and to present information that the Student Code was violated, and giving the Accused Student a reasonable opportunity to prepare and to present a response to those allegations. Deviations from designated procedures will NOT be a basis for sustaining an appeal unless significant prejudice results.

b. To determine whether the decision reached regarding the Accused Student was based on substantial information, that is, whether there were facts in the case that, if believed by the fact finder, were sufficient to establish that a violation of the Student Code occurred.

c. To determine whether the sanction(s) imposed were appropriate for the violation of the Student Code which the student was found to have committed.

d. To consider new information, sufficient to alter a decision or other relevant facts not brought out in the original hearing, because such information and/or facts were not known to the person appealing at the time of the original Student Conduct Board Hearing.

4. If an appeal is upheld by the Provost or Dean of Student Life, the matter shall be returned to the original Student Conduct Board and/or Assistant Dean of Student Life for re-opening of Student Conduct Board Hearing to allow reconsideration of the original determination and/or sanction(s). If an appeal is not upheld, the matter shall be considered final and binding upon all involved.

Interpretation and Revision

1. Any question of interpretation or application of the Student Code shall be referred to the Assistant Dean of Student Life or his or her designee for final determination.

2. The Student Code shall be reviewed every three (3) years under the direction of the Assistant Dean of Student Life.

Student Conduct Code Procedures

Charges and Student Conduct Board Hearings

Any member of the Park University community may file a complaint against a Student for violations of the Student Code. A complaint shall be prepared in writing and directed to the Assistant Dean of Student Life. Any complaint should be submitted as soon as possible after the event takes place, preferably within one (1) week of the incident.

The Assistant Dean of Student Life may conduct an investigation to determine if the

complaint has merit and/or if it can be disposed of administratively by mutual consent of the parties involved on a basis acceptable to the Assistant Dean of Student Life. Such disposition shall be final and there shall be no subsequent proceedings. If the complaint is not admitted and/or cannot be disposed of by mutual consent, the Assistant Dean of Student Life may later serve in the same matter as the Student Conduct Board or a member thereof. If the Student admits violating the Code, subsequent process shall be limited to determining the appropriate sanction(s).

All complaints shall be presented to the Accused Student in written form. A time shall be set for a Student Conduct Board Hearing, not less than five nor more than fifteen calendar days after the student has been notified. Time limits for scheduling of Student Conduct Board Hearings may be extended or reduced at the discretion of the Assistant Dean of Student Life.

Student Conduct Board Hearings shall be conducted by a Student Conduct Board according to the following guidelines except as provided by item #8 below:

1. The Student Conduct "Board" may include a group of people (students, faculty, and staff) or may consist of only the Assistant Dean of Student Life or designated individual.
2. Student Conduct Board Hearings normally shall be conducted in private.
3. The Complainant, Accused Student and their advisors, if any, shall be allowed to attend the entire portion of the Student Conduct Board Hearing at which information is received (excluding deliberations). Admission of any other person to the Student Conduct Board Hearing shall be at the discretion of the Student Conduct Board and/or the Assistant Dean of Student Life.
4. In Student Conduct Board Hearings involving more than one Accused Student, the Assistant Dean of Student Life, at his or her discretion, may permit the Student Conduct Board Hearings concerning each student to be conducted either separately or jointly.
5. The Complainant and the Accused Student have the right to be assisted by an advisor they choose, at their own expense. The advisor must be a member of the University community and may not be an attorney. The Complainant and the Accused Student is responsible for presenting his or her own information, and therefore, advisors are not permitted to speak or to participate directly in any Student Conduct Board Hearing before a Student Conduct Board. A student should select as an advisor a person whose schedule allows attendance at the scheduled date and time for the Student Conduct Board Hearing because delays will not normally be allowed due to the scheduling conflicts of an advisor.
6. The Complainant, the Accused Student and the Student Conduct Board may arrange for witnesses to present pertinent information to the Student Conduct Board. The University will try to arrange attendance of possible witnesses who are members of the Park University community, if reasonably possible, and who are identified by the complainant and/or Accused Student at least two weekdays prior to the Student Conduct Board Hearing. Witnesses will provide information to and answer questions

from the Student Conduct Board. Questions may be suggested by the Accused Student and Complainant to be answered by each other or by other witnesses. This will be conducted by the Student Conduct Board with such questions directed to the chairperson, rather than to the witness directly. This method is used to preserve the educational tone of the hearing and to avoid creation of an adversarial environment. Questions of whether potential information will be received shall be resolved at the discretion of the chairperson of the Student Conduct Board.

7. Pertinent records, exhibits, and written statements (including Student Impact Statements) may be accepted as information for consideration by the Student Conduct Board at the discretion of the chairperson.
8. All procedural questions are subject to the final decision of the chairperson of the Student Conduct Board.
9. After the portion of the Student Conduct Board Hearing concludes in which all pertinent information has been received, the Student Conduct Board shall determine (by majority vote if the Student Conduct Board consists of more than one person) whether the Accused Student has violated each section of the Student Code which the student is charged with violating.
10. The Student Conduct Board's determination shall be made on the basis of whether it is more likely than not that the Accused Student violated the Student Code.
11. Formal rules of process, procedure, and/or technical rules of evidence, such as are applied in criminal or civil court, are not used in Student Code proceedings.

There shall be a single verbatim record, such as a tape recording, of all Student Conduct Board Hearings before a Student Conduct Board (not including deliberations). Deliberations shall not be recorded. The record shall be the property of Park University.

- If an Accused Student, with notice, does not appear before a Student Conduct Board Hearing, the information in support of the charges shall be presented and considered even if the Accused Student is not present.
- The Student Conduct Board may accommodate concerns for the personal safety, well-being, and/or fears of confrontation of the Complainant, Accused Student, and/or other witness during the hearing by providing separate facilities, by using a visual screen, and/or by permitting participation by telephone, videophone, closed circuit television, video conferencing, videotape, audio tape, written statement, or other means, where and as determined in the sole judgment of the Assistant Dean of Student Life to be appropriate.