

# SMU Policies for Community Life



**2001-2002**

**SEE INSIDE FOR IMPORTANT INFORMATION:**

**Student Code of Conduct**

**University Judicial Code**

**Honor Code**

**Community Standards & Student Conduct  
in the Residence Halls**

**Vehicle Regulations**

**Safety & Security at SMU**

**Federal Law and Confidentiality  
of Student Records**

**Office of Services for Students with Disabilities**

**Sexual Harassment Policy**

**Sexual Assault Policy**

**Center for Alcohol Education**





S O U T H E R N  
M E T H O D I S T  
U N I V E R S I T Y

## **WELCOME TO THE SMU COMMUNITY!**

In voluntarily choosing to join the University community, you take on certain responsibilities and gain certain rights. These rights and responsibilities are developed in order that all members of the community can live together harmoniously.

The purpose of this publication is to provide you with information related to your rights and responsibilities. It includes the Student Code of Conduct, the Judicial Code, Honor Code, and information that the University is required by law to make available to its students. It tells you what you can expect from the University and outlines what the University expects of you. Please familiarize yourself with this information. By becoming a member of our community, you are agreeing to abide by these policies and procedures and understand that you will be held accountable for abiding by them.

We are pleased you are a part of the University community. We believe SMU offers much to its students, and we hope that you will take full advantage of all the University has to offer you. We also look forward to what you have to contribute to our community.

Sincerely,

**JAMES E. CASWELL**

Vice President for Student Affairs

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**“Circumstances are beyond human control, but our conduct is in our own power.”**

*BENJAMIN DISRAELI*

# STUDENT CODE OF CONDUCT

## 1.0 INTRODUCTION

SOUTHERN METHODIST UNIVERSITY’S Student Code of Conduct exists to identify and explain to the student body those University policies that most directly affect student life. Having voluntarily enrolled as students at Southern Methodist University and assumed a place in the University community, all students are presumed to be knowledgeable of, and to have agreed to abide by, the rules and regulations set forth in this Student Code of Conduct. The Student Code is received and evaluated by the Student Senate, which is the legislative body representing student interests. The writing of the Student Code involves students, is for students, and is the expression of the student body’s relationship to the rest of the University. Hence, the Student Senate may at any time make recommendations to the code and the senate shall be asked to endorse it. Changes to the Student Code adopted by the Student Senate are subject to approval by the President of the University.

Based on the action of the Board of Trustees, the President of the University is authorized, at his discretion, to review all decisions of the Student Senate and all other student organizations, and all decisions of the University judiciary, including the University Judicial Council and all other judicial bodies. Such review shall include the power to take any action deemed appropriate, including reversing, amending, or remanding with instructions such decisions. The President’s power of review as stated herein is not limited in any way, and the President is authorized to act at his sole discretion in conducting such review and in deciding what action is appropriate.

This Code is subject to the Articles of Incorporation and Bylaws of Southern Methodist University as well as any and all resolutions, policies, and regulations of the University. In the event of conflict between this Code and said Articles, Bylaws, resolutions, policies, and regulations of the University, the University Articles, Bylaws, resolutions, policy, and/or regulation in question shall be controlling. The University Policy Manual may be accessed through the SMU web page under “Administration”.

## 2.0 STUDENT RIGHTS, FREEDOMS AND RESPONSIBILITIES

In recognition of Southern Methodist University’s long history of dedication to the best principles of higher education in a democratic society, the following rights, freedoms, and responsibilities are set forth:

- 2.1 All students of the University are citizens of the community and members of the University, and as such are guaranteed freedom of expression, inquiry, and assembly. Students have the right to organize groups or to join associations in support of any cause or common interest as long as that support is voiced in an orderly manner and place that does not disrupt the regular operations of the University.
- 2.2 The student press is to be free of censorship except as applicable under appropriate laws.
- 2.3 The role of Student Government and its responsibilities shall be made explicit, and clearly defined means shall be provided to ensure student expression in the formulation and application of institutional policies affecting academic and student affairs, where appropriate.
- 2.4 The authority to allocate student activity fees for use by campus organizations shall be delegated to the Student Senate.

- 2.5** A student, group, or organization may distribute written material on campus, with prior approval, according to the code's distribution policy if the distribution does not disrupt the regular operations of the University.
- 2.6** All applicable local, state, and federal laws shall be upheld by the SMU community. The University expects that each individual and group within the University community will obey these laws. Failure to do so subjects the offender(s) to the possibility of University judicial action and/or action by civil authorities.
- 2.7** Students are bound by the Student Code and all University policies.
- 2.8** Students accused of violating institutional regulations or laws upheld by SMU retain the following rights:
- 2.8(a)** Upon arrest by authorized University officials, students will be informed of their rights in accordance with all federal, state, and local laws.
- 2.8(b)** Students will not be subject to any form of harassment.
- 2.8(c)** No searches of residence hall rooms, Greek housing, University apartments (hereinafter referred to as student living areas, properties whose tenants are students) and/or private property will be conducted unless such an order is issued upon reasonable cause. Searches of student living areas may be conducted by the residence hall staff, University officials and/or the Department of Public Safety, and their entrance shall not be denied. (See Sec. II, M for Residence Hall policy.) Nothing herein shall be construed to deny the University the right at any reasonable time to conduct inspections of student living quarters to determine compliance with health and safety regulations.
- 2.8(d)** Every student shall be granted a fair hearing before an impartial judiciary body of peers, or an administrative official, whichever is deemed by the judicial officer as appropriate to the offense.
- 2.9** Students will, at all times and in all activities, respect the rights of others, maintain responsible behavior conducive to the teaching and learning environment, and uphold the integrity of the University both on and off campus.
- 2.10** Students assuming leadership roles on campus will accept special responsibilities to uphold and support the Student Code.
- 2.11** When behavior deemed to be in violation of or not in accordance with the Student Code, University policy, or any law upheld by SMU comes to the attention of the University, the University has the right to take disciplinary and/or civil action against those involved.
- 2.12** The privacy and confidentiality of all student records shall be preserved, in accordance with the Family Educational Rights and Privacy Act of 1974, as amended.
- 2.13** Unless otherwise specified in the Student Code, requests for changes to the Student Code are made by the Student Senate. Requests for changes may be submitted to the Student Body Secretary to investigate.
- 2.14** The Student Issues Committee is established by the Student Senate to deal with individuals' concerns, questions, or problems. The committee may be contacted through the committee chair.
- 2.15** All students are expected to maintain and periodically check their University e-mail account. Pertinent information will be distributed by University officials through the e-mail system, and this will be a means of notification of students by the University.

### **3.0 GENERAL POLICIES**

- 3.1 ALCOHOL** The University is dedicated to providing a healthy, safe, comfortable, and productive environment for students, faculty, staff, and guests. All members of the

University community are expected to maintain self-control. Conduct should be consistent with ideals of academic excellence, health, and responsible social behavior, including recognition of the rights of others.

In recognition of the University's being owned by the South Central Jurisdiction of the United Methodist Church, community members are urged to adhere to the Social Principles of the United Methodist Church which states:

We affirm our long-standing support of abstinence from alcohol as a faithful witness to God's liberating and redeeming love for persons...Since the use of alcohol and illegal drugs is a major factor in crime, disease, death, and family dysfunction, we support educational programs encouraging abstinence from such use. (*The Book of Discipline of the United Methodist Church, para.66j*).

It is also recognized that Southern Methodist University is a community of free and open inquiry in which adults are encouraged to make responsible decisions in their lives; including abstinence from or careful use of alcohol. The University recognizes the freedom of conscience that determines such issues, but cautions that such freedom does not imply license to violate the law or University policy.

- 3.1(a)** All members of the University community should at all times be cognizant of and comply with state and local liquor laws. It is unlawful in the state of Texas for any person under the age of twenty-one (21) to possess, purchase, or consume alcoholic beverages, except when with either a parent or adult spouse. Possession or consumption of alcohol is prohibited on University property except where expressly permitted. Consumption or possession of alcoholic beverages by minors, regardless of location, is a violation of this policy and of Texas law. Provision of alcohol to minors, other than where the law provides, is also prohibited. A violation of this policy subjects the offender(s) to the possibility of University disciplinary process and/or action by civil authorities.
- 3.1(b)** The possession and consumption of alcoholic beverages in public places on campus is prohibited. The definition of public places includes, but is not limited to, any outdoor area, cafeteria, lobby, hallway, lounge, study area, or restroom of on-campus buildings, Greek housing, and University properties.
- 3.1(c)** The University prohibits the possession and consumption of alcoholic beverages on campus, with the exception of individual residential rooms of persons 21 year of age or older.
- 3.1(d)** Kegs and other similar containers, including, but not limited to, 1/2 kegs, party balls or pony kegs, are not permitted anywhere on campus. The Faculty Club, the Stadium Club and the Alumni Center will continue to operate under special policies.
- 3.1(e)** SMU is located within the city of University Park, Texas, which is a "dry" area. By statute, dry area means it is illegal to sell alcoholic beverages in University Park. In addition, transportation and/or possession of more than 24 12-ounce bottles of beer or more than one quart of hard liquor, is considered prima facie evidence of intent to sell, and, therefore, evidence that the law has been violated. Alcoholic beverages that are transported into a dry area may not be transported back out of the dry area.
- 3.2 ANIMALS/PETS** It is the policy of the University to prohibit the presence of animals/pets on University property, except for fish and assistance animals necessary to help persons with disabilities. This includes dormitories, residence halls, apartments, classroom and administrative buildings, the Student Center, athletic facilities, and University grounds in general. Assistance animals and fish are allowed in the residence halls with the use of suitable equipment, if permission is granted by the Department of Residence Life and Student Housing.

- 3.3 ASSAULT** Physical abuse and/or other conduct which endangers the health or safety of any person is prohibited. Examples include, but are not limited to: fighting or 'roughing up' or assault in any form. All combatants may be charged.
- 3.4 CAMPUS FACILITIES**
- 3.4(a) USE OF BUILDINGS** Students may not be in University buildings after 10:00 P.M. without appropriate authorization. Permission to sleep or reside in any part of any building requires prior approval.
- 3.4(b) USE OF GROUNDS**
- 3.4(b)(1)** Activities taking place during the academic year on the streets and grounds must be approved in the Office of Student Activities, which, in turn, will notify the Physical Plant Department and the SMU Police Department. During the summer months the Office of Student Activities will approve the use of grounds by campus groups in consultation with the Office of Conference and Event Services. Specific requests for the use of campus grounds that may be considered extraordinary by the University must be approved by the Vice President for Student Affairs.
- 3.4(b)(2)** If the event becomes disruptive of the normal operations of the University, it may be canceled at any time before or during the event by the Director of Student Activities.
- 3.4(b)(3)** Approved structures must comply with all requirements of the city, e.g., having fire extinguishers on the site, posting no smoking signs, etc.
- 3.4(c) USE OF THE UNIVERSITY FLAGPOLE** The flagpole in the main quadrangle is used for flying the colors of the United States. No other use may be made of the flagpole without the approval of the President or his designee.
- 3.4(d) LOADING OF BUSES ON CAMPUS** Buses that are contracted to come on campus to transport students or members of student organizations to events off campus must use the Dedman Center Parking Lot #3 to load when leaving campus and unload when returning to campus. Permission may be granted by the Director of Student Activities for buses to load and unload from other locations on campus. Requests shall be made on the Use of Campus Grounds form. Alcoholic beverages may not be loaded onto buses while they are on University property.
- 3.5 DISHONESTY** Dishonesty is defined as an individual or group's action, or omission of action, which is intended to mislead, defraud, or deprive University officials, hearing boards, students, faculty members, or members of the community at large of rights to information, accuracy of record, or property. Dishonesty includes, but is not limited to: forgery, falsification of records, lying, falsification of checks, money orders, etc., theft, unauthorized entry into University facilities; falsification and/or manipulation of computer data.
- 3.6 DRUGS** Every person subject to the jurisdiction of this Code shall be responsible for compliance with all local, state, and federal laws regarding controlled substances including, but not limited to, their use, sale, distribution, possession, or manufacture. Violations of any local, state, or federal law regarding controlled substances may subject the person to disciplinary proceedings in the University Judicial System without regard to any proceedings in local, state, or federal courts.
- 3.7 EMERGENCY EQUIPMENT** Tampering with or misuse of fire-fighting equipment, call boxes, emergency exits, warning devices, etc., or any hindrance of emergency procedures is a threat to the community and is grounds for immediate judicial action, fines, and any other University response as may be appropriate.

- 3.8 ELEVATOR** Tampering with elevators and/or elevator equipment, such as forcing open the doors, riding outside the cab, or performing any other activity that endangers personal safety or affects the functioning of the elevator, is prohibited. A student found responsible through the University Judicial System is subject to expulsion from the University.
- 3.9 ELECTRONIC MEDIA** All students must observe all policies covering student conduct set forth in this document in the use of electronic media. The following activities involving the use of Computer Resources and Facilities are prohibited and may result, at a minimum, in the immediate denial of computer access and privileges.
- 3.9(a)** SMU computing and networking facilities are intended for conducting and fostering the instructional, research, and administrative activities of the University.
- 3.9(b)** The following activities involving the use of computers, computer networks, connections to network services such as the Internet and web pages, subscriptions to external computing services, any peripheral devices, computer labs, computing centers, public access areas and any SMU-provided computing are prohibited:
- 3.9(b)(1)** Creating, modifying, executing, reverse engineering, or retransmitting any computer program or instructions intended to gain unauthorized access to, or make unauthorized use of, a Computer Resource, Software, or Licensed Software.
  - 3.9(b)(2)** Communicating any information concerning any password, personal identification number or other confidential information without the permission of its owner or the controlling authority of the Computer Facility that oversees that information.
  - 3.9(b)(3)** Creating, modifying, executing, or retransmitting any computer program or instructions intended to obscure the true identity of the sender of electronic mail or electronic messages, collectively referred to as “Messages,” including, but not limited to, forgery of Messages and/or alteration of system and/or user data used to identify the sender of messages;
  - 3.9(b)(4)** Accessing or intentionally destroying files, Software, or Licensed Software on a Computer Resource without the permission of the owner of such files, Software, or Licensed Software or the controlling authority of the Computing Resource or Facility.
  - 3.9(b)(5)** Making unauthorized copies of Licensed Software.
  - 3.9(b)(6)** Communicating any credit card number or other financial account number without the permission of its owner.
  - 3.9(b)(7)** Using Computer Resources in a manner inconsistent with the University’s contractual obligations to suppliers of Computer Resources or with any published University policy.
  - 3.9(b)(8)** Inhibiting or interfering with the use of the network or computing resources by others.
  - 3.9(b)(9)** Transmitting unsolicited information that contains obscene, indecent, lewd or lascivious material or other material.
  - 3.9(b)(10)** Violating any laws or participating in the commission or furtherance of any crime or other unlawful or improper purpose.
  - 3.9(b)(11)** Conducting any commercial venture through **smu.edu**, including registration, hosting, or administrative contact (e-mail, US mail, telephone, or campus meetings) unless otherwise specified by SMU policies.

- 3.10 EVENT POLICY** All members of the SMU community are expected to maintain self-control and to uphold their dignity and that of the University at all times on University property. Conduct should be consistent with ideals of excellence of mind, healthy bodies, and responsible social behavior, including recognition of the rights of others. Recognizing the above, SMU prohibits entertainment on campus by strippers or other such dancers whose activities fall outside of the educational mission of the University.
- 3.11 FAILURE TO COMPLY** Students who do not comply with reasonable requests from University staff or administrators or who do not complete their judicial sanctions may have their University records placed on hold, and appropriately charged with failure to comply.
- 3.12 GAMBLING** Every person subject to the jurisdiction of this code shall be responsible for compliance with all local, state, and federal laws regarding gambling. Violations of any local, state, or federal law regarding gambling may subject the person to disciplinary proceedings in the University Judicial System without regard to any proceedings in local, state, or federal courts. Raffles, which are sponsored by any University group or organization and/or benefit any University group or organization and/or are connected to the University in any way, are prohibited.
- 3.13 GUESTS/VISITORS** Any visitor who is not on official business must be a guest of a University student, faculty member, or staff member.
- 3.13(a)** Guests are subject to all applicable rules and policies as are members of the University.
- 3.13(b)** A guest must identify him/herself when called upon by a university official, including residence hall staff, and to identify his/her host.
- 3.13(c)** The conduct of a guest is the responsibility of the student serving as host.
- 3.13(d)** See rules regarding Guests and Visitation in the Community Standards and Student Conduct in University Residence Halls section.
- 3.13(e)** The University provides parking for guests in designated areas of campus. Members of the University community or their guests may contact the SMU Police Department to obtain maps showing designated visitor parking areas and explaining University parking regulations. Guests are subject to the same parking regulations as members of the SMU community.
- 3.14 HARASSMENT**
- 3.14(a)** The University will not tolerate disrespect for the rights of anyone but will maintain the University as a forum for the free expression of ideas under the laws of the state and nation. All members of the University community are protected from harassment, including, but not limited to, members according to their race, ethnicity, age, gender, disability, sexual orientation, and religion. Any words or acts deliberately designed to disregard the safety or rights of another and which intimidate, degrade, demean, threaten, haze, or otherwise interfere with another person's rightful action will not be tolerated on the basis of the standards of the SMU community. Such physical, psychological, verbal, electronic, and/or written acts directed toward an individual or group of individuals are prohibited and therefore may be subject to judicial action. Due to the University's commitment to freedom of speech and expression, harassment is more than mere insensitivity or offensive conduct that creates an uncomfortable situation for certain members of the community.
- 3.14(b) SEXUAL HARASSMENT** SMU prohibits sexual harassment of its students, employees, and those who seek to join the campus community in any capacity. Sexual harassment includes such behavior as unwelcome or forced sexual advances, requests for sexual favors, and other verbal, psychological, and/or physical conduct of a sexual nature directed toward

employees, students, or applicants, particularly when any of the following circumstances are present:

- 3.14(b)(1)** Toleration of the conduct is an explicit or implicit term or condition of employment, admission, or academic evaluation.
- 3.14(b)(2)** Submission to or rejection of such conduct is used as a basis for personnel or academic evaluation affecting the individual.
- 3.14(b)(3)** Such conduct has the purpose or effect of interfering with an individual's work or academic performance or which creates an intimidating, demeaning, hostile, or offensive residential, work, or academic environment.

Students with complaints of student-to-student sexual harassment should report such complaints to the Office of the Dean of Student Life. Students with complaints of faculty/staff-to-student sexual harassment should report such complaints to the Affirmative Action Office. Students wishing to receive counseling/advice prior to filing a formal complaint may contact the coordinator of psychological services for women at the Memorial Health Center.

**3.15 HAZING** "Hazing" means any intentional, knowing, or reckless act, occurring on or off the campus of an educational institution, by one person alone or acting with others, directed against a student, that endangers the mental or physical health or safety of a student for the purpose of pledging, being initiated into, affiliating with, holding office in, or maintaining membership in any organization whose members are or include, students at an educational situation. *Texas Education Code* (V.T.C.A., Education Code 51.936 and 37.151 et seq.) Added by Acts 1995, 74th Leg., ch. 260, § 1, eff. May 30, 1995.

**3.16 IDENTIFICATION CARDS** Student ID cards are the property of SMU and are not transferable.

- 3.16(a)** SMU IDs may not be used by anyone but the student pictured on the ID card for use of SMU facilities. ID cards may not be altered.
- 3.16(b)** Personal Accounts programmed onto Student ID cards are for use at the discretion of the student on campus or at authorized locations off campus at the discretion of the student, pursuant to the rules under which the accounts were formed, including Pony Express Accounts. For purchases exceeding \$25, the student using the card must provide a valid Student ID and sign for the purchase.
- 3.16(c)** Possession and/or use of a fake identification card is considered dishonesty and is against the law.
- 3.16(d)** The SMU Pony Express debit card was meant to provide members of the University Community a convenient way to purchase items needed for their educational and living expenses. Due to its intended use, the purchase of any Alcohol, Pornography or Tobacco products with the card is hereby expressly prohibited. This prohibition includes all members of the University Community both under and over twenty-one years of age.

**3.17 INTERFERENCE** A student shall conduct his/her self in a manner that does not interfere with or disrupt any University teaching, research, administrative, disciplinary, public service, learning or any other authorized activity.

**3.18 IRRESPONSIBLE CONDUCT**

- 3.18(a)** Individuals and groups shall behave in a manner that does not infringe on the personal or property rights of others and is appropriate for a community of scholars.
- 3.18(b)** Repeated or serious infringement on the personal or property rights of others will be considered aggravating circumstances leading to more severe sanctions. Failure to complete judicial sanctions will be an aggravating circumstance.

- 3.19 NOISE** The following procedures will be required for any activities that have the potential for excessive noise and activities that involve sound amplification equipment.
- 3.19(a)** Any noise of exterior or interior origin that creates or causes an unreasonable or offensive noise level inside the room or living quarters of the Complainant, any SMU classroom, office, or library building is prohibited at all times.
  - 3.19(b)** Any noise level that creates or causes an unreasonable or offensive noise level, given the time of day on the property line at the source of the noise, is prohibited. Those producing such unreasonable or offensive noise can be required to cease.
  - 3.19(c)** Exceptions must be approved by the Director of Student Activities. However, under no circumstances may the decibel level exceed that permitted under University Park ordinances.
- 3.20 NOTICE OF NONDISCRIMINATION** Southern Methodist University does not discriminate on the basis of race, color, national origin, sex, veteran status, religion, age, or disability. SMU's commitment to equal opportunity includes non-discrimination on the basis of sexual orientation. The director of affirmative action has been designated to handle inquiries regarding the non-discrimination policies.
- 3.21 OFFICIAL NOTICES**
- 3.21(a)** Students shall respond immediately to any reasonable request from any University official, who properly identifies himself/herself as such.
  - 3.21(b)** When asked for their ID cards, students are required to surrender their student ID card and to comply with the request of the officer, administrator, staff, or faculty member.
  - 3.21(c)** If, after responding, a student feels that the authority made an unfair request, he/she may submit a formal complaint to the Student Senate Student Issues Committee and/or the Dean of Student Life.
  - 3.21(d)** Students shall respond promptly to all correspondence from the University and its officials. All correspondence is sent to the address the student has provided the University Registrar. The University will consider notice served if delivered to the address provided the Registrar. Students have a responsibility to maintain a current address on file with the Registrar's Office at all times.
- 3.22 PROTESTS AND DEMONSTRATIONS**
- 3.22(a)** Peaceful demonstrations may take place on campus provided that:
    - 3.22(a)(1)** a permit is obtained from the Director of Student Activities three (3) days prior to the demonstration to ensure the rights and safety of all involved. The Director of Student Activities has the authority to grant a permit in less than three (3) days if all processes related to issuing the permit are completed and approved;
    - 3.22(a)(2)** the normal function of the University is not disrupted;
    - 3.22(a)(3)** respect for the rights of others is maintained.
  - 3.22(b)** Visitors to the SMU campus who are not on official business must be a guest of a University student, faculty member, or staff member, and normally will be welcomed; however, non-SMU personnel must abide by all University and civil regulations. The University reserves the right to order from the campus any non-University protesters disrupting the campus.
- 3.23 RESIDENCE HALLS** Policies pertaining to residence halls may be found in the Community Standards and Student Conduct in Residence Halls, published by the Office of Residence Life and Student Housing and the Residence Hall Association. Recommendations for revisions to these policies may be made to the Residence Hall Association.

**3.24 SALES, DISTRIBUTIONS, AND SOLICITATION** Solicitation of off-campus donors or sponsors, including solicitation of goods and merchandise, must be approved by and coordinated with the Vice President for Development and External Affairs, the Vice President for Business and Finance, and the Vice President for Student Affairs.

**3.24(a) SALES PROJECTS AND SOLICITATIONS** Any solicitation, sale, or offer of any products, goods, food, beverages, or service on campus is subject to prior authorization from the Director of Student Activities or his/her designee, and must be conducted in accordance with regulations established by the staff operating the facility in which the activity takes place. For purposes of regulation, distinction is made between “commercial” and “noncommercial” activities. Commercial activity is defined as any sale or offer of sale for the purpose of securing a profit for the benefit of an individual or group. Such activities will generally be prohibited unless the University does not offer the service or goods and/or it is determined that the activity is necessary to the educational mission of the University. Noncommercial activity is defined as any sale or offer of sale for the purpose of securing a profit for the benefit of any nonprofit organization. (Fund-raising activities of campus organizations are treated as noncommercial activities.) If any portion of the proceeds from such sales is used to the benefit of any individual making or soliciting the sale, the activity can be treated as a commercial activity.

**3.24(a)(1)** Any individual or agency wishing to sell on the SMU campus must be sponsored by a University department or chartered student organization.

**3.24(a)(2)** Any items that are illegal may not be sold.

**3.24(a)(3)** Organizations must request permission to conduct sales through the Director of Student Activities or his/her designee. Request forms may be obtained in the Student Activity Center and must be returned at least 14 days prior to the requested date of the sale. Sales will be governed by the policies of the relevant facility in addition to overall University policies.

**3.24(b) SOLICITATION OF GREEK HOUSES** Vendors are not allowed to make direct contact with the Greek houses.

**3.24(c) SOLICITATION IN RESIDENCE HALLS** No solicitation is allowed in the residence halls. Under some circumstances, exceptions may be made by the Office of Residence Life and Student Housing and the University Residence Hall Association. (See Community Standards and Student Conduct in the Residence Halls.)

**3.24(d) SALES IN OTHER CAMPUS FACILITIES**

**3.24(d)(1)** Sales of goods and services in all academic buildings is prohibited.

**3.24(d)(2)** Sales in other campus facilities, as with all sales, must have the consent of the Director of Student Activities or his/her designee and are governed by the policies established for the area of campus in which the sale will be conducted, and by the nature of the sale.

**3.24(d)(3)** Sales on the streets and grounds are approved through the Office of Student Activities and are governed by the policies established for use of campus grounds.

### **3.24(e) DISTRIBUTION OF WRITTEN MATERIAL**

- 3.24(e)(1)** Any individual or agency wishing to distribute written material on the SMU campus must be sponsored by a University department or a campus organization.
- 3.24(e)(2)** Any illegal items may not be distributed.
- 3.24(e)(3)** Items to be distributed must be approved by the Director of Student Activities or his/her designee.
- 3.24(e)(4)** Distribution shall be orderly and not interfere with the rights of students or other members of the University community and must be conducted by members of the sponsoring organization. Distributors must supply a trash receptacle at the site of distribution and are responsible for all distributed material discarded on campus grounds.
- 3.24(e)(5)** Distribution in the Student Center may be done only from a reserved area. Reservations must be made through the Student Center reservations office.
- 3.24(e)(6)** Distribution in residence halls must have prior approval by the Office of Residence Life and Student Housing. (See Community Standards and Student Conduct in the Residence Halls.)

### **3.24(f) COLLECTIONS AND DONATIONS**

- 3.24(f)(1)** Two annual solicitations for charitable purposes have been approved by the University: The United Way and the Annual Fund.
- 3.24(f)(2)** No other collection or solicitations of donations are permitted without approval from the Director of Student Activities for chartered student organizations and the Vice President for Development and External Affairs, the Vice President for Business and Finance, and the Vice President for Student Affairs for nonstudent, off-campus requests.

- 3.24(g) SURVEYS** Groups wishing to survey members of the SMU community must be sponsored by a chartered student organization or University department. An outline of the way in which the results will be used and a copy of the actual survey must be approved by the Office of Student Activities.

### **3.25 SEXUAL MISCONDUCT AND SEXUAL ASSAULT**

- 3.25(a)** Sexual misconduct includes:

- 3.25(a)(1)** intentionally or knowingly touching or attempting to touch another person's intimate parts, including but not limited to, the genitalia, groin, breast, or buttocks, or the clothing covering them, without the other person's consent;
- 3.25(a)(2)** intentionally or knowingly causing or attempting to cause another to touch a person's intimate parts without the consent of the person who does the touching;
- 3.25(a)(3)** sexual assault is the engaging in sexual intercourse, sodomy, or oral copulation with another, or the penetration (however slight) of another person's anal or genital opening with any object, without the other person's consent, or any attempt to do so.

- 3.25(c)** Consent means knowing and voluntary assent in fact, whether express or implied.

- 3.25(d)** An accused may be found to have committed the offense of sexual misconduct or sexual assault only if the other person did not consent to the sexual conduct and the accused either knew or was aware of a risk that the other person had not consented.

- 3.25(e)** In determining whether a person consented to the sexual touching or other conduct by the accused, the following factors may be taken into consideration as well as other factors relevant to the case:
- 3.25(e)(1)** whether the person was physically or mentally impaired;
  - 3.25(e)(2)** whether the person was unaware that the sexual conduct was occurring;
  - 3.25(e)(3)** whether the person's power to appraise or control his or her conduct or to consent was substantially impaired for any reason, including but not limited to, the ingestion of drugs or alcohol; or,
  - 3.25(e)(4)** whether the person by word or conduct attempted to resist the accused.
- 3.25(f)** In determining whether the accused was aware of a risk that the other person was not consenting, the accused's subjective awareness of the following may be considered as well as other factors relevant to the case:
- 3.25(f)(1)** that the other person might have been physically or mentally impaired;
  - 3.25(f)(2)** that the other person might have been unaware that the sexual contact was occurring;
  - 3.25(f)(3)** that the other person's power to appraise or control his or her conduct or ability to consent might have been substantially impaired for any reason, including, but not limited to, the ingestion of drugs or alcohol; or
  - 3.25(f)(4)** that the other person had by word or conduct attempted to resist the accused.
- 3.25(g)** If the accused's failure to be aware of a risk that the other person was not consenting resulted from the accused's voluntary and knowing ingestion of any substances, such as drugs, medicine, or alcohol, the accused's failure to perceive the risk is not a defense to a charge of sexual misconduct or assault.

### **3.26 SIGNS AND POSTERS**

- 3.26(a)** All posters and signs must bear the name of the sponsoring individual, organization, or department. The approval process for each facility must be followed before hanging any signs or posters. Specific guidelines for each facility may be found in the Student Organization Manual which is published by the Student Organization Committee of the Student Senate.
- 3.26(b)** No more than one copy of the sign or poster may be placed on each bulletin board or in each specified place.

**3.27 SMOKING RESTRICTIONS ON CAMPUS** All areas in University buildings, including residence halls and greek houses are smoke-free.

**3.28 SPEAKER'S POLICY** Any member of the student body, or any individual who is sponsored by a chartered student organization, may address any group on campus, subject only to reasonable regulations for time, place, and manner. These regulations are not imposed to prohibit any speaker except in the rare circumstances when it is shown that the speaker constitutes a clear and present danger of disruption or violence. This determination is to be made by the person charged with the duty of approving the use of the location of the activity. Any questions should be presented to the Director of Student Activities. Organizations having speakers for regularly scheduled meetings are not required to make special arrangements beyond the normal scheduling of the use of the facility.

**3.29 STUDENT ORGANIZATIONS** The Student Senate has the authority to grant and review the charters of all student organizations and to establish policies that govern student organizations. Individual students and student organizations are expected to abide by the policies which may be found in the Student Organizations Manual, published by the Student Senate Organizations Committee, available in the Student Activities Center. The Organizations Committee will review these policies and recommend changes to the Student Senate.

### **3.30 WEAPONS**

**3.30(a)** Students are prohibited from the use and possession of dangerous weapons or facsimiles of dangerous weapons on University property. Concealed handguns and/or other weapons covered under the Texas firearms statute which took effect on January 1, 1996, are not permitted on campus. Self-defense sprays legally sold over the counter for personal defense are permitted on campus.

**3.30(b)** Student-owned sporting firearms or other weapons (including all BB and pellet guns) must be registered and stored through arrangements with the SMU Police Department.

**3.30(c)** If weapons or reasonable facsimile of weapons are used, pursuit and attack games including, but not limited to, Gotcha, Assassin, war games, and Dungeons & Dragons are not permitted on campus.

## **4.0 POLICIES PERTAINING TO CAMPUS ORGANIZATIONS**

**4.1 GENERAL DESCRIPTION** Campus organizations are formed to further the common interest of the members of the group and the SMU community. The work of campus organizations is an essential part of the learning environment at SMU. Open to all students and facilitated through faculty and staff resource persons, these organizations develop many opportunities for experiential learning that supplements and reinforces the classroom activities for students. There are two types of organizations at SMU, listed and chartered. Neither listed nor chartered organizations nor their members are authorized to act or make statements on behalf of the University, the SMU Students' Association, or the Student Senate.

**4.2 LISTED ORGANIZATIONS** Any campus organization may gain listed status by contacting the Office of Student Activities and identifying a contact person for the group. The purpose of this status is to identify all groups that are functioning on campus and to centralize information and resources related to campus groups. The process of becoming listed is simply to notify the Office of Student Activities as to the contact person for the organization.

### **4.2(a) PRIVILEGES OF LISTED ORGANIZATIONS:**

**4.2(a)(1)** Be included on the Student Activity Center's directory of organizations for referrals to interested individuals.

**4.2(a)(2)** Can apply for mailbox in the Student Activity Center. Space will be assigned when available.

### **4.2(b) RESPONSIBILITIES OF LISTED ORGANIZATIONS:**

**4.2(b)(1)** Inform the director of student activities as to changes in the group's leadership, contact person, or status. A group that is inactive for two consecutive semesters will lose listed status. Inactive is defined as failure to update the contact information on an annual basis.

**4.2(b)(2)** If receiving student activity fees, must maintain records and administer fees in accordance with guidelines approved by the Appropriations Committee and the Student Senate.

**4.2(b)(3)** Any contract that is to be entered into by an organization authorized to spend University funds, including student activity fees, must be reviewed by the Office of Vice President for Legal Affairs and signed by the Vice President for Student Affairs or any other office of the University authorized to sign contracts on behalf of the University. Contracts to be signed for an event sponsored by the organization must be sent to the Vice President for Legal Affairs at least thirty (30) days prior to the date of the event.

**4.2(b)(4)** Neither the Students' Association, the Student Senate, nor the University is liable for the debts incurred by a listed organization.

**4.2(b)(5)** All equipment purchased with Students' Association funds is the property of the Students' Association upon request.

**4.3 CHARTERED ORGANIZATIONS** Chartered status is for student organizations that want privileges other than those associated with listed status. A request for chartered status of a new organization may be made to the Student Senate Organizations Committee once during an academic year. This request can be made at any time during the fall and spring semesters. The Student Senate has the authority to deny or remove chartered status from any organization not in compliance with one or more of the stated privileges and responsibilities or any other rule set forth in this Code or established by the University. If chartered status is ever removed from an organization through action of the Senate or the organization, all privileges granted to the chartered organization are forfeited. Following removal of chartered status, however, such reapplication is subject to all procedures outlined for new groups requesting chartered status.

**4.3(a) PROCESS OF CHARTERING A NEW STUDENT ORGANIZATION:**

**4.3(a)(1)** An application for chartered status and Constitution and/or Bylaws of the organization must be filed with the Student Senate Organizations Committee.

**4.3(a)(2)** The organization must be in compliance with "Responsibilities of Chartered Organizations" (See Section 4.3(c)(1-13)) at the time of application.

**4.3(a)(3)** A representative from the organization must schedule and attend an interview with the Senate Organizations Committee.

**4.3(a)(4)** At the next regularly scheduled senate meeting following the Organizations Committee interview, the Organizations Committee will present to the Student Senate a written report on the organization seeking to become chartered. The Senate will vote on chartered status at the next meeting.

**4.3(a)(5)** Organizations wishing to request money during the fall or spring appropriations process must be chartered prior to the stated application deadline.

**4.3(b) PRIVILEGES OF CHARTERED ORGANIZATIONS:**

**4.3(b)(1)** May include "SMU" or "Southern Methodist University" as part of the name of the organization; however, the organization may not under any circumstances use the name "SMU" or "Southern Methodist University" in such a way as to represent to others that the organization is authorized to act on behalf of the University (e.g., when negotiating or signing contracts).

**4.3(b)(2)** May petition for office space in the Student Center through the Student Center Governing Board.

- 4.3(b)(3) Will be assigned a mailbox in the Student Activity Center through which all official communication with the organization will be conducted.
- 4.3(b)(4) Will be assigned an affiliate senator from SMU's Student Senate.
- 4.3(b)(5) Only chartered organizations may use an on-line student survey for the campus community. The chartered organization must first receive approval from the Student Senate in conjunction with the Webmaster. Specific guidelines regarding on-line surveys may be found in the Student Organizations Manual which is published by the Student Organizations Committee of the Student Senate.

**4.3(c) RESPONSIBILITIES OF CHARTERED ORGANIZATIONS:**

- 4.3(c)(1) The purpose of the organization must be consistent with the goals and philosophies of Southern Methodist University.
- 4.3(c)(2) Membership must be open to all members of the SMU student body without respect to sex, sexual orientation, race, creed, disability, age, or national origin. This applies to all groups with the exception of those organizations specifically exempted in Title IX of the Educational Amendments of 1972. Organizations may establish additional membership and academic eligibility for their organizations.
- 4.3(c)(3) The majority of members must be SMU students. (Majority is defined as 50 percent plus one.)
- 4.3(c)(4) All persons holding office must be currently enrolled full-time students and may not be on academic probation. Each organization is expected to include within its Constitution and/or Bylaws additional academic requirements it feels are appropriate to hold office.
- 4.3(c)(5) Every chartered organization must have an SMU faculty or staff member serving as adviser. The adviser does not have the authority to control the policy or funds of the organization.
- 4.3(c)(6) The organization's current Constitution and/or Bylaws must be on file with the Director of Student Activities.
- 4.3(c)(7) Religious organizations wishing to be chartered must have a written recommendation from the Campus Ministry Council (CMC) before appearing before the Organizations Committee. Generally, CMC convenes only one meeting per month. In order to be chartered, new religious organizations must be willing to participate as a member of the CMC. (Participation is defined as attending monthly CMC meetings.)
- 4.3(c)(8) Social Greek Letter Organizations wishing to be chartered must have a written recommendation from the Greek Presidents' Council before appearing before the Organizations Committee. Generally, the Greek Presidents' Council convenes once a month. To be chartered, new Social Greek Letter Organizations that are not recognized by either the Interfraternity Council, National Pan-Hellenic Council, Panhellenic Council, or Multi-Cultural Greek Council must be willing to send one representative to Greek Presidents' Council meetings.
- 4.3(c)(9) Groups designated as sports clubs must have waivers of liability for all members on file with the Assistant Director of Recreational Sports before participating in any activity of the group. Due to the unique nature and activity of sports clubs, additional requirements may be imposed before the University will sanction their activities.

- 4.3(c)(10)** Membership must adhere to the Constitution, Bylaws, and Statement of Purpose of the organization. Policies of a chartered organization must be in accordance with the Student Code and are subject to review by the Student Senate. Changes made in the Constitution, Bylaws, or Statement of Purpose of the organization must be submitted within two weeks to the Organizations Committee for approval by the senate.
- 4.3(c)(11)** The organization must be represented at the mandatory organizations meeting each fall and spring semester.
- 4.3(c)(12)** To continue to receive any privileges once chartered, an organization must have its current leadership roster on file with the Director of Student Activities. This is done by submitting an Officer Update Form each semester with the Senate Organizations Committee within two weeks of changes in officers and/or adviser.
- 4.3(c)(12)(i)** For the fall semester, if a chartered student organization fails to attend the mandatory organizations meeting and fails to contact the SMU Student Senate Organizations Chair or director of student activities within four weeks following the mandatory organizations meeting, the organization will, at that time, forfeit chartered status until contact has been made. The status of the organization will be reduced to listed and all appropriated funds for the academic year will be returned to the Students' Association.
- 4.3(c)(12)(ii)** For the spring semester, if a chartered student organization fails to attend the mandatory organizations meeting and fails to contact the SMU Student Senate Organizations Chair or Director of Student Activities by their respective budget interview, the organization will, at that time, forfeit chartered status until contact has been made. The status of the organization will be reduced to listed and their budget request will not be accepted. All remaining appropriated funds for the academic year will be returned to the Students' Association. If a chartered student organization not seeking appropriated funds fails to attend the mandatory organizations meeting and fails to contact the SMU Student Organizations Chair or Director of Student Activities within four weeks following the mandatory organizations meeting, the organization will, at that time, forfeit chartered status until contact has been made. The status of the organization will be reduced to "listed" and any remaining appropriated funds for the academic year will be returned to the Students' Association.
- 4.3(c)(13)** All funds of the organization must be administered in accordance with the guidelines set by the Student Senate. Organizations not receiving student activity fees are not required to maintain funds in a Student Association account; however, organizational financial records are subject to review by the Students' Association Comptroller upon

request. Organizations receiving student activity fees must meet the following guidelines:

- 4.3(c)(13)(i)** All funds must be held in a Students' Association account and administered by the Students' Association comptroller.
- 4.3(c)(13)(ii)** All appropriated student activity fee monies not encumbered at the end of the fiscal year shall revert to the Students' Association.
- 4.3(c)(13)(iii)** All revenue generated by the organization shall be kept in an interest-bearing Students' Association checking account and shall be retained by the organization at the end of the fiscal year.
- 4.3(c)(13)(iv)** If a chartered organization disbands, all assets of the organization will revert to the Students' Association.
- 4.3(c)(13)(v)** Neither the Students' Association, the Student Senate, nor the University is liable for the debts incurred by a chartered organization.
- 4.3(c)(13)(vi)** All equipment purchased with Students' Association funds is the property of the Students' Association. It is subject to inventory and must be surrendered to the Students' Association upon request.

**4.3(c)(14)** Any contract that is to be entered by an organization authorized to spend University funds, including student activity fees, must be reviewed by the Office of Vice President for Legal Affairs and signed by the Vice President for Student Affairs or any other officer of the University authorized to sign contracts on behalf of the University. Contracts to be signed for an event sponsored by the organization must be sent to the Vice President for Legal Affairs at least thirty (30) days prior to the date of the event.

**4.4 STUDENT ACTIVITY FEE ALLOCATION** Student activity fees are to be used to support programs and services for the benefit of the SMU student body. Student activity fees may be applied for through the Senate Appropriations Committee for review and recommendation to the Student Senate. To be eligible to apply for funds, one must be a chartered student organization or, for nonstudent organizations, be sponsored by an SMU academic or administrative department and be determined by the Vice President for Student Affairs to have a "legitimate relationship" with the University. This legitimate relationship exists when the requesting organization has, in the opinion of the Vice President for Student Affairs, a sufficiently similar academic or programmatic purpose as the sponsoring academic or administrative department. Funds allocated through this process are subject to guidelines approved by the Student Senate. These include, but are not limited to, accounting for all expenditures through documentation filed with the Students' Association comptroller before the end of the fiscal year.

#### **4.5 PROCESS FOR REQUESTING AND ADMINISTERING FUNDS**

##### **4.5(a) CHARTERED ORGANIZATIONS:**

**4.5(a)(1)** Chartered organizations may submit a budget application within the time line and guidelines established by the Senate Appropriations Committee. Chartered organizations receiving student activity fees must have all organizational funds deposited in a Students' Association account and administered by the Students' Association comptroller.

**4.5(a)(2)** Funds allocated through the appropriations process are governed by policies that restrict the use of those funds. Groups are expected to spend their appropriated funds in accordance with the way in which the funds were allocated. All expenditures must be credited to the line item designated for that type of expenditure. Groups will not be allowed to transfer money allocated in one line item to cover expenditures incurred in another line item without specific approval by the Student Senate. Groups found to be using appropriated funds for expenditures not specifically approved in their budget will be subject to disciplinary action and will jeopardize their funding in the future.

**4.5(b) NONCHARTERED INDIVIDUALS AND GROUPS:**

**4.5(b)(1)** Individuals or groups that are not chartered and have been cleared through the Office for the Vice President of Student Affairs may request funding from the Student Senate provided they receive approval to apply for funding from the Senate Appropriations Committee. This application to request funds will include the justification for why the request should be considered and outline the proposed method for administering the funds. If the application to request funds is accepted, the group or individual may submit a budget application within the time line and procedures established by the Student Senate. Allocations to individuals and nonchartered groups will be subject to guidelines approved by the Student Senate.

**4.5(b)(2)** All student activity fees must be held in a Students' Association account. If a nonchartered group wishes to administer its appropriated funds in a manner other than through the Students' Association, it must submit a proposal outlining how the funds will be administered. If the request is granted, the organization will be responsible for accounting for all expenditures of funds and providing the Students' Association Comptroller with documentation on all financial transactions at the end of the fiscal year. Nonchartered groups are expected to spend their funds in accordance with the way the funds were allocated during the budget process. Any deviation from the approved budget requires approval from the Student Senate.

**5.0 SOCIAL FRATERNITIES AND SORORITIES**

**5.1 GENERAL DESCRIPTION** Fraternities and sororities derive their recognition through their invitation from the University President to establish a chapter on the SMU campus. It is the continuation of that invitation that legitimizes their existence at SMU, which enables them to utilize University property to house their members, and enables the University to establish rules and regulations to govern that housing. In addition, fraternities and sororities draw their rights and privileges from the Student Senate through the chartered status of the Interfraternity, the Panhellenic, and the Pan-Hellenic Councils. Specific regulations regarding rush and Greek system policies are established and supervised by those councils. These policies shall be in accordance with the policies of the Student Code as set forth by the Student Senate and the University. Questions regarding Greek system policies should be directed to the Interfraternity Council for men's groups or the Panhellenic Council for women's groups, and the Pan-Hellenic Council.

**5.2 RUSH** Rush is defined as any contact between Greek affiliated and nonaffiliated students, the intent of which is to pledge or solicit affiliation of the non-Greek student to a particular fraternity or sorority.

## **5.2(a) RUSH CONTACT**

**5.2(a)(1)** A rush function is defined as any contact, on or off campus, between nonaffiliated students and fraternity/sorority members for the purpose of exploring the possibility of membership in a Greek organization.

**5.2(a)(2)** The University allows contact between Greek affiliated and nonaffiliated students, but prohibits first-year student pledging during the student's first semester on campus.

**5.2(b) ELIGIBILITY FOR PLEDGING** Students interested in pledging a fraternity or sorority must have successfully completed at least 12 semester hours in residence at a college or university during their last semester enrolled in that college or university preceding the pledging period and must have a minimum 2.25 GPA for that previous semester and a cumulative 2.25 GPA at all colleges or universities previously attended at the time of beginning pledgship/new member education.

## **5.2(c) FORMAL AND OPEN RUSH**

**5.2(c)(1)** Formal rush will be held the week before classes of the spring semester.

**5.2(c)(2)** Structured open rush occurs for non-first-year students in the fall semester, usually in the first few weeks of September, and for all students in the first few weeks of the spring semester following the formal rush period. However, students who meet the eligibility requirements may pledge at any time at which an invitation for membership is extended by a group.

**5.2(c)(3)** Exceptions to the eligibility requirements for rush and pledging may be made to the Dean of Student Life through the Coordinator of Greek Affairs.

**5.3 EXPANSION OF THE GREEK SYSTEM** Procedure for expansion of the Greek system at SMU shall be specified in the Greek System Expansion Policy. Any questions regarding expansion should be directed to the Coordinator of Greek Affairs.

## **5.4 POLICIES PERTAINING TO GREEK HOUSING**

**5.4(a) ROOM AND BOARD PAYMENT** Any student signing a residence contract or a sub-lease to live in Greek housing understands and agrees that the student's University records, including diploma and transcript, and the right to be readmitted to SMU may be withheld if the student is in arrears in bed rent or board payment.

**5.4(b) ALCOHOL** See "Alcohol Policy," Section 3.1.

**5.4(c) BICYCLES AND MOTORCYCLES** Students may not keep bicycles, mopeds or motorcycles in their rooms or in the entrance areas or secured to railings at the entrance of buildings. Bicycle lockers are available during the year for rent on a first-come, first-served basis from the Office of Residence Life and Student Housing. Gasoline powered vehicles are not allowed in Greek houses at any time and must be parked at least 15 feet from the exterior of any building.

**5.4(d) PETS** See "Animals/Pets" Section 3.2.

**5.4(e) FIRE AND SAFETY REGULATIONS** Each housed chapter is required to have a fire safety inspection as scheduled by the University Park fire marshal and to conduct a fire drill within the first month of each semester coordinated with the SMU Police Department.

**5.4(f) VISITATION** Visitation hours are to be decided upon by each house. Cohabitation is not permitted in any of the Greek houses. Greek groups who are hosting guests or visitors for more than five (5) days should notify the coordinator of Greek affairs. Non-students may not live in Greek housing without the written consent of the University, requested through the Vice President for Student Affairs.

**“A child becomes an adult when he realizes that he has a right not only to be right but also to be wrong.”**

*THOMAS SZAZ*

# THE UNIVERSITY JUDICIAL CODE

## I. INTRODUCTION

Responsibility for student discipline is vested in the President by the Board of Trustees. To exercise this responsibility, the President established the University Judicial Council. Upon the recommendation of the University Judicial Council, the President has accepted the following document delineating the judicial system for students at SMU.

**A. PHILOSOPHY AND PURPOSE** A university is a complex institution. It is distinctive from anything else in society and therefore, the focus of its norms is distinctive. Further, a private university is an elite institution; admittance and attendance is a privilege granted on the assumption that the applicant who has voluntarily enrolled in the institution shares the university's values and goals and is committed to its purpose. If a student's values and goals are not consistent with those of the university, the privilege of attendance may be terminated.

The judiciary at SMU is a community judicial system established to provide a fair disciplinary procedure for an accused individual and the University and to help induce maturity and learning by erring students while enforcing the behavior requirements deemed necessary to an academic institution. It also exists to protect the balance between the rights of the accused and those of the university community as a whole.

Because of the nature of SMU, the emphasis is on learning and behavioral development. For the same reasons, the judiciary is not an adversarial system of antagonists striving to best one another. It is more in the nature of a community seeking to learn if error has occurred and, if so, deciding how best to act so that in the future there will be less error. Its watchwords are serious in purpose, considerate in process, appropriate in response.

**B. JUDICIAL CODE** Members of the University Judiciary pledge themselves to the following code:

To ensure that the policies of the University are maintained by conducting a fair hearing of violations of rules and policies of the University;

To provide an appropriate response and, as needed, penalize persons found responsible for violations of university regulations and policies;

To maintain an impartiality about the matter and/or person under consideration, and when unable to do so, readily withdraw from the consideration of that matter;

To act not as an advocate for the students nor for the University but to consider equally the needs of individual students, student groups, and the needs of the University community as a whole;

To maintain confidentiality of all details pertinent to a matter and of all actions related to a hearing and to refrain from comment on actions or persons involved in a judicial hearing;

To participate in training sessions and meetings;

To adhere to all provisions of the University Judicial Code.

Members charged in violation of the code or with a criminal offense may be suspended from the board by the University Judicial Council upon a recommendation of the Office of the Dean of Student Life. Members who may have been approached by persons in an attempt to influence a judicial decision

shall report such activity to the chair of the University Judicial Council and the Office of the Dean of Student Life.

Board members who find they are unable to meet the requirements of the judicial system shall inform the Office of the Dean of Student Life and submit a letter of resignation to the University Judicial Council.

## II. OUTLINE OF THE JUDICIAL SYSTEM

This outline provides a basic overview of the judicial system and a quick guide to the responsibility of the various parts. For an accurate understanding of any part of the system, one must review the pertinent detailed text in the rest of this section. The majority representation on all boards are students.

### A. THE ORGANIZATION AND RESPONSIBILITIES OF THE JUDICIARY

1. **DELEGATION OF AUTHORITY** The Vice President for Student Affairs may delegate any part or all of his/her authority from time to time, to any person or several persons, wherever in these procedures the Vice President for Student Affairs is designated by the University Judicial Council. This person or persons is referred to as a University judicial officer.
2. **ADMINISTRATIVE HEARINGS** All offenses are eligible for resolution through an administrative hearing. These hearings are held between a University judicial officer and the accused student. The decision to allow an administrative hearing rests with the discretion of the judicial hearing officer.
3. **UNIVERSITY HEARING BOARDS** Hearing boards are composed of three students, one faculty member, and one staff member. Serious offense hearing boards will have a law school faculty member serve as chair. Any case that may result in a sanction of disciplinary probation or greater may be assigned to a hearing board. The University Judicial Council shall appoint a minimum of nine students for the University hearing boards. A minimum of three students shall be designated as chairpersons. The University Judicial Council also shall appoint a minimum of three faculty members and three staff members to serve on the hearing boards. All hearing board members will be appointed to serve on a hearing board on a rotational basis, whenever possible. Every attempt will be made to ensure that board members reflect the full diversity of the University. Board members will receive training in, but not limited to, judicial policies and procedures, hearing board members' responsibilities and ethical considerations, questioning techniques, and other relevant information as determined by the Office of the Dean of Student Life.
4. **THE TRAFFIC APPEALS BOARD** The President will name the chairperson and the University Judicial Council will appoint, in consultation with the chairperson, four faculty, four students, and one staff to serve each year. A hearing may be held by any three of the members if both faculty and students are represented. This board will hear cases appealing citations of the traffic and safety office for registered vehicles only. This is the board for final appeal for traffic citations. Appeals of Traffic Appeals Board decisions to the University Judicial Council are limited to questions of procedure or policy of the Traffic Appeals Board. Questions of fact concerning the citation itself are resolved by the Traffic Appeals Board and are not subject to further appeal.
6. **GRADUATE HEARING BOARDS** The School of Law and the School of Engineering and Applied Science shall each appoint every year, as may be necessary and appropriate, hearing boards composed of staff, faculty and graduate students to hear cases involving graduate students enrolled in their respective graduate schools. All charges against graduate students not enrolled in the School of Law or the School of Engineering and Applied Science will be heard through normal judiciary channels. The rosters of the persons appointed to

these boards shall be sent to the University Judicial Council during the first month of the academic year. As with all other hearing boards, the result of a graduate hearing board may be appealed to the University Judicial Council.

7. **ALTERNATE DISPUTE RESOLUTION** Before assignment of a case, a judicial officer may recommend Alternate Dispute Resolution (ADR). Alternate Dispute Resolution is available to mediate cases between disputants when both parties and the University are in agreement that this procedure be used. For more information on ADR, contact the Office of the Dean of Student Life.

**B. THE UNIVERSITY JUDICIAL COUNCIL (UJC)** The University Judicial Council (UJC), as the basic unit responsible for judicial action in response to student disciplinary problems, is accountable to the President of the University. The UJC shall be composed of two staff, two faculty (of whom at least one shall be from the SMU School of Law), three students (ideally two undergraduates and one graduate student), and two student alternates. Student alternates may participate in all regularly scheduled meetings but do not have voting rights as a member of an appellate hearing board unless as a designated substitute for one of the three student members who is unable to serve. The chairperson of the University Judicial Council shall be elected by the members of the UJC from the faculty and staff members. A vice chairperson of the University Judicial Council shall also be elected by the UJC.

1. **SELECTION OF STUDENT MEMBERS** Selection of student members shall be accomplished in the spring of the year and their appointment shall be for the succeeding academic year. Student members may, with agreement of the other council members, be appointed to succeed themselves. Students shall be limited to three consecutive one-year terms. Student members may not simultaneously serve on any other judicial body or in student government as an officer or student senator. The Office of the Dean of Student Life will initiate contact with the Student Senate concerning student members. The senate may nominate up to five candidates to be interviewed by the University Judicial Council. The University Judicial Council may also nominate up to five candidates. The University Judicial Council and two representatives from the Student Senate may interview all candidates and send its recommendations to the President of the University. The President will appoint the student members.
2. **SELECTION OF FACULTY MEMBERS** The Office of the Dean of Student Life will initiate contact with the Faculty Senate concerning faculty members. The Faculty Senate may nominate three candidates. The University Judicial Council also may nominate candidates. The University Judicial Council and two members of the Faculty Senate may interview all candidates and send recommendations to the President of the University. The President will appoint the faculty members. Faculty appointments are for three years and shall be staggered so those members are being appointed in different years.
3. **SELECTION OF STAFF MEMBERS** The Office of the Dean of Student Life will initiate contact with the Vice President for Student Affairs concerning staff members. The vice President will nominate three candidates to be interviewed. The council will send its recommendations, including the nominations from the Vice President for Student Affairs, to the President of the University. The President will appoint the staff members. Staff appointments are for three years and shall be staggered so that members are being appointed in different years. Replacement of members leaving early will be for the balance of the term. Faculty and staff appointments may serve for more than one three-year term. Terms may not be consecutive, however, exceptions to the above may be granted by the President of the University.

### **C. RESPONSIBILITIES OF THE UNIVERSITY JUDICIAL COUNCIL**

- 1. ADMINISTRATIVE SUPERVISION OF THE JUDICIARY** It is responsible for the establishment and maintenance of the University Hearing Boards and the operating procedures of the judicial system. Decisions regarding the administration of the University Judicial System are made by a majority of members present at UJC meetings.
- 2. APPELLATE BOARD** The members of such an appellate board are drawn from the University Judicial Council. The University Judicial Council serves as a board of final appeal for appeals originating from University Hearing Boards and Administrative Hearings.
- 3. STUDENT BODY CONSTITUTION** Constitutional questions concerning the student government may be resolved by the University Judicial Council. Such questions must be brought as a written petition to the council for consideration. If the University Judicial Council agrees to hear the question, it will meet as an appellate board at which both sides will be represented and a binding decision will be rendered. The University Judicial Council may allow oral presentations concerning constitutional questions. Petitions for such a hearing may originate from any Student Body Officer or Student Senator. Also, any student with the signatures and student identification numbers of five percent of the currently enrolled full-time and part-time students, may petition for a hearing. All such constitutional questions must first be submitted to the Executive Committee of the Student Senate, which will review the appeal or dispute as outlined in Article X of the Student Senate By-laws.
- 4. SPECIAL INVESTIGATIVE AUTHORITY** The University Judicial Council has the power to name a Special Investigative Committee in cases in which an alleged offense presents a highly volatile context: e.g., group tensions, sexual discrimination, or an interracial situation. The powers of the Special Investigative Committee shall be defined at the time of its appointment by the University Judicial Council. Both the students who bring a charge and those accused shall submit to the Vice President for Student Affairs names of two persons within the SMU community, who are not involved in the incident, to serve on the Special Investigative Committee. The Office of the Vice President for Student Affairs shall appoint a fifth member to the committee and shall select one of the five as chairperson. The Special Investigative Committee will act in an advisory capacity to the appropriate judiciary hearing body to which the case is assigned. Any of the parties involved may petition the University Judicial Council for the establishment of a Special Investigative Committee and the UJC shall determine whether such a committee is necessary.

### **III. BASIC PROCEDURES**

- A. INTERVIEWING/INVESTIGATION** A written formal complaint may be filed with the University through the Office of the Dean of Student Life. Nonetheless the University, at its discretion, may proceed with the student judicial process as outlined herein without formal written complaint. A University judicial officer will investigate alleged violations of the Student Code of Conduct, whether they occur on or off campus, and/or violations of the Community Standards and Student Conduct policies of the Office of Residence Life and Student Housing and interview participants/witnesses as necessary. Such investigation may include consultation with the Department of Public Safety. The accused student has the

right to remain silent and to make a statement regarding his/her reasons for choosing to remain silent. Failure to cooperate with the investigation (e.g. failure to meet and/or speak with a University judicial officer) will require the judicial officer to make a decision on the assignment of the case without the benefit of the accused student's testimony. A student who refuses to schedule or keep an appointment with a University judicial officer may be charged with a violation of Section 3. 19, Official Notice, of the Student Code of Conduct.

- B. ACTION PENDING A JUDICIAL HEARING** If a student's behavior presents an on-going threat of disruption to the community or is a danger to the safety of the student or others, a University judicial officer may impose such sanctions as s/ he deems appropriate pending a judicial hearing.
- C. ASSIGNMENT OF CASE** If a University judicial officer determines that a rule may have been violated, and the student does not accept responsibility for the violation, the University judicial officer shall assign the case to either the University Hearing Board or an Administrative Hearing. As a general policy, cases assigned to a University Hearing Board should satisfy one or more of the following criteria: (1) the alleged offense could result in disciplinary probation or a more serious penalty, (2) the alleged offense has resulted in a substantial interference with the proceedings of the University, (3) the offenses are repeated, or (4) the alleged offense caused an unacceptable infringement upon the personal or property rights of others. The University reserves the right to consider all violations of its student code in its judiciary as well as referring them to off-campus authorities. The University recognizes that some violations may be handled concurrently by the University and the criminal court system, including, but not limited to, felonies and misdemeanors. The University Judicial System is separate and distinct from the criminal court system; it only determines violations of its student code and imposes sanctions within the University community. As such, a concurrent action by both systems does not constitute double jeopardy. These criteria serve as guidelines, and the judgment of the Vice President for Student Affairs is the final determinant as to the University's response to any student behavior. Cases of academic dishonesty and traffic citations are assigned to their respective boards of jurisdiction.
- D. ADMINISTRATIVE HEARINGS** A University judicial officer may choose to hold an "administrative hearing" in lieu of a board hearing at any time. The accused student also may request an administrative hearing. Decisions reached in administrative hearings may be appealed in the same manner as University hearing board decisions.
- E. NOTICE OF VIOLATION** Every effort will be made to comply with the time requirements outlined herein. However, the University community recognizes that due to time constraints within the academic calendar, this may not always be possible. A University judicial officer shall give notice in writing to the student of the complaint against the student. Such notice shall include: a short, concise statement of the conduct alleged to have been in violation of the regulations including the time, place, and date of the occurrence(s), and a reference to those sections of the Student Code of Conduct which set forth the regulation the accused is alleged to have violated; the time and place of hearing; and the particular hearing process to which the case is assigned. Notice shall be given to the student a minimum of 72 hours prior to the hearing. This delay may be waived by the mutual agreement of the accused and a University judicial officer. The hearing will be held even if the accused student fails to attend.

- F. EXCHANGE OF WITNESS LIST** A minimum of 72 hours prior to the hearing, the accused will be given a list of those witnesses whose testimony will be presented in person or by summation through a University judicial officer and a brief summary of the anticipated testimony. The accused shall present to a university judicial officer a list of witnesses (including a brief summary of the testimony that it is anticipated they will give) and a copy of all documents to be submitted to the board a minimum of 48 hours prior to the hearing. However, additional witnesses may be called at the discretion of the hearing board. The University will attempt to notify all witnesses, in writing, of the time, place, and date of the hearing and shall notify members of the student community that failure to appear as a witness may result in a charge against them of “Failure to Comply.” (See Section 3.11 of the Student Code of Conduct section.)

#### **IV. CONDUCT OF THE HEARING**

- A. UNIVERSITY HEARING BOARD PANELS** Whenever possible, members from the University Hearing Board pool will be selected to serve as hearing board members on a rotational basis. The complainant and the accused may challenge any member of the hearing board on grounds of bias. The board may remove a board member by majority vote (excluding the member being challenged) during a closed session. If a member is excluded, an alternate member of the University Hearing Board pool will be selected.
- B. QUORUM - UNIVERSITY HEARING BOARD** At least four members of the hearing board shall be present throughout the hearing. If less than the required number are present at the opening of the hearing, the hearing shall be postponed until four members can be convened. These requirements may be waived upon agreement of all parties. Once the hearing has commenced, if a hearing board member should need to withdraw for a period of no less than 30 days, the hearing shall recess until all members can be present. Once the hearing has commenced, if a hearing board member should need to withdraw for a period of more than 30 days or permanently, the accused may request that the hearing continue with the remaining hearing board members if the complainant agrees. Otherwise, a new hearing will be scheduled. All members may vote, and all determinations shall be by majority vote. A failure to vote shall be registered as a “not responsible” vote. For Serious Offense cases, the quorum is four board members, composed of students, faculty and staff.
- C. QUORUM - UNIVERSITY JUDICIAL COUNCIL APPELLATE BOARD** At least four members, including at least one student, one faculty member, and one staff member, shall be present throughout an Appellate Board Hearing. At least five members, including at least two faculty members, two students, and one staff member shall be present through an Honor Council Appeal (See The Honor Code of SMU, Article VI, Section 3).
- D. DISQUALIFICATION** Upon considering any challenges from the accused concerning his/her impartiality, any member of a hearing board may withdraw voluntarily. In such cases, the accused may waive the quorum and the hearing proceed. If the accused chooses not to waive the quorum, the next person in rotation shall serve on that board, and the hearing will be rescheduled.
- E. COMMENCEMENT** No hearing shall begin until at least 72 hours have elapsed from the day of service of notice to the accused. This period may be waived at the mutual agreement of the accused and a University judicial officer. Notice will have been considered served if it was mailed from the University post office in the Hughes-Trigg Student Center at least 96 hours before the day of the hearing to the student’s local address on file with the University registrar. Students are required to maintain a current local address and telephone number with the University registrar

at all times. Notice sent to the local mailing or e-mail address on file with the University registrar will have been considered delivered as addressed. Such notice is not required to be sent certified or registered mail.

- F. DECORUM** The chairperson of a hearing board shall maintain order for the proper conduct of the hearing. When necessary, the chair may expel disruptive individuals or adjourn the hearing to a later time to assure the full development of the facts in a calm, deliberate setting.
- G. ATTENDANCE AT HEARINGS** All judicial hearings shall be closed and private. Only members of the hearing board, judicial members-in-training, the accused, University staff-in-training, a University judicial officer presenting the University's case, any University official called by a University judicial officer, the complainant presenting his/her testimony, the parents of the accused and the complainant, and one support person each may be admitted. The support person, if selected, must be a member of the University community. Parents and/or a community support person are for moral support of the accused and the complainant and may not participate in the hearing unless called upon as witnesses.
- H. SEPARATE HEARINGS** In hearings involving more than one accused student, a University judicial officer, at his or her discretion, may permit the hearings concerning each student to be conducted separately.
- I. UNIVERSITY HEARING BOARD PROCEDURES** The University hearing board will include, but are not limited, to the following procedures.
  - 1. The complainant and the accused may be present at the hearing, as well as his/her parents and one support member from the SMU community. The hearing shall be closed to all others, except that the President of the University will have the authority to permit attendance of one or more University observers at any time during the course of the hearing.
  - 2. The hearing chair shall conduct the hearing in a manner so as to bring forward all relevant evidence.
  - 3. Members of the hearing board, the complainant, and the accused may direct questions to and cross-examine witnesses. The chairperson of the hearing board, at his/her discretion may require that questions for cross-examination be submitted first to him/her who will then direct the question to the witness(es).
  - 4. Each party in the case will have the right to make an opening and closing statement. The complainant may give the first opening statement. The accused may give the last closing statement. The complainant and the accused may each include a statement of the impact of the alleged offense as part of a closing statement.
  - 5. Once the hearing has concluded, the hearing board will deliberate in closed session to reach a decision. The hearing board's decision will be presented in writing within three working days and will include findings of fact, responsibility or nonresponsibility. If there is a finding of responsibility, the hearing board will impose sanctions.
- J. REPRESENTATION BY AN ATTORNEY** Neither the accused nor the complainant may be represented by an attorney at any hearing.
- K. PRESENCE AT THE HEARING-CONFRONTATION OF WITNESSES** The complainant and the accused and a University judicial officer shall have the privilege of presenting witnesses, subject to the right of cross-examination. The chairperson of the hearing board, at his/her discretion, may require that questions for cross-examination be first submitted to him/her who will then direct the question to the witness(es).

- L. PRESENTATION AND RULES OF EVIDENCE** Ordinarily, the complainant shall proceed first with his/her case followed by the presentation of the accused. Pertinent records, exhibits, and written statements may be accepted as evidence for consideration by the hearing board at the discretion of the chairperson. Legal rules of evidence do not apply to hearings and a hearing board shall have full discretion with respect to admissibility of testimony and documents.
- M. BURDEN AND STANDARD OF PROOF** Upon a hearing of the charges, the Office of the Dean of Student Life has the burden of going forward with the evidence and the burden of proving the charges. The standard by which the charges must be proven is the greater weight of the credible evidence.
- N. EXTENSION OF TIME** The chairperson of the hearing board may, at his/her discretion, grant extensions of time, at any point in time, as may be reasonably necessary to permit the accused student sufficient time to prepare his/her defense. The chairperson may also in his/her discretion grant an extension of time to the complainant and accused student, at any moment in time, so that additional evidence may be made available to the hearing board. If after the hearing has commenced the hearing board discovers the need for more preparation or more time to hear testimony, the chairperson shall recess the hearing to a later time. The hearing board may then direct any further investigation for its proper disposition of the case. Inability to obtain witnesses shall not be justification for undue delay in commencing a hearing.
- O. PROCEDURAL ISSUES** The chairperson of the hearing board will exercise discretion to resolve any procedural issues raised.
- P. CHANGE IN ALLEGATIONS** Any change in the allegation against a student shall be regarded as a new complaint subject to the process for handling complaints in the first instance.
- Q. FINDINGS** The hearing board shall conduct its discussions in executive session and deliver its written findings to the Office of the Dean of Student Life which shall inform the accused and the complainant of the board's decision as soon as feasible. The hearing board's decision will be presented in writing and will include responsibility or nonresponsibility, and if the accused is found responsible, impose sanctions. If the accused is found not responsible, he/she may not be re-heard for the same incident at any future date.
- R. REPORTING OF PROCEEDINGS** Any publication from within the University (including *The Daily Campus* and other publications by students) related to a judicial hearing must abide by the following guidelines:
1. The privacy and confidentiality of all student records shall be preserved in accordance with the Family Education Rights and Privacy Act of 1974 as amended.
  2. Should the accused and/or responsible party (parties) make public statements or declarations regarding a hearing, this action may free the University to comment on any such statements and/or the matter being discussed.

**V. SERIOUS OFFENSES-STUDENT JUDICIAL PROCEDURES**

- A. ASSIGNMENT OF CASE** Incidents involving alleged conduct posing a threat of physical or serious psychological harm, including but not limited to sexual assault/misconduct cases are assigned to a University Hearing Board with the following additional procedures.

1. **PRELIMINARY INTERVIEWING** The complainant will make an appointment with a University judicial officer to file charges, if so desired. During this meeting, a University judicial officer will explain the University Judicial System and, if the complainant alleges sexual misconduct/sexual assault, refer the complainant to a counselor in the Counseling and Testing Center for advice, counseling, and information on all available procedural options and alternatives. A University judicial officer will immediately notify the accused of the charge alleged. A University judicial officer will explain the University Judicial System and, if the charge alleged is sexual misconduct/sexual assault, refer the accused to a counselor in the Counseling and Testing Center.
2. **INVESTIGATION** A University judicial officer will thoroughly investigate the alleged complaint. A Special Investigating Committee may be appointed after consultation among the University Judicial Council Chair, the University Judicial Officer and a law school faculty member trained with respect to Serious Offenses.
3. **NOTICE OF VIOLATION AND EXCHANGE OF INFORMATION** If there is sufficient evidence to go forward, an amended notice of charges, if necessary, will be sent to the complainant, the accused and the chair of the hearing board within 24 hours of the conclusion of the investigation. The hearing will take place as soon as possible after the complainant's and accused's comments are received, but no earlier than 96 hours or four school days and no later than seven school days after their comments are received by the University judicial officer. The Office of the Dean of Student Life shall notify the complainant and the accused of the date, time, and place of the prehearing briefing and the hearing. A minimum of 96 hours prior to the hearing, the complainant and the accused will deliver to the Office of the Dean of Student Life a list of those witnesses whose testimony will be presented in person and a copy of all documents to be submitted to the hearing board. A minimum of 72 hours prior to the hearing, a University judicial officer will conduct a prehearing briefing with the complainant and the accused. At that time, each will receive a copy of the other's list of witness(es) and documents as well as the list of witness(es) to be called and documents to be submitted to the hearing board.

**B. RIGHTS OF THE COMPLAINANT ALLEGING SEXUAL MISCONDUCT AND/OR SEXUAL ASSAULT INCLUDE:**

1. To be informed of all alternatives and options by a counselor in the Counseling and Testing Center.
2. To decide whether he or she wishes to press charges through the University Judicial System.
3. To have parents and a member of the SMU community accompany him or her during the student judicial proceedings. Such persons are for moral support and have the same responsibilities as described for rights of the accused to have companions. (See the University Judicial Code, Section IV, G.)
4. To challenge any member of the University Hearing Board on grounds of prejudice.
5. To request to have his or her living arrangements (if in campus housing) modified pending the outcome of the student judicial proceedings if the accused lives close to the complainant.
6. To remain present during the proceedings.
7. Not to have his or her sexual history discussed during the hearing. However, evidence of a recent sexual relationship between the accused and the accuser may be considered if the accused asserts consent as a defense.

8. To be informed of the hearing board's decision within three working days following the hearing.

**C. RIGHTS OF STUDENTS ACCUSED OF SEXUAL MISCONDUCT AND/OR SEXUAL ASSAULT**

1. To be informed of the accusation and all alternatives and options by a counselor in the Counseling and Testing Center.
2. To remain silent, before, during, and after the hearing and to make a statement explaining the reasons for remaining silent.
3. To have parents and a member of the SMU community accompany him or her during the student judicial proceedings. Such persons are for moral support and have the same responsibilities as described for rights of the accused to have companions. (See The University Judicial Code, Section IV, G.)
4. To challenge any member of the University Hearing Board on grounds of prejudice.
5. To remain present during the proceedings.
6. Not to have his or her sexual history discussed during the hearing. To present evidence of a recent sexual relationship between the accused and the accuser only if the accused asserts consent as a defense.
7. To be informed of the hearing board's decision within three working days following the hearing.
8. To appeal the decision of the hearing board to the University Judicial Council.
9. To request to have his or her living arrangements (if in campus housing) modified pending the outcome of the student judicial proceedings if the accused lives close to the complainant.

**D. THE HEARING** The chair will conduct the hearing utilizing broad powers to conduct a full and fair hearing. The hearing board may call persons named in the confidential Investigative Report, as well as additional witnesses at its discretion. The chair will make final decisions regarding questions of procedural issues and admissibility of evidence. The chair must be a SMU Law School faculty member who has specialized training. No one may serve as chair if he/she has not completed this training. The chair is a nonvoting member of the board and may not participate in deliberations, except to answer questions regarding procedures, admissibility of evidence, etc. A quorum will consist of four board members. A University judicial officer must be present in the hearing and will function as the official record-keeper of the hearing, as well as a resource person for the hearing board. The hearing board will reconvene after their decision has been written to announce and submit their decision to the complainant and the accused.

**VI. SANCTIONS ESTABLISHED AND DEFINED BY UNIVERSITY JUDICIAL COUNCIL**

The following sanctions may be implemented individually or in any combination by the hearing boards or University judicial officer. The President reserves the right to raise or lower sanctions imposed in the judicial process.

- A. EXPULSION** An individual or group will be separated from the University on a permanent basis. An individual's expulsion will be permanently recorded on his/her academic transcript. Before this penalty is enforced, the President of the University will review it. A student expelled from the University may not enter campus grounds for any reason without the express written permission of the Office of the Dean of Student Life. A student expelled from the University will not receive a refund of any monies paid, including tuition, fees, and room and board.

- B. SUSPENSION** An individual or group will be dismissed from the University for an assigned time period, and under the conditions deemed necessary by the judiciary. Before this penalty is enforced, the accused student or student group may appeal this matter to the University Judicial Council. Requests must be submitted in writing via the appeal process (See the University Judicial Code, Section IX). A student suspended from the University may not enter campus grounds for any reason during the period of her/his suspension without the express written permission of the Office of the Dean of Student Life. A student suspended from the University will not receive a refund of any monies paid, including tuition, fees, and room and board. In addition, no academic credit earned during the period of suspension at any other institution may be transferred to SMU. A disciplinary suspension and its effective dates are recorded on a student's academic transcript. The notation remains for the time the student is enrolled in the University and is removed three years after graduation. If the student leaves the University before graduation, the notation is removed three years after the anticipated date of graduation from the University.
- C. CANCELLATION OF THE HOUSING CONTRACT** A student removed from the residence halls for an assigned time period or expelled from the residence halls on a permanent basis may not enter any residence hall without the express written permission of the Office of Residence Life and Student Housing. A student who is reassigned to a residence hall due to disciplinary action may only enter the newly assigned residence hall. The reassigned student may not enter any other residence hall without the express written permission of the Office of Residence Life and Student Housing. If the student's housing contract is still in force at the time of the suspension or expulsion, no refund of the housing deposit or fee will be made.
- D. DISCIPLINARY PROBATION** A student is given a warning that further violations will result in consideration of suspension. The student may be required to report to the University judicial officer on a regular basis during the period of the probation.
- E. JUDICIAL REPRIMAND** The individual or group will be given formal notice by the hearing board or the judicial officer that they have violated the Student Code of Conduct or University policy. If the individual or group is found in violation of a further charge, that case will be considered more seriously.
- F. FINES** An individual can be fined any amount not exceeding \$250. An organization can be fined any amount commensurate with the severity of the offense. Fines resulting from an alcohol policy violation will be a minimum of \$100.
- G. DISQUALIFICATION FROM HOLDING OFFICIAL STUDENT POSITIONS OR PARTICIPATING IN UNIVERSITY ACTIVITIES** An individual or group will be restricted from either representing the University in an intercollegiate activity, or from participation in any University activity or organization.
- H. RESTITUTION** An individual or group will be required to pay for damages to the person or institution for property destroyed.
- I. NOTIFICATION OF PARENTS/NATIONAL ORGANIZATIONS/AUTHORIZING BODY** Students found responsible for violation of the Student Code of Conduct may be required to inform their parents of their involvement in the policy violation unless the student has declared financial independence with the University registrar. The University determines financial independence by the Internal Revenue Code and assumes that all undergraduate students are dependent unless the student provides a written statement to the University registrar and proof of financial independence. It is also necessary that his/her parents call the designated University staff member to verify that they have been informed. Whenever a student is found responsible for an offense resulting in disciplinary probation or a more serious sanction, the Office of the Dean of

Student Life will automatically inform the parents, in writing, of the violation and sanctions. The Office of the Dean of Student Life will notify a group's national organization or the appropriate university authorizing body of the group's involvement in the policy violation.

- J. DISCIPLINARY VIOLATION (DV) TRANSCRIPT RECORD** If the nature of the offense so warrants, the hearing board will record an individual's violation on his/her academic transcript. The notation will remain for the time he/she is enrolled at the University and for three years following his/her graduation. If the student leaves the University before graduation, the notation is removed three years after the anticipated date of graduation from the University.
- K. SUSPENSION OF PRIVILEGES** An individual or group will lose privileges that allow them to participate in specific activities, use specific facilities, or exercise specific privileges.
- L. EDUCATIONAL SANCTIONS** The objective of this sanction is education and rehabilitation. Sanctions selected will be commensurate with the offense.
- M. DEFERRED SANCTIONS** Individual or group sanctions may be deferred (not enforced). Deferred terms, i.e., conditions of the probation and its duration, will be set by the judicial body which imposed the sanction. If a succeeding judicial body finds the student responsible for violating the terms of probation during the period set up by the preceding judicial body, the probation must be lifted and the previously imposed deferred sanction enforced. In addition, further sanctions may be imposed. In no case may a student have more than one deferred sanction.
- N. REFERRALS TO OTHER OFFICES** Students may be required to contact other offices on campus including, but not limited to, the Center for Alcohol Education and Drug Abuse Prevention, Counseling and Testing, and the Office of Volunteer Services.
- O. FAILURE TO COMPLETE SANCTIONS** Students who fail to complete their sanctions within the allotted time period may be subject to having their registration cancelled and/or having a hold placed on their official university records, which may prohibit them from registration, reenrollment, or receiving transcripts.

## VII. RECORDS

The following policies concerning records and the release of information are in compliance with the Family Education Rights and Privacy Act of 1974 (The Buckley Amendment). Records of the Office of the Dean of Student Life shall contain all information; data, correspondence, findings, and records of official action concerning student discipline.

- A.** A disciplinary sanction will remain on a student's record until it is erased three years after graduation. If the student leaves the University before graduation, the notation is removed three years after the anticipated date of graduation from the University.
- B.** If an offense results in sanctions less severe than disciplinary probation, the information stays within the University community. Disciplinary probation and more serious sanctions may be released as appropriate under the law when questions related to disciplinary actions are asked.
- C.** Beginning with their senior year, students may request to have their disciplinary records expunged by the Dean of Student Life for good cause, upon written petition of respondents. Factors to be considered in review of such petitions shall include:
  - 1.** The present demeanor of the respondent.
  - 2.** The conduct of the respondent subsequent to the violation.
  - 3.** The nature of the violation and the severity of any damage, injury, or harm resulting from it.

There will be no appeal of the decision of the Dean of Student Life.

## VIII. APPEALS

- A. GROUNDS FOR APPEAL** An accused who has been found responsible shall have the right to request an appellate review. Such written request must be received in the Office of the Dean of Student Life within 96 hours from the mailing of the written findings to the student's address of record. A quorum of the University Judicial Council, which has participated in the training provided to all University Hearing Board members, shall sit as the appellate body. In no case may a member of the University Judicial Council sit to hear the appeal if he/she has not completed this training. The accused may request an appeal on the following grounds:
1. Clearly erroneous findings of fact;
  2. Significant procedural irregularities that denied the accused a fair hearing;
  3. Substantial new relevant evidence not available at the time of the hearing;
  4. Evidence presented at the hearing for a finding of responsibility clearly insufficient; and
  5. Sanction unreasonably harsh.
- B. STANDARD OF PROOF** The standard of proof is the greater weight of the credible evidence.
- C. APPELLATE PROCEDURE** The procedure for the appeal will be as follows:
1. At the conclusion of each hearing, the judicial officer or hearing board chair will submit the following documents to the Office of the Dean of Student Life: the decision, the reasons for the decision, and the reasons for the sanctions imposed.
  2. The student must file a written request to appeal with the Office of the Dean of Student Life. The request to appeal must include the grounds for the appeal and the basis for each.
  3. The hearing officer or chair will review the student's appeal and write his/her response to the student's appeal.
  4. The student will have the opportunity to review the hearing officer or chair's response and add any final documents.
  5. The appeals packet consisting of the above statements and documents and a copy of the original incident report or charge will be prepared for the University Judicial Council.
- D. PRESENTATION** The appellate body shall base its decision to uphold or overturn the result of a hearing on the student's written request for an appellate review and the summary of the hearing prepared by the judicial officer or the hearing board chair. Such summary will include the decision, the reason for the decision, and the reasons for the sanctions assessed. In an appellate review, the University Judicial Council may, solely at its discretion, allow oral statements. The presenters and the amount of time allowed for each statement will be determined by the University Judicial Council.
- E. DETERMINATION OF APPEAL** The University Judicial Council may dismiss the case because there were such procedural irregularities at the hearing as would irreparably deny the student a fair hearing if the case were presented to a new panel, or dismiss or remand for clearly erroneous findings of fact or finding of facts clearly insufficient to support the charge. The University Judicial Council may alter the sanctions imposed based on a finding that the original sanctions are unreasonably harsh. Moreover, it may remand the case to the original hearing board if there is substantial new relevant evidence that was not available at the time of the hearing. The University Judicial Council serves as a board of final appeal for

appeals originating from University Hearing Boards, Administrative Hearings, Honor Council Hearings and Traffic Board Appeals.

- F. APPEAL OF ADMINISTRATIVE HEARINGS** All cases heard administratively can be appealed to the University Judicial Council.
- G. TRAFFIC APPEALS BOARD** The Traffic Appeals Board will hear cases involving appeal of citations from the Traffic and Safety Office. Appeals must be made to the chair of the board, through the Traffic and Safety Office, within 15 days after issuance of the citation. This is the only appeal granted concerning disputes of fact with the citation.
- H. APPEAL OF UNIVERSITY HEARING BOARD** All cases heard by University hearing boards may be appealed by either the accused student or student organization to the University Judicial Council. All appeals are reviewed for determination by at least a quorum of University Judicial Council members. The University Judicial Council serves as a board of final appeal for all appeals originating from all University Hearings.
- I. APPEAL OF HONOR COUNCIL HEARINGS** All requests for appeal of the Honor Council's decisions shall be submitted to the University Judicial Council in writing no later than three class days after the hearing. Requests must set out detailed reasons for the appeal. The hearing board shall submit a response to the appeal to the University Judicial Council. For this purpose, a quorum of the University Judicial Council shall convene a closed informal hearing within a timely manner to discuss the merits of the appeal. The standard of appellate review is very stringent, and only in cases of a clear miscarriage of justice shall the Honor Council's decision be overturned. The University Judicial Council may dismiss the case due to such procedural irregularities as will forever deny the student a fair hearing or grant the appeal and remand for a de novo hearing, with a new hearing board, for insufficient evidence, significant procedural irregularity, or substantial new evidence. The appellate body may alter the sanctions upon a determination that the sanctions were unreasonably harsh.
- IX. REHEARINGS** At the urging of the accused or upon presentation of significant new evidence, the Dean of Student Life, after consultation with the chair of the University Hearing Board or the University Judicial Officer and the chair of the University Judicial Council, may order a case to be reheard. After such a rehearing, the accused shall be entitled to the same rights of appeal as in any case.

**“Education is a social process. Education is growth. Education is not a preparation for life; education is life itself.”**

*JOHN DEWEY*

## **THE HONOR CODE**

Intellectual integrity and academic honesty are fundamental to the processes of learning and of evaluating academic performance, and maintaining them is the responsibility of all members of an educational institution. The inculcation of personal standards of honesty and integrity is a goal of education in all the disciplines of the University.

The faculty has the responsibility of encouraging and maintaining an atmosphere of academic honesty by being certain that students are aware of the value of it, that they understand the regulations defining it, and that they know the penalties for departing from it. The faculty should, as far as is reasonably possible, assist students in avoiding the temptation to cheat. Faculty members must be aware that permitting dishonesty is not open to personal choice. A professor or instructor who is unwilling to act upon offenses is an accessory with the student offender in deteriorating the integrity of the University.

Students must share the responsibility for creating and maintaining an atmosphere of honesty and integrity. Students should be aware that personal experience in completing assigned work is essential to learning. Permitting others to prepare their work, using published or unpublished summaries as a substitute for studying required materials, or giving or receiving unauthorized assistance in the preparation of work to be submitted are directly contrary to the honest process of learning. Students who are aware that others in a course are cheating or otherwise acting dishonestly have the responsibility to inform the professor and/or bring an accusation to the Honor Council.

Students and faculty members must mutually share the knowledge that any dishonest practices permitted will make it more difficult for the honest students to be evaluated and graded fairly and will damage the integrity of the whole University. Students should recognize that both their own interest, and their integrity as individuals, suffer if they condone dishonesty in others.

### **THE CONSTITUTION OF THE HONOR COUNCIL OF SOUTHERN METHODIST UNIVERSITY**

**PREAMBLE AND DEFINITIONS** We, the students of Southern Methodist University, with the approval of the Provost and the Dean of Student Life, establish the Honor Council to uphold the standards of academic integrity set forth in the Honor Code. Acts punishable under the code include, but are not limited to the following:

**ACADEMIC SABOTAGE** Intentionally taking any action which negatively affects the academic work of another student.

**CHEATING** Intentionally<sub>1</sub> using or attempting to use unauthorized materials, information, or study aids in any academic exercise<sub>2</sub>.

**FABRICATION** Intentional and unauthorized falsification or invention of any information or citation in an academic exercise<sub>3</sub>.

**FACILITATING ACADEMIC DISHONESTY** Intentionally or knowingly helping or attempting to help another to violate any provision of the Honor Code<sub>4</sub>.

**PLAGIARISM**, Intentionally or knowingly representing the words or ideas of another as one's own in any academic exercise.

**IMPEDING HONOR COUNCIL INVESTIGATION** Impeding the investigation of the council, lying to the council, or in any way failing to cooperate with the council.

## **ARTICLE I - JURISDICTION, RATIFICATION, AND AMENDMENTS**

**SECTION 1:** The Honor Council shall oversee the academic conduct of all undergraduate and graduate students with the exception of those students enrolled in the schools of Law or Theology of Southern Methodist University.

**SECTION 2:** Ratification of this Constitution shall be by majority vote of the Student Senate, the Faculty Senate, and the approval of the Provost and Dean of Student Life.

**SECTION 3:** Amendments may be proposed by a student senator, faculty senator, member of the council, or by petition of no less than 10 percent of the student body. Passage shall require a majority vote of the Student Senate, the Faculty Senate, and the approval of the Provost and the Dean of Student Life.

The general principles for all honest writing can be summarized briefly. Acknowledge indebtedness:

1. Whenever you quote another person's actual words.
2. Whenever you use another person's idea, opinion, or theory, even if it is completely paraphrased in your own words.
3. Whenever you borrow facts, statistics, or other illustrative material - unless the information is common knowledge.

Plagiarism also encompasses the notions of citing quotations and materials from secondary sources that were not directly consulted in the preparation of the student's work, and copying the organizational and argumentational structure of a work without acknowledging its author.

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- 1 Labeling a student as being "dishonest" constitutes a form of moral condemnation, which can be a legitimate sanction in itself. Such moral condemnation, however, is not normally imposed for a simple act of negligence (e.g., a typographical error resulting in a miscited source) but only for an act with requisite intent. "Intent" is a question of fact. A student who cites long passages from a book without acknowledgment cannot expect to convince the decision maker that the omission was merely "negligent." Also, requiring a showing of intent is not to be confused with excusing students who claim they were unaware of the rules. Such ignorance is not a valid defense. Not knowing what one has done (e.g., inadvertently omitting a footnote) is to be distinguished from knowingly doing something while ignorant of a rule.
  - 2 The term "academic exercise" includes all forms of work submitted for credit or honors at the University, as well as materials submitted to other institutions or organizations for evaluation or publication.
  - 3 For example, a writer should not reproduce a quotation found in a book review and indicate that quotation was obtained from the book itself. Likewise, it would be improper to analyze one sample in a laboratory experiment and covertly "invent" data based on that single experiment for three more required analyses.
  - 4 For example, one who provided term papers or examinations to other students while knowing or having reason to know that such materials would be used in violation of the Honor Code would be responsible for "facilitating academic dishonesty."
  - 5 The University subscribes to the statement on plagiarism which appears on page six of William Watt's *An American Rhetoric* (1955).

## **ARTICLE II - HONOR COUNCIL COMPOSITION AND AUTHORITY**

**SECTION 1: MEMBERSHIP** If possible, the Honor Council should be comprised of four officers and no less than 27 general members including at least:

- (a) Five first-year students (after recruiting)
- (b) Six sophomore students
- (c) Seven junior students
- (d) Eight senior students
- (e) One graduate student from a school under the council's jurisdiction
- (f) Five members nominated by the Faculty Senate and appointed by the Provost

**SECTION 2: AUTHORITY** The Honor Council has the following powers and responsibilities:

- (a) to develop its own Bylaws and procedures, subject to approval by the Provost, the Dean of Student Life, and Vice President for Legal Affairs for legal sufficiency and compliance with the standards set by the Honor Council Constitution;
- (b) to serve on and constitute the hearing boards, as specified in Article IV of this Constitution;
- (c) to advise and consult with faculty members and administrative officers on matters related to academic integrity standards, policies, and procedures;
- (d) to foster and promote programs alerting students to the importance of academic integrity and the penalties for its violation;
- (e) to issue an annual report to the campus community, to include a statistical review of the nature, volume and disposition of charges heard, academic integrity standards, policies, and procedures, including recommendations for appropriate changes;
- (f) any additional duties or responsibilities delegated by the Provost or Dean of Student Life.

## **ARTICLE III - PREHEARING PROCEDURES**

### **SECTION 1: FACULTY DISPOSITION OF A SUSPECTED HONOR**

**VIOLATION** A faculty member who suspects that a student has committed an act of academic dishonesty may take either or both of the following courses of action:

- (a) Determine to handle the situation privately with the student, in which case these procedures should be followed:
  - (i) the faculty member shall inform the student of the alleged misconduct and, after discussing it with him or her, determine whether or not the student is responsible for a violation of the Honor Code;
  - (ii) the faculty member shall inform the student of the sanctions for a determination of responsibility, which may be as severe as a failing grade in the course;
  - (iii) the faculty member shall determine whether to notify the Dean of Student Life of the action taken using the form designated for this purpose and available from the Honor Council. Faculty members are encouraged to use this reporting mechanism, as it serves two purposes: first, it enables the University to track the number and severity of honor code violations; second, it preserves a record of a particular student's violation of the Honor Code in the event the student is charged with other alleged violations in the future.
- (b) Determine that the matter should be referred to the Honor Council, in which case the charge must be filed and received by the Honor Council within 22 class days from the date of discovery of the alleged violation. The procedures outlined in Section 2, below, will be followed.

## **SECTION 2: NOTIFICATION OF STUDENT AND PREHEARING PROCEDURES**

- (a) A person who suspects an Honor Code violation shall notify the Honor Council president of the alleged act in writing on the standard form established for that purpose.
- (b) The Provost will select faculty members designated in advance by the Faculty Senate. Although selection may be made on a case-by-case rotating basis, the Provost should retain discretion to make selections, which will ensure representation of appropriate academic disciplines, as necessary in each case.
- (c) The Honor Council president or designee shall immediately send written notice of charges to the accused student. All correspondence is sent to the local address the student has provided to the University registrar. The Honor Council will consider notice served once notice has been mailed to the local address as provided to the University registrar. Students are responsible for maintaining a current address with the Registrar's Office at all times. A copy of the written notice of charges shall also be sent to the Dean of Student Life.
- (d) The Honor Council president shall appoint an investigator who will collect information relevant to the case and write a summary report to be used at the hearing. The investigator must deliver the summary report and copies of all written evidence and exhibits which will be used at the hearing to the Vice President of the Honor Council while submitting a copy to the Dean of Student Life at least three (3) days before the hearing.
- (e) Upon notification of an alleged Honor Code violation, the Honor Council president shall request the registrar to place a hold on the accused's transcript until the case has reached a final disposition through the hearing.
- (f) The Honor Council president shall convene a Hearing Board, composed of four students and one faculty member, within a reasonable period of time but no earlier than 10 days after the accused student receives notice of the allegation. "Ten days" shall be counted as class days. Weekend days, exam days, holidays, and summer vacation days are not included. Hearing boards ordinarily will not convene during these times.

## **SECTION 3: ADVISING THE ACCUSED STUDENT**

- (a) The vice president of the Honor Council or designee shall serve as liaison to the accused student. The Honor Council vice president shall document every attempt by phone and mail to contact the student to schedule a meeting to review the accused's rights and the Honor Council procedures. It is the student's prerogative whether or not to attend this meeting. At the meeting, the Honor Council vice president will ensure the student has written notice of the charges and copies of the Honor Code, the Honor Council Constitution, and the Hearing Procedures. The vice president will describe the hearing procedures to the accused and answer questions. The vice president will also provide a copy of the investigator's summary report to the student and all written evidence or exhibits to be used in the case at least three days before the hearing. The vice president shall inform the student of the hearing date, time, and place. Training for the vice president shall be provided by the Dean of Student Life.
- (b) The vice president shall inform the student that he or she may bring one person from the SMU community and his or her parents. Parents and/or community support person are for moral support only and may not participate in the hearing unless called upon as a witness.

## **ARTICLE IV - HEARING RULES AND PROCEDURES**

### **SECTION 1: GENERAL HEARING RULES**

- (a) Unless otherwise noted, all guidelines concerning shall follow the same general principles set forth by the University Judicial Code.
- (b) The president or his/her designee shall act as the nonvoting presiding officer of the hearing.
- (c) The accused may challenge any board member's eligibility to sit on the panel; however, the hearing board by majority vote, will have the final decision regarding the panelist's eligibility.
- (d) Hearings will be closed to the public, except for the accused student's parents, the community support person accompanying the accused student, and Honor Council members-in-training. The accused student may request an open hearing, which may be held at the discretion of the president. Open hearings will waive all rights to confidentiality.
- (e) Any person, including the accused student, who disrupts a hearing or who fails to adhere to the rulings of the president may be excluded from the proceeding.
- (f) All proceedings are confidential. Violations of the policy on confidentiality will result in a board member's removal from the council as well as subject the board member to possible judicial action.
- (g) In accusations involving more than one student, the president will determine whether separate hearings will be held. If a single hearing is held, the accused students may be asked to testify with the other(s) out of the hearing room. Guilt or innocence and penalties will be assigned separately.
- (h) If the accused withdraws from school pending a hearing, the Honor Council retains jurisdiction to render a finding of guilt and apply sanctions.

### **SECTION 2: HEARING PROCEDURES**

- (a) A hearing board will be comprised of four students and one faculty Honor Council member. The quorum for a hearing shall be four members. For a hearing to commence, the complainant or a statement by him or her, and the investigator must be present. The accused does not have to be present for the case to proceed. Training for hearing board members will be jointly planned and implemented by the faculty adviser and the Dean of Student Life.
- (b) Prospective witnesses, other than the complainant and the accused student, shall be excluded from the hearing during the testimony of other witnesses.
- (c) Formal rules of evidence shall not be applicable in the hearing. Unduly repetitious or irrelevant evidence may be excluded. Circumstantial evidence and hearsay are admissible.
- (d) Accused students shall be accorded an opportunity to question the complainant and those witnesses who testify for the complainant at the hearing.
- (e) In like manner, the complainant shall be accorded an opportunity to question the accused student and those witnesses who testify for the accused student at the hearing.
- (f) The burden of proof shall be upon the complainant, who must establish the guilt of the accused student by clear and convincing evidence.
- (g) All parties, the witnesses, the investigator, and the public shall be excluded during panel deliberations. Honor Council members-in-training, if any, will be allowed to stay for deliberations but may not contribute to the discussion of the board.
- (h) A four out of five vote is necessary for a verdict of guilty to enter. If only four members are present, a unanimous four to zero vote is necessary for a verdict of guilty. Any vote short of the requirement will exonerate the accused and the board will dismiss the charge.

- (i) If the accused is found responsible for an Honor Code violation, the president will inform the board of any prior Honor Code or Judicial Code violations by the accused. The hearing board will then determine the sanction(s) to apply. (See Article V., Section 3.)
- (j) A brief, written statement of reasons for finding a student responsible or not responsible for an offense and the sanctions imposed will be provided by the president or his/her designee. A copy of this statement, called a Hearing Summary, must be signed by the student and the president and given to the accused in person or sent via certified mail if the accused is not present, or refuses to accept his or her copy. The decision of the hearing board will be available to the accused and accuser(s) no earlier than 24 hours after decision has been reached.

### **SECTION 3: SPECIAL CONTINGENCY PROCEDURES**

- (a) In the event that a hearing must be held during the summer and on an accelerated schedule (such as the case of a student scheduled to graduate before the next academic term), and to the extent that logistics make it impossible to convene a hearing board according to Section 2(a), a special hearing board shall be convened for the hearing. The board shall still be comprised of five members if possible (four for a quorum), however more than one Honor Council faculty member is eligible to sit on the board, as well as is one member of the administration of Southern Methodist University, so long as there are at least two student Honor Council members on any hearing board (including the four-member quorum). Furthermore, any officer of the Honor Council shall be eligible to sit on the board to the extent that they have no prior knowledge of the case.
- (b) All other special contingency hearing procedures shall follow the guidelines set forth in Section 2.

## **ARTICLE V - PENALTIES**

**SECTION 1:** The recommended minimum penalty for a violation of the Honor Code shall be an Honor Violation (H.V.) and a deferred suspension from the University for the remainder of the student's academic career. The suspension will be invoked for a finding of guilt of an Honor Code violation or a sanction of disciplinary probation through the University Judicial System. The Honor Council shall authorize the University registrar to place an H.V. on the transcript. The H.V. shall remain on the student's transcript for three years after graduation or expected date of graduation. It shall then be removed from the transcript. Although it is presumed that a guilty verdict would result in assignment of a grade of F, the faculty member retains complete discretion to award a grade for the course he or she deems appropriate. Hearing board members may discuss the case issues in general with other Honor Council members at their regular meeting for purposes of training, but no identifying information may be discussed.

**SECTION 2:** In lieu of, or in addition to, the above recommended Honor Violation, the following penalties may be given:

- (a) suspension from the University for a term to be set by the hearing board (during which, credit gained at another institution cannot be transferred back to SMU);
- (b) expulsion from the University.

**SECTION 3:** The criteria on which penalties are based include but are not limited to:

- (a) truthfulness and cooperation in the investigation and hearing;
- (b) premeditation and seriousness of the offense;

- (c) previous University Honor Council or Judicial Council record;
- (d) harassment of the complainant or any witness.

**SECTION 4:** For a period of one year, no student with an H.V. on the transcript will be permitted to represent the University in any extracurricular activity, or run for or hold office in any recognized student organization, including, but not limited to, participating as a member of an athletic team, in performances conducted under University auspices, serving as a member of the Mustang Band, the debate teams, an officer of a sorority or fraternity, a member of the Student Senate, a member of the Student Foundation, or in similar capacities. If students so sanctioned fail to remove themselves from such activities voluntarily, the Honor Council will contact the relevant student or administrative officials to force such action. In exceptional situations, this penalty may be waived at the discretion of the hearing board.

**SECTION 5:** For a period of one year, no student with an H.V. on his or her record shall be entitled to a scholarship based on any factor other than need.

## **ARTICLE VI - APPEAL**

**SECTION 1:** Grounds for appeal are the following:

- (a) substantial new relevant evidence not available at the time of the original hearing;
- (b) significant procedural irregularities which denied the student a fair hearing;
- (c) insufficient evidence provided to merit a finding of responsibility;
- (d) sanctions overly harsh.

**SECTION 2:** Only the accused student has the right to appeal.

**SECTION 3:** All requests for appeal of the hearing board's decision shall be submitted to the University Judicial Council in writing no later than three class days after the hearing. Requests must set out detailed reasons for the appeal. The hearing board shall submit a response to the appeal to the University Judicial Council. For this purpose, a quorum of the University Judicial Council shall be two faculty members, two students, and one administrator. The council shall convene a closed informal hearing within a timely manner to discuss the merits of the appeal. The standard of appellate review is very stringent and only in cases of a clear miscarriage of justice shall an appeal be granted.

**SECTION 4:** The University Judicial Council may dismiss the case due to such procedural irregularities as will forever deny the student a fair hearing, grant the appeal and remand for a de novo hearing, with a new hearing board, for insufficient evidence, significant procedural irregularity, or substantial new evidence, or lighten sanctions if it finds the sanctions to be overly harsh.

## **ARTICLE VII - RECORDS**

**SECTION 1:** All correspondence with the student and records of board decisions and all board correspondence will be kept permanently in the Honor Council file. Copies will also be maintained in the permanent file in the Dean of Student Life Office, in accordance with policies established for maintaining of student judicial records.

**SECTION 2:** If the student is found not responsible, the Honor Council president will expunge identifying information from the case file in the Honor Council Office.

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The code was derived in part from Kibler, W., Nuss, E., Patterson, B., and Pavela, G., *Academic Integrity and Student Development: Legal Issues, Policy Issues* (College Administration Publications, Inc., 1988).

**“A home is not a mere transient shelter: its essence lies in the personalities of the people who live in it.”**

*H.L. MENCKEN*

## **COMMUNITY STANDARDS & STUDENT CONDUCT IN RESIDENCE HALLS**

### **COMMUNITY STANDARDS STATEMENT**

By living in a residence hall, I am residing in a living and learning community. As a member of this community, I have certain rights as a resident and as a student. I recognize as well that other members of this community have these same rights, and that my rights stop where another's begin. For this reason it will be important to learn to compromise with others in order to maintain an environment in which all members of the community may grow as individuals and may pursue learning as a fundamental part of the campus residential experience.

Community Standards are established to assist in shaping this environment, to protect our rights and assert the responsibilities we each have to one another. As a member of the residence hall community, I agree to abide by Local, State and Federal laws, as well as by these Community Standards (and others as may be developed to further support this community) and University policies at all times while residing in residence halls at Southern Methodist University.

### **ALCOHOL**

I understand that the legal drinking age in Texas is 21 years of age. I agree that I will not consume or possess alcohol unless I am 21 years of age or older and understand that this restriction applies equally to my residence hall community and elsewhere. I further understand that I may not possess alcohol containers or paraphernalia if I am under 21 years of age. (Prohibited items include but are not limited to cans, bottles, flasks, “yards” or stills.)

I understand that absolutely no alcohol is permitted in the first year communities, Boaz Hall, McElvaney Hall and Perkins Hall, or in the substance free community, Smith Hall, regardless of a resident's or guest's age.

I understand that the manufacture of alcohol is prohibited in the residence halls.

If I am 21, I will consume alcohol only in my room or in the room of another 21 year old resident who is present at that time. I understand that neither I nor any guest may consume alcohol in a room where none of the assigned room residents are 21.

If I choose to consume alcohol, and I am at least 21, I will only purchase/consume alcohol from containers readily available as off-the-shelf packaging. I understand that off-the-shelf packaging does not include kegs, beer balls or other large volume containers. I understand that using beer bongs and/or playing drinking games, having open containers of alcohol in common areas, and similar activities are not permitted in residence halls.

I understand that there may be only one open container of alcohol per person of legal drinking age, and also understand that the amount of alcohol present during a violation will directly contribute to the degree of sanctioning imposed.

I agree further that I will at no time provide alcohol to anyone under the age of 21 or, by my action or inaction, actively or passively condone consumption of alcohol by someone under legal drinking age.

### **BICYCLES and MOTORIZED VEHICLES**

I agree to keep my bicycle (owned or borrowed) parked/stored outside the residence hall at all times and in accordance with bicycle parking policies established by the University. (*Exception: I understand that I may keep my bicycle in my room or other designated location during the Winter Break when the residence hall is closed.*)

I agree to at all times operate and park my motorized vehicle(s) according to applicable University policies and prevailing laws.

## **CIVILITY**

I will maintain integrity in all my relationships and will respect the dignity and value the worth of all persons. I will at no time physically, mentally, psychologically or sexually abuse any member of this community, nor will I participate in or condone any form of bigotry, harassment, intimidation or threat, whether verbal, written, physical or psychological, direct or implied. I understand further that this standard applies equally to residents and staff of my residence hall, guests, visitors and other members of the University community.

I agree to alert Hall Staff to violations of this policy, whether I address the issue personally or not, in order to actively promote a respectful and supportive living environment for all members of the community.

## **COMPLIANCE**

I agree to immediately comply with and respond as instructed to the reasonable requests of any Department of Residence Life and Student Housing (RLSH) official or other University official acting in the performance of her/his duties, including but not limited to presenting proper identification to those officials upon request.

## **CONDUCT PROCEEDINGS**

I understand that if I have knowledge of and/or am witness to a violation of the housing contract or Community Standards, I may be asked to appear at conduct proceedings. I understand further that as a member of this community I have an obligation to help uphold Community Standards and that I am strongly encouraged to participate in conduct proceedings when I have information relevant to a violation.

I understand that I may complete an Incident Report that documents an incident at any time I am aware of a violation of Community Standards or the housing contract.

I understand that I can request to see and/or receive a copy of an Incident Report that asserts I may have violated Community Standards.

I agree to be honest and without prejudice in reporting violations and/or when participating in conduct proceedings or investigations.

## **CONDUCT SANCTIONS**

I understand that if I am found responsible for a violation of Community Standards, I may be assigned a sanction(s) to complete. I agree to complete sanctions as directed for violations of Community Standards or the housing contract for which I am held responsible. I understand that failing to complete conduct sanctions as assigned may result in further disciplinary action.

## **DISRUPTIVE BEHAVIOR**

I will not act in a manner which will disturb the academic pursuits or infringe upon the privacy rights, privileges, health or safety of other persons. I understand that any activity that has a negative impact on the reasonable use of residence halls by others will not be tolerated.

## **DRUGS AND PARAPHERNALIA**

I agree neither to possess, use, produce, sell, share nor distribute illegal drugs or controlled substances. I agree further that I will at no time, by my action or inaction, actively or passively condone the use, possession or distribution of illegal drugs or controlled substances by others. I understand that this standard applies to drugs, controlled substances and/or related paraphernalia in or around the residence hall community.

I understand that if I use prescription drugs or other controlled substances, I may be requested to provide proof that I am doing so under the supervision of a medical doctor. I agree to provide this proof immediately upon demand by a University official, including residence hall staff members.

## **ELEVATORS**

I will use elevators only for the intended purpose of traveling from one floor to another and will not misuse them, tamper with their operation, nor vandalize them in any manner.

## **EQUIPMENT**

I agree to use all University equipment properly and safely, and only for its intended purpose. I understand that this includes, but is not limited to, barbecue grills, sports equipment, computers and related peripherals, microwave ovens, laundry equipment, televisions, VCRs and other items I may check-out and/or use in and around the residence hall.

## **FIRE SAFETY**

I will practice effective fire safety at all times by exercising prudent judgment and following fire safety guidelines established or revised for residence halls. I understand that these guidelines are included in the Hall Information Sheet and are posted in my residence hall. I agree further that I will seek clarification from a Residence Hall Staff Member if I am unclear about these guidelines. I will use fire alarms, fire extinguishers, fire exits, fire sprinklers and related equipment only for their fire fighting purposes. I understand that I may not hang anything from a fire sprinkler head or pipe and will not tamper with fire alarm, smoke or heat detectors, or other fire safety equipment. I agree to exit the building immediately and safely whenever the fire alarm sounds. I further understand that I am liable for all damages by my misuse of fire safety equipment. I understand that violations of fire safety standards and guidelines are subject to fines and other judicial and possibly legal action.

## **FURNITURE**

I agree to use residence hall furniture only for its intended purpose. I further agree not to remove or relocate furniture from student rooms, lounges, etc., except as approved in advance by RLSH. I understand that water beds, "bricks and boards," and lofts (that are not provided or approved by the University) and other construction, including attaching shelves to walls, are not permitted in my room.

## **GUESTS AND VISITATION**

I understand and agree that visitation is a privilege in residence halls and that I will honor visitation hours established for my residence hall. (Visitation hours are noted in the Hall Information Sheet and in the RLSH Handbook & Planner on page 38.)

I understand and agree that the right to study and to privacy take precedence over visitation privileges, and will at all times be considerate of these rights.

I agree to escort my guests whenever they are visiting me in my residence hall and that I will host guests only during established visitation hours. I agree further to abide by this standard when I am a guest in another residence hall.

I agree to be responsible and accountable for the behavior of my guests. I understand that it is my responsibility to inform my guests of residence hall policies, Community Standards and other University policies, and that my guests are expected to abide by these policies and standards.

I understand that my roommate (and suitemates) and I must agree in advance about having guests and, further, that overnight guest privileges are limited. I agree not to have any overnight guests during the first two weeks or last two weeks of the semester, and understand further that stays are limited to three nights per week unless approved in advance by my roommate (and suitemates) and my Hall Director. I understand that guests may not stay overnight in common areas of the residence hall.

## **HALL/WING MEETINGS**

I understand that my Hall Director and RA will post notices about hall/wing meetings. I also understand that as a member of this community it is important that I attend these meetings, and that I am responsible for personally obtaining all information covered, whether or not I attend them.

## **HALL SPORTS AND GAMES**

I will not participate in any kind of sport, horseplay or physically active game inside the residence hall, including but not limited to football, basketball, soccer, hockey, golf, roller

blading, frisbee tag, bowling and water fights. Additionally, I will refrain from playing sports/games outside the residence hall when or where it presents the possibility of injury, damage to persons or property, or undue noise. I understand, however, that I may participate in activities that are organized and/or approved by RLSH.

### **HOUSE RULES**

I agree to abide by House Rules and Floor Rules established for my residence hall that clarify, broaden and enhance these Community Standards.

### **KEYS**

I agree that I am responsible for keys that are issued to me and for their proper use. I will not lend, duplicate or modify these keys and will not permit others to do so, nor will I permit others to use my keys or my SMU ID at any time. I agree further to immediately replace my lost or broken keys according to RLSH procedures.

Room keys are issued to all residents at check-in. If I am locked out of my room, I will check out a key for my room from the Area Desk per established procedures and then return it immediately. I understand that lock-out service through August 31 is complimentary, but that I will be charged \$5.00 for each subsequent lockout thereafter. When the Area Desk is closed, I will contact the Residence Hall Staff Member on duty for lock-out assistance.

### **NOISE**

I will not make or cause noise that intrudes on the privacy and the needs of others to sleep and study. I understand that noise which is disruptive to other residents is prohibited, both inside and outside of residence halls, and courtesy and consideration for others is expected at all times.

I agree to be particularly sensitive to this issue during established "Quiet Hours" and understand that these hours extend for a minimum of ten consecutive hours daily, but may be established for longer periods in different residence halls. I understand that 24-hour quiet hours go into effect during final exam periods beginning at 10:00 p.m. on the last day of class each term.

I understand that excessive noise at any hour is not acceptable and that at no time should amplified sound or yelling be directed out of or toward residents' windows. I understand that reasonable quiet in areas near residence halls must be maintained, and that noise may be deemed disruptive if it can be heard through a wall, closed door or window. I agree to respond positively and courteously to requests to reduce noise and to respectfully approach others with requests for noise reduction.

### **PASSIVE PARTICIPATION**

I understand that I am expected to comply with all Community Standards. I understand that it is my obligation to remove myself from any situation where a violation is occurring. At no time will I knowingly permit a violation of these Community Standards.

I realize that if I am present or have knowledge of a violation of the Community Standards I can be held responsible for that violation.

I am encouraged, when I am aware of a violation to report it, and understand that failing to report a violation may be cause for disciplinary action.

I also understand that failure to provide information or giving false information is not acceptable to my community.

### **PERSONAL RESPONSIBILITY**

I will take responsibility and be accountable for my behavior and for the choices I make as a member of the residence hall community. I agree not to engage in behaviors that could endanger myself or others in the community. I understand that if I violate the Community Standards I am responsible for my own behavior and that harassment of other individuals involved in the situation will not be tolerated.

### **PETS**

I agree that the only pet(s) I will have in the residence hall will be fish, in one tank, and

that the maximum permitted tank size is 10 gallons. I understand that residents with disabilities may have assistance animals.

## **POSTING**

I agree that any posters, messages, flags, message boards and other media that I post in places where they may be generally viewed by others will comply with Community Standards for civility and fire safety, and that they will be affixed to surfaces in a manner that will not damage the surfaces to which they are affixed. I understand that items placed on bulletin boards in common areas of the residence hall must conform with RLSH posting guidelines and first be approved by RLSH staff.

## **RECYCLING**

I understand that I am encouraged to participate in recycling efforts established for the campus and for my residence hall. I agree to recycle trash items whenever practical and will place only recyclable items in designated recycling containers.

## **RESPECT FOR PROPERTY AND ENVIRONMENT**

I will respect my personal property as well as property belonging to other members of this community and the University. I will not damage property nor condone damages committed by others. I will promote a clean and safe environment in my residence hall, including my room/apartment, bathroom, trash/recycling room, and common areas. I understand that residents may be billed individually or collectively for any damages or for excessive cleaning necessary as a result of individual resident or group behavior. I also understand that I will be charged a minimum of \$25 per item/bag for inappropriately discarded trash.

## **ROOM ASSIGNMENT**

I understand that I have been assigned to a specific room and agree not to change rooms or roommates without receiving advance permission from RLSH and following established procedures. I understand further that requests my not be submitted until after the first two weeks of each term, or as specified otherwise by RLSH.

## **ROOM REFRIGERATORS**

I understand that there is a limit of one refrigerator permitted in my residence hall room and that it may not exceed 2.9 cubic feet.

## **ROOM PAINTING**

I agree not to paint any portion of my room. I also agree not to apply wallpaper, contact paper or any similar product to any surface of my room or furnishings.

## **ROOMMATE AND SUITEMATE AGREEMENTS**

I agree to complete the Roommate Agreement with my roommate(s) (and suitemates) when moving in together or when changing rooms. I understand that the Agreement outlines specific understandings for living together and that it may be changed by the mutual consent of all applicable parties.

## **SAFETY AND SECURITY**

I agree to actively promote safety and security within this community at all times.

- I will not prop open or otherwise disable the latching/locking mechanism of any door to the building and will unprop any door that I find propped open or otherwise unsecured.
- I will not permit access to the residence hall by non-residents who are not my personal guests and will not condone others doing so.
- I will keep my room/apartment door closed and locked when not in the room and understand that I can enhance my personal safety and that of my roommate(s) by keeping the door closed and locked at all times.

- I agree to immediately inform a member of the Residence Hall Staff about any unsafe condition or behavior that threatens the safety or security of this or another campus residential community.
- I agree not to enter or exit my room or any residence hall through a window, except in the event of fire or other similar emergency situation.

### **SMOKING**

I understand that all SMU buildings are smoke-free, including residence halls. I agree that, if I choose to smoke, I will do so only in designated smoking areas which must be located at least 25 feet away from any building. I will also ensure that my smoking does not affect hall residents or guests when they are inside the building or as they enter or leave it.

### **SOLICITATION**

I understand that commercial solicitation and canvassing are not permitted in residence halls and agree to abide by this policy. I agree further to report any unauthorized solicitation activity to a residence hall staff member or to SMU Police.

### **TECHNOLOGY**

I understand that I will use all technology and telecommunications equipment and software only for its intended purpose. I specifically agree that I will at no time use the equipment to harass, threaten, or defame any members of the University community.

I further understand that such equipment can be defined as, but not limited to, web-cameras, web sites, e-mails, instant messages and telephones. I also understand that I must abide by all University policies established for the use of such technology.

### **THEFT**

I understand that theft of University or personal property in the residence halls will be subject to discipline proceedings, referral to the Dean of Student Life, and/or criminal prosecution, and that theft includes unauthorized borrowing or possession of stolen property. I will report any thefts I become aware of to a Hall Staff member or to SMU Police.

### **UNAUTHORIZED ACCESS**

I will not enter restricted access areas unless specifically authorized to do so by RLSH. I understand that restricted areas may include but are not limited to Area Desks, roofs of residence halls or porches, balconies, attics, or machine rooms. I understand further that any nonresident being in a residence hall when unescorted or after being restricted from visitation in that hall(s) is prohibited.

### **WEAPONS**

I will not bring any type of weapon into the residence hall. I understand that “weapon” includes but is not limited to firearms (or CO2 cartridge guns), dangerous chemicals, any explosive device, “nunchucks”, brass knuckles, hunting knives, and other materials that can be used in the endangerment of others. I understand further that anything used to threaten, endanger or harm others may be considered a weapon (this includes “decorative knives”).

### **WINDOWS**

I will not remove and/or damage the windows or screens in my residence hall. I understand that it is dangerous and will refrain from leaning out windows, and from dropping, suspending, throwing, or shooting anything from or through them. I will not enter, exit or transport items in or out of the residence hall through any window.

*Revised May 2001*

**“Experience teaches slowly and at the cost of mistakes.”**

**J.A.FROUDE**

# VEHICLE REGULATIONS

## POLICY STATEMENT

1. The University has enacted following traffic rules and regulations for the safety and security of the SMU community. They apply to all students, faculty, staff, and visitors. The parking rules, approved by the Vice President of Business and Finance, will be on file in the offices of each vice president, each dean, the Student Senate, and the Police Department. The complete text of the regulations is also available on the SMU Police web site at [www2.smu.edu/pd/](http://www2.smu.edu/pd/).
2. The objective is to obtain voluntary compliance with the regulations rather than to assess penalty fees. Penalty fees have been enacted to deter violations.
3. The plan provides parking spaces as conveniently as possible within the available limits. **No one is guaranteed a parking space on campus.**
4. Students, faculty, and staff are expected to be familiar with and to abide by these regulations at all times and to advise visitors of them. The fact that a violation notice is not issued when a vehicle is illegally parked does not mean nor imply that the regulation or law is no longer in effect. The motor vehicle operator is responsible for being informed about the laws and regulations in force.
5. Penalties consist of fees and, after six violations, the loss of the parking privilege on campus. Persons with registered vehicles are responsible for any citations issued to their vehicles. **Lack of convenient parking space is not justification for violation of parking rules. Any unregistered vehicles parked on campus by faculty, staff or students will be cited.** Repeated violations (three or more) can result in the vehicle being towed or mechanically immobilized (booted).
6. All appropriate Texas criminal laws and motor vehicle laws, in addition to University regulations, are in effect on SMU property. University police officers have jurisdiction to enforce regulations and the authority to remove or impound any vehicle operated or parked in violation of the regulations.
7. Throughout the year the campus hosts several major special events that require reserved parking for the patrons. To facilitate reserved parking demands for event patrons, parking lots normally designated for student, staff, and faculty use will be closed. This may result in some inconvenience to the campus community but does not authorize drivers to park in violation of campus, state, or city ordinances.
8. Questions regarding interpretation or classification of these regulations should be directed to the Manager of Vehicle Registration and Parking Control during normal business hours at 214-768-2487. (PLEASE DO NOT CALL THE POLICE DISPATCHER)

## VEHICLES ON CAMPUS

Motor vehicles parked at any time on University property or streets by students, faculty, or staff must display a current permit, which is obtained from the university police. Permits must not be falsified, transferred to another person or vehicle, forged, or altered.

## STUDENT VEHICLES

When a vehicle is parked on the campus, the parking permit will be displayed on the outside of the rear windshield on the driver's side near the lower corner of the glass. Vehicles that are not equipped with rear glass will display the decal on the rear bumper, driver's side. Decals for motorcycles will be displayed on any conspicuous place.

## FACULTY AND STAFF VEHICLES

Motor vehicles parked on University property or streets by faculty or staff members must

display a permit, which is obtained from the university police office in Patterson Hall. The permit will be displayed on the rear windshield, driver's side. If there is no rear window available, the permit will be affixed to the rear bumper, driver's side. On motorcycles, the permit should be displayed in any conspicuous place.

### **VISITORS' PARKING**

Visitors to SMU should be given parking guidance by the person or organization inviting them to campus.

1. Visitors and guests of the University may park in the parking garage at SMU Boulevard and Airline Street, the visitors' parking area in the lot between Cox School of Business and Boaz Hall, the spaces west of Hamon Library/Greer Garson Theatre and any metered space on campus. Occasionally some of these lots may be designated for special events parking, in which case one of the alternate lots listed above should be used. No available parking space close to the building that is being visited is not grounds for parking illegally.
2. Visitors are subject to the same rules and regulations as the campus community.
3. Visitors who violate traffic laws and ordinances may be cited in University Park City Traffic Court.
4. Visitors can only park on campus during normal hours of operation (7 am - 12 midnight). Visitors cannot leave their car on campus overnight. If a vehicles needs to be left overnight or frequent visits are made to campus, call the university police (214-768-3388 - 24 hours) for instructions.
5. **Faculty, staff, or students are NOT considered visitors and may not park in a visitor's parking space anywhere on campus!**
6. Students are responsible for the actions of their guests on campus and should advise them as to the areas in which they are allowed to park.
7. SMU is not responsible for any damage that may occur to vehicles parked on campus or to vehicles entering or leaving SMU parking lots.

### **FLOOD WARNING**

Certain low lying areas of the campus (especially the 3200 block of Binkley and the 5800, 5900, and 6000 blocks of Binkley Ave) are prone to flooding in heavy rains. Concerns or questions about these areas should be addressed to the University Police (214-768-3388).

### **PARKING FOR THE DISABLED**

1. SMU provides spaces throughout the campus for the parking needs of persons with disabilities. The campus honors any government-issued disability designation visibly displayed.
2. Guests to the campus, with proper state designation and with the disabled person in possession of the vehicle, may park in any legal parking space, including spaces designated for disabled parking. Permits or license plates denoting disability do not permit anyone to park in "Fire Lanes", "No Parking" areas, or "Reserved" parking spaces. If there is a question regarding special parking needs, contact the SMU Police Department at 214-768-2487.
3. If necessary, faculty, staff, and students with disabilities will be provided parking space as convenient as practical to their primary destinations. Individuals should inform the SMU Police Department.
4. Requirements for authorization to park a vehicle in a "Disabled" space are a state "Disabled" license plate, a state "Disabled" decal, or any disabled designation issued by a government entity.

5. SMU has provisions to issue either a temporary or permanent SMU Disabled Decal. Temporary Disabled Decals may be issued with written authorization from a physician. This issuance is done at the Service Desk located on the second floor of Patterson Hall. (NOTE: A telephone is conveniently located on the lower level of Patterson Hall for disabled persons to contact the service desk.) Temporary decals may be issued for a maximum of six (6) weeks. This provision will enable an individual to obtain a State Temporary Permit if the disability is expected to continue longer. There is no University provision for an extension past the six-week period. Permanent Disabled Permits are issued only to persons with state-issued license plates or identification cards.
6. An unauthorized vehicle in a space reserved for disabled persons will be towed away at the expense of the owner/operator.
7. Spaces designated for disabled persons may be used only by vehicles displaying an appropriate permit. The regulation applies AT ALL TIMES (24 hours a day, seven days a week). Vehicles improperly parked in such spaces will be towed away. A \$200 PENALTY FEE WILL BE CHARGED FOR EACH VIOLATION. THIS WILL BE IN ADDITION TO THE TOWING CHARGE.
8. Individually reserved spaces are available for disabled persons upon request, if the space will be utilized by the individual for a majority of the time.

**NOTE:** Article 6675a.5e.1, Vernon's Texas Civil Statutes:

Section 10. (a) A person commits an offense if the person is neither temporarily or permanently disabled nor transporting a temporarily or permanently disabled person and parks a vehicle with such special device or displaying a disabled person identification card in a parking space or parking area designated specifically for the disabled by a political subdivision or by a person who owns or controls private property used for parking for which a political subdivision has provided for the application of this section under Subsection (c) of Section 6A of this Act.

Section 11. Presumption. In a prosecution of an offense under Section 10 of this Act, it is presumed that the registered owner of the motor vehicle that is the subject of the prosecution is the person who parked the vehicle at the time and place the offense occurred.

## **PARKING PERMITS**

There are many types of permits issued by SMU:

**NOTE:** *The map referenced throughout this section is provided free of charge by the SMU Police Department. Each parking designation is identified on the color-coded map.*

1. **RESIDENT PERMITS:** Persons who reside in campus housing (residence halls) are authorized to park in the resident areas indicated on the map.
2. **RESERVED FEMALE RESIDENT PERMIT:** A number of reserved spaces (by area) are available near the North and South residence halls. Residents are assigned to reserved areas by the Office of Residence Life. These residents also have the option of parking in the parking garage. Black (1) is designated for parking on the South side of 3300 Dyer Street..
3. **FRATERNITY:** This decal is for fraternity members who live in one of the houses on SMU Boulevard or Dyer Street. This is for designated parking in front and, if applicable, behind the house. This decal also allows the vehicle to be parked in the parking garage.
4. **COMMUTERS:** Commuters may park in the areas indicated in light green or the AUP parking on the map. This includes the lot on University Boulevard at Airline Extension, the Airline Street Garage, The Meadows Garage, the Moody Garage and the Caruth Lot.
5. **FACULTY AND STAFF:** These employees are authorized to park in designated F/S areas on the map and in the parking garages.

6. **SENIORS AND GRADUATE STUDENTS:** This permit authorizes parking on Fraternity Row, the Caruth Lot, and the garages.
7. **PERSONS WITH DISABILITIES:** This decal, which is non-expiring, is for faculty and staff members with disabilities. Requirements for authorization to park a vehicle in a “Disabled” space are a State “Disabled” license plate or a State “Disabled” decal or any disabled designation issued by a government entity. Persons with this decal can park in any legal space. They cannot park in a “Reserved” space, “No Parking” area, or “Fire Lane.” or park overtime in any timed parking space.
8. **SORORITY/AUXILIARY:** Residents who live in sorority and auxiliary housing units are authorized to park in the sorority and auxiliary areas along Daniel Street and University Boulevard as indicated on the map.
9. **MOODY PARKING GARAGE:** All permits are authorized to use the parking garage.
10. **AIRLINE STREET GARAGE:** Law Students only on the first two levels. AUP for all other levels.
11. **SERVICE AND DELIVERY VEHICLES:** These vehicles are issued temporary distinguishing permits denoting the vehicle use (service and delivery, contractors, special guests, trustee parking, visitors, etc.) and must be displayed on the rear view mirror.
12. **MALE FIRST-YEAR STUDENTS:** Male first-year students are authorized to park in the parking garage (4th, 5th and 6th levels)
13. **SMU APARTMENTS** Residents of all SMU Apartments will be assigned parking decals by SMU Apartment Management. These decals are designated for apartment parking and do not authorize the vehicle for ANY on-campus parking. A campus decal must be purchased if the vehicle is brought on campus. *NOTE: Campus decals do not authorize a vehicle to park in SMU Apartment lots. Nonresident vehicles will be towed at the owner’s expense.*
14. **EVENING STUDENTS** Students enrolled in any credit program, undergraduate or graduate, should receive a parking decal from Vehicle Registration and Parking Control to allow them to park on campus. All students (day or night, full- time or part-time) must have a parking decal to park on University property. **ALL UNIVERSITY PARKING** These parking areas are located in the Caruth Lot located west of the intersections of Dyer Street and Airline Street and the Moody Garage. They are reserved for any “paid” SMU decal.
15. **MBA:** This decal is used the same as a Senior/Graduate decal.
16. **TEMPORARY:** This is used on a temporary basis as a substitute for any of the other permits.
17. **SERVICE & DELIVERY:** To be used by vendors and campus employees who make deliveries to various campus areas. Meant for temporary parking situations.
18. **SPECIAL GUEST:** Used to designate visitors on campus. Allows the vehicle to park in any legal space.
19. **RETIRED FACULTY/STAFF:** Designates individuals who have retired from SMU. Allows them to park in any legal space. Available through the Retired Faculty Association and the Retired Staff Association.

## REGISTERING FOR PARKING

1. Student registration for parking must be done in the following manner: Payment for parking is made at the Accounts Receivable Office in Perkins Administration Building. The student reports to the offices of the SMU Police Department and presents proof of payment of the parking fee. A student must have driver’s license and license plate number to register. Vehicle Registration and Parking Control personnel will issue the appropriate decal to each person. The parking permit must be affixed to outside of the rear windshield of the vehicle, driver’s side in the lower portion of the glass in such a manner that the identifying number is visible and

legible. Vehicles without a rear window or those with louvers on the back window may place the permit on the rear bumper.

2. In certain cases, a person not officially registered to park on campus may be issued a temporary permit. This permit must be affixed to the rear of the vehicle with the time of authorization indicated on the face of the permit. Inquiries regarding temporary permits should be directed to the Vehicle Registration and Parking Control Office at 214-768-2487.
3. No parking fee will be charged students enrolled in University noncredit courses. However, a parking decal is required and will be distributed at the time of registration.
4. Faculty and staff parking fees for permanent permits will be deducted from the individual's pay on a regular basis. Payroll deductions will be continued unless the individual desires to cancel the parking privilege and returns the permit and assigned parking gate card, if applicable, to Vehicle Registration and Parking Control Office.
5. Giving false information to register a vehicle (i.e. incorrect vehicle owner) is a violation of University policy.

## **FEES**

Parking fees per school year (September 1-August 31) are as follows:

1. Students
  - Full-time (more than 9 credit hours)*
    - Full year – \$150
    - Spring Semester – \$75
    - Summer Semester – \$28
  - Part-time (9 or fewer credit hours)*
    - Full year – \$75
    - Spring Semester – \$37.50
    - Summer Semester – \$28
2. Faculty/Staff – \$15 a month
3. Exchange of car (2nd permit) – \$2
4. Replacement of lost or stolen permit – \$2
5. Contract employees with personal vehicles – \$5 monthly
6. Deposit for parking gate trip card – \$10
7. Temporary permit – \$8 monthly

## **REFUND POLICY - PARKING FEES**

Parking fees will be refunded if a request is made within the first thirty (30) calendar days of the beginning of a semester.

## **TRAFFIC AND PARKING VIOLATIONS**

University parking and traffic regulations, state laws, and City of University Park ordinances are in effect on the SMU campus at all times.

## **PENALTY FEES**

1. A penalty fee of \$25 will be charged for all minor violations.
2. The penalty fee for a moving violation is \$30.
3. Violation of parking in a space designated for the disabled space without visible authorization or blocking a ramp for the disabled will result in a \$200 penalty fee. In addition, the vehicle will be towed away at owner's expense.
4. Suspension of parking privileges occurs after six citations. The suspension is automatic as determined by Police Department records. The penalty fee for violation of suspension is \$30 per incident. Vehicles parked on campus in violation of suspension will be towed or "booted" at the owner's expense.
5. Fire lane and fire plug violations are \$50 each.

## VIOLATIONS

1. The maximum permissible speed on campus streets is 20 MPH. The speed limit in all parking lots is 5 MPH.
2. Vehicles must stop for pedestrians at all intersections and in marked crosswalks on campus. Pedestrians always have the right of way in any situation.
3. A motor vehicle shall not be operated while any person is sitting on, holding onto, or otherwise positioned on the outside of the vehicle, except pick-up trucks, in which passengers may be seated in the truck bed if the passenger is not in violation of minimum age as defined by state law.
4. When loading or unloading unusually heavy items, or when a vehicle is temporarily inoperative, a note shall be placed on the dashboard on the driver's side, signed by the driver, stating the situation (loading or unloading, or inoperative vehicle), and the time of day. A maximum of twenty (20) minutes parking will be granted in these instances. Inoperative vehicles must be moved as soon as possible. The vehicle involved in loading or unloading must be parked in a parking space or loading zone and must be moved immediately upon completion of the loading or unloading operation. The procedure does not convey the right to park in a FIRE LANE, a space designated for a DISABLED person, a NO PARKING ZONE, or a RESERVED space.
5. It shall be a violation for any person to drive by, through, beyond, or move a barricade, a road block, or parking cone that is officially erected on the campus.
6. Parking in a fire lane.\* (**\$50 penalty fee**)
7. Blocking a driveway.\*
8. Double parking.\*
9. Parking in a space designated for persons with disabilities.\* (**\$200 penalty fee**)
10. Parking in a crosswalk or yellow-painted NO PARKING zone. (Please note, activating the emergency flashers on your vehicle will NOT exempt you from being cited while parking in a NO PARKING zone. Vehicles parked for ANY length of time even with emergency flashers on are subject to being cited and towed by police!)
11. Moving traffic violation (includes driving motorcycles and mopeds on sidewalks).
12. Failing to yield the right of way to a pedestrian.
13. Overtime parking (this includes areas controlled by parking meters).
14. Parking in an unauthorized area, no permit or incorrect permit, and spaces designated "VISITOR."
15. Parking outside the defined limits of a parking space (taking two spaces).
16. Parking on sidewalks or grass, mall, or lawn.
17. Parking a trailer or boat on campus.
18. Failure to properly display a parking permit.
19. Improper use of traffic citation.
20. Bicycle violations (e.g., blocking ramps for the disabled, handrails, chained to trees or lamp posts).\*
21. Students, faculty, or staff parking in any area designated "VISITORS."
22. Parking in a "Reserved" parking space or area.\*

\* Note: Towing action is at owner's expense. The towing fee is in addition to the Violation Penalty Fee.

## OTHER REQUIREMENTS

1. Parking is regulated by posted signs and curb markings, which take precedence over colored map indications.
2. Resident students may not park vehicles in commuter areas from 7 a.m. to 5 p.m., Monday through Friday.
3. Commuters may not park in areas reserved for campus residents or in any other prohibited area.

4. Limited-time parking areas (i.e. 30-minute) may be used by anyone (including male first-year students).
5. Spaces provided for disabled persons are indicated by posted signs.
6. In the event of conflict between traffic signs and the painted regulations, the signs will govern.

## HOURS OF RESTRICTION

Many of the campus parking areas are restricted by the type of decal 24 hours a day, while others are designated as restricted from 7 a.m. to 5 p.m. Drivers should be aware of the signage restricting the area before attempting to park the vehicle.

During the hours of restrictions, a vehicle may be parked only in the parking area to which the vehicle has been assigned and for which a permit has been issued. If restrictions are posted with no time designation, the restriction is enforced 24 hours daily. On Saturday and Sunday and official school holidays, only posted restrictions are in effect.

When restrictions are not in effect, vehicles bearing a current SMU parking permit may park in any space that is not in violation of state and local statutes or is not controlled by signs or curb markings indicating special provisions. Reserved parking areas (i.e., Peyton Parkway, etc.) are reserved 24 hours a day, seven days a week.

## ENFORCEMENT

1. Citations will be issued by the University Police for violation of traffic and parking regulations; a copy will be affixed to the vehicle in violation.
2. A **sixth** traffic citation will result not only in a violation fee but also in the suspension of parking privileges. **Suspended vehicles must be parked off campus!**
3. Securing a parking permit using fraudulent registration information or displaying a fictitious permit will result in the suspension of parking privileges and referral to the University Judicial Officer for further action. NOTE: Students who fraudulently register the vehicles of a friend will lose their parking privileges on the campus for the remainder of the academic year. Students should also be reminded that ANY citations received by their friends who have a registration decal in the registrant's name will be charged to the registrant's account.
4. Improperly parked vehicles that interfere with usual staff functions, such as maintenance, delivery, emergency vehicles, etc. will be towed. Vehicles that damage lawns or other landscape will be towed.
5. In situations where the violation warrants, a vehicle either may be towed or immobilized by the use of a mechanical "boot." If the "boot" is used, the violator must not under any circumstances try to move the vehicle. Any attempt to move the vehicle will result in damage to the locking device and/or the vehicle. SMU IS NOT RESPONSIBLE FOR THE DAMAGE TO A VEHICLE THAT IS MOVED WHILE SECURED BY A "BOOT". ANY DAMAGE TO THE "BOOT" WILL BE CHARGED TO THE VEHICLE OWNER.

## MOTORCYCLES

There are special regulations and state statutes applying to motorcycles, mopeds and motorbikes. Operators of these vehicles must be registered with the SMU Police Department and must display a parking permit. The same penalties for violations of regulations apply to them as to other motor vehicles. Parking and traffic regulations for motorcycles are identical, with the following exceptions:

1. Motorcycles may be driven only on the streets and driveways of the campus and are explicitly prohibited from sidewalks, lawns, flower beds and shrubbery, inside of buildings except garages, and areas where they are prohibited by posted signs.
2. Motorcycles may be parked in any area authorized for automobiles.

3. Motorcycles may not be parked in fire lanes, inside any building except garages, on sidewalks or lawns, in driveways or loading zones, within 10 feet of any building wall, in bicycle parking areas or where official signs prohibit.
4. No more than one passenger may be transported on a motorcycle.
5. Helmets are required.

## **BICYCLES**

Bicycles must be ridden in accordance with state and local laws pertaining to them. The SMU Police Department will provide a synopsis of such laws upon request.

1. As a deterrent to theft and to aid in prompt identification of a lost or stolen bicycle, the SMU Police Department will provide a FREE registration decal to an owner supplying the serial number or identification number of the bicycle. Registration of bicycles is mandatory.
2. A bicycle may not be ridden, parked or stored on any campus street or lawn or other areas where pedestrians may walk, including sidewalks, inside buildings, garages, any landscape improvements not open to pedestrian use, malls, flower beds, hedges and shrubbery, any outside area designated for other than pedestrian use, or where official signs prohibit parking or riding. Bicycles must be ridden on streets only and pushed on sidewalks. Designated bike paths may be used.
3. The operator of a bicycle must give the right of way to pedestrians at all times.
4. Bicycles may not be secured to any tree, shrub, or plant, including average step railings, or any structure NOT designated as a bicycle rack or locking facility. An exception is a chain-link fence.
5. Bicycles may not be left unattended on any sidewalk, street, driveway, loading zone, fire lane, building, porch or patio, or pedestrian mall.
6. Violations of these regulations will result in the removal of the bicycle by the SMU Police Department; the owner may retrieve it after showing proper identification.
7. All violations of campus bicycle regulations are considered minor traffic violations and penalty fees will be assessed accordingly.
8. State law requires bicycle riders to obey all traffic control devices, stop signs, etc.
9. Special bicycle lockers located near residence hall areas are available through the Department of Residence Life and Student Housing for a small fee per semester.

## **IN-LINE SKATES, SKATEBOARDS, TRICK BIKES, AND SCOOTERS**

1. The use of in-line skates, skateboards, trick bikes or scooters on University property will be restricted to members of the campus community (faculty, staff, or regularly enrolled students) and/or their guests. Guests who are invited to use these items on campus property must be eighteen (18) years of age or older.
2. All persons who are engaged in the use of in-line skates, skateboards, trick bikes or scooters must do so with proper safety equipment. The minimum safety equipment required are wrist braces, knee pads, elbow pads, and a helmet that has been certified to meet the ANSI or Snell testing standards. Other procedural requirements, adapted from materials of the International In-Line Skating Association, may be obtained from the SMU PD offices.
3. Use of in-line skates, skateboards, trick bikes or scooters is only allowed during daylight hours. Use of in-line skates, skateboards, trick bikes or scooters in the streets must be directed in the flow of the vehicular traffic.
4. Use of in-line skates, skateboards, trick bikes or scooters is not allowed in buildings, on steps, in any parking garage, on ramps designated for the disabled, on raised areas such as fountains or decorative architecture, on surfaces that can be damaged by the activity, in construction areas or areas restricted by roadblocks or cones, or in an area where a reasonable person would consider this activity to be unsafe.

5. Any violation of this policy by a member of the campus community will result in a written warning on the first offense. A second offense will result in a citation and a \$20 violation fee. A third violation will result in an issuance of written notice that revokes the violator's privilege to skate on campus. In the case of students, the case will be referred to the student judiciary in addition to any other sanctions imposed.

## RESOLVING CITATIONS

The operator of a vehicle in violation of regulations will receive a citation either in person or attached to the vehicle. A violation fee is a University fee and must be paid at the Cashier's Office in the Perkins Administration Building. Failure to pay the traffic violation fee will result in delays for students in receiving degrees and transcripts and in refusal of permission to register.

## APPEALS

1. A traffic citation may be appealed by contacting the Vehicle Registration & Parking Control Office, located on the second floor of Patterson Hall, 3128 Dyer, 214-768-2487, within 15 days of the citation date. **(Do not call the police dispatcher)**
2. Decisions made by the Traffic Appeals Board are based on current published parking regulations. **All board decisions are final.**
3. Individuals who desire to question the current parking regulations may submit recommendations for changes to the Vehicle Registration & Parking Control Office located on the second floor of Patterson Hall.

## UNIVERSITY PARK CITATIONS

In some instances, violators of the City of University Park fire, parking, or building ordinances will be issued City citations. These cases are filed in University Park Court and must be resolved by the judge of that court.

## SUSPENSION OF PARKING PRIVILEGES

1. **When six parking and/or traffic citations are issued to an individual**, that person's parking privileges will be suspended for the remainder of the academic year (to August 31). The person suspended will be required to surrender his or her permit. The suspension applies whether the person has paid the fees for the violations. The person will maintain their parking decal. However, during the parking suspension period, an individual may not park any vehicle on campus.
2. **SMU is not required to notify any person whose parking privileges have been suspended.** Suspension should be considered automatic upon receipt of the sixth citation, even if the citation fees have been paid. However, reasonable effort is made to inform persons whose parking privileges have been revoked by mailing a notice to the address on record. SMU cannot guarantee receipt of this notice.
3. If a suspended vehicle is parked on campus, that vehicle will be impounded at the expense of the owner or person in charge.
4. Violation of the vehicle parking suspension will result in a penalty fee of \$30 for the violation in addition to any towing or impounding fee.
5. A person who has been placed on suspension can be reinstated only after a review of the circumstances by Vehicle Registration and Parking Control and an interview of the individual involved to ensure that no further violations occur or by citation reversal from Appeals Board, which reduces the total citation amount to below six. **The paying of citations does not constitute reinstatement of a person's parking privileges.**
6. Subsequent violation of a parking suspension will be referred to the University Judiciary System for action.

## **TOWING/IMPOUND POLICY**

Vehicles in violation of posted restrictions (i.e., suspended for parking on campus, cited three times or more for parking without a current decal, parked in a fire lane, occupying a space reserved for the disabled with no visible authorization, parked in a no parking area, reserved space, in a service vehicle space without a hang tag, blocking traffic flow or a danger to the safety of others) will be towed or impounded at the owner's expense. All vehicles towed by the Police Department are stored in an on-campus area. Arrangements to retrieve the vehicle must be made at the Police Department.

All tows are made by a licensed wrecker service. SMU is not responsible for any damage sustained as a result of a tow. The wrecker service accepts responsibility for the vehicle during the towing process.

## **ABANDONED VEHICLES**

Any vehicle parked on University property without University permission for a period of 48 hours or more is considered abandoned under state law and can be towed from the campus at the owner's expense. After the vehicle is towed, the owner who is listed on the state registration of the vehicle will be informed about location of the vehicle via certified mail. Failure to claim the vehicle from the storage company within 20 days of the notice will result in the vehicle becoming the property of the storage company. Vehicles that are not in driving condition are not allowed to be stored on University property. Vehicles that are under repair are not to be stored on SMU property.

## **BOATS, TRAILERS, MOBILE HOMES, AND BUSES**

Boats are not allowed to be stored or parked on campus, with or without a trailer.

Other types of trailers may be parked on campus only with the written permission of a representative of the SMU Police Department. Permission to temporarily park a mobile home (on the Dedman 3 Lot only) on campus will be granted by the SMU Police Department on a specific-need basis. Buses are not allowed to park permanently on campus. Temporary arrangements involving special events can be made through the SMU Police Department (214-768-2490).

## **UNIVERSITY CLOSING DUE TO BAD WEATHER**

The decision to close the University due to weather conditions is made by the University president. The decision will be announced to the local television and radio stations by 6 a.m. Voice mail messages announcing the closing will be available by calling SMU-MAIL (214-768-6245) or SMU-INFO (214-768-4636).

## **ARTICLE 51.212 (THE TEXAS EDUCATION CODE)**

“The governing boards of private institutions of higher education, including private junior colleges, are authorized to employ and commission campus security personnel for the purpose of enforcing the law of the state on the campuses of private institutions of higher education. Any officer commissioned under the provisions of this section is vested with all the powers, privileges and immunities of peace officers while on the property under the control and jurisdiction of the respective private institution of higher education or otherwise in the performance of his assigned duties. Any officer assigned to duty and commissioned shall take and file the oath required of peace officers and shall execute and file a good and sufficient bond in the sum of \$1,000.00 payable to the Governor, with two or more good and sufficient sureties, conditioned that he will fairly, impartially and faithfully perform the duties as may be required of him by law. The bond may be sued on from time to time in the name of the person injured until the whole amount is recovered.” (*Article 51.212 of the Texas Education Code.*)

## **GENERAL INFORMATION**

- 1.** All University officers are duly commissioned peace officers of the State of Texas. Upon the request of an officer of the University, any person on the campus is required by state law to identify himself or herself. Any member of the University who refuses to identify himself or herself upon request by a University police officer will be subject to removal from the University and disciplinary action.
- 2.** All vehicle thefts, accidents involving vehicles, and other offenses such as criminal mischief or vandalism of vehicles that occur on campus should be reported to the SMU Police Department immediately. Accident reports should be made prior to moving the involved vehicles. One-vehicle accidents and inoperable vehicles also must be reported promptly. Abandoned vehicles will be removed from the campus at the owner's expense consistent with state law.
- 3.** To secure the necessary traffic control measures, persons or organizations planning activities that involve campus streets should notify the SMU Police Department at least one week before the event.
- 4.** The SMU Police Department, located on the second floor of Patterson Hall, 3128 Dyer, is open at all times. Officers patrol the campus day and night and also may be summoned by telephone, 911 for emergencies, 214-768-3388 for non-emergencies. For administrative matters, call 214-768-2486.

**“We have not passed that subtle line between childhood and adulthood until we move from the passive voice to the active voice-that is, until we have stopped saying ‘It got lost,’ and say ‘I lost it.’”**

*SIDNEY HARRIS*

## **SAFETY & SECURITY AT SMU**

Southern Methodist University is pledged to fulfill its promise as a private university of the highest quality. Toward that end, a variety of services and programs are offered which are conducive to the support of the learning that occurs in the classroom. Uppermost among the services and programs are those that promote the safety and security of the campus community.

### **MUNICIPAL LAW ENFORCEMENT JURISDICTION**

In addition to the SMU Police Department, the University Park Police Department has concurrent jurisdiction on the campus and, if needed, assists the SMU PD. The University Park Fire Department, which is within a few blocks of the SMU campus, provides fire fighting and emergency paramedic services to the campus. Through interagency agreements, the Highland Park Police Department and the Dallas Police Department also will provide assistance if the SMU Police Department requests it.

### **LAW ENFORCEMENT AUTHORITY OF CAMPUS SECURITY PERSONNEL**

The SMU Police Department is a fully empowered law enforcement agency that is certified by the state of Texas. Campus police officers are state-commissioned peace officers with full police authority, duties, and responsibilities. In addition to the campus police officers, the SMU Police Department has uniformed public service officers who provide dorm security and support for special event operations. The SMU Police Department provides 24-hour emergency services with a minimum of three patrol officers and a dispatcher on duty at all times. The SMU Police Department consists of 35 personnel, 24 of whom are commissioned peace officers. State law provides that only peace officers, trained security officers, and other governmental officers may carry a firearm on a campus. All other persons are prohibited from possessing weapons on University property. The SMU Department of Public Safety has the responsibility and duty to enforce all local, state, and federal laws and to effect arrest and to provide for referral for prosecution of crimes to the city and county judicial systems. Any criminal violation against the University will be processed through the student judicial system and also may result in arrest and/or referral for prosecution in the state or federal criminal justice system.

### **PROCEDURES FOR REPORTING CRIMES AND OTHER EMERGENCIES**

Fires, health emergencies, crimes, and violations of University policies and procedures should be reported to the SMU Police Department either in person at 3128 Dyer Street, Room 200, Patterson Hall, or by telephone at 911 on campus or at 214-768-3333 from off-campus. Violations of University policies and procedures by students also may be reported to the Dean of Student Life Office at Room 302, Hughes-Trigg Student Center or by calling 214-768-4564. Conspicuously placed lighted emergency telephones with direct lines to the SMU Police Department are located throughout the campus to facilitate reporting.

## **CAMPUS FACILITIES ACCESS**

Visitors to residence halls and fraternity and sorority housing must be accompanied by the resident of the facility who is being visited. Visitors to the campus are welcome but are expected to adhere to all campus regulations and policies. Visitors are encouraged to stop by the SMU Police Department located on the second floor of Patterson Hall for information on University regulations. The University reserves the right to restrict the access of any person who does not adhere to University policies and procedures. Any person may be required, upon request by the SMU Police Department, to present identification while on campus.

## **MAINTENANCE OF CAMPUS FACILITIES**

University facilities, lighting, and landscaping are maintained so as to reduce hazardous conditions. Malfunctioning lights and other unsafe conditions are reported to the Physical Plant for repair or correction on a daily basis.

## **RESIDENCE HALL SECURITY**

Approximately 2,200 students reside on campus in residence hall facilities. Residence halls have doors that lock automatically 24 hours a day. Access is by a card key entry system that allows building residents to use their assigned cards for exterior entry only to their own assigned residence halls. If an exterior fire door of a residence hall is propped open, an alarm will sound alerting the building's residence life staff. The area desk in McElvaney Hall, located in the South Quad, is staffed 24 hours. A security officer is on duty from midnight to 8 a.m., and a residence life and housing staff member is on duty from 8 a.m. to midnight. All other residence halls are covered at random by patrol 24 hours per day. Residents are encouraged to keep their residence hall room door locked at all times. Visitors must be accompanied by a resident at all times while in a residence hall. All residence halls have telephones located inside and outside the front door.

## **SERIOUS CRIMES**

In the event a serious crime is committed on campus, the following procedures are used to provide timely notice of the crime and warning to the SMU community within 24 hours of crime: 1) CAMPUS ALERT signs will be posted at major entrances to campus; 2) announcement posters will be displayed in the residence halls and major corridors on campus including Hughes-Trigg Student Center, Fondren Library, Umphrey Lee Cafeteria, Fondren Science Building, and Dallas Hall; and 3) quarter-page announcements will be run in The Daily Campus student newspaper. The signs, posters, and newspaper announcements will prominently display a telephone number that members of the community may call to obtain information about the crime that occurred as well as information on any additional safety measures that have been implemented. These actions may be in addition to other measures and will depend on the particular circumstances of the crime.

## **CRIME STATISTICS FOR THE PERIOD ENDING DECEMBER 31, 2000**

Southern Methodist University has participated in the FBI's Uniform Crime Report since 1967. As part of its ongoing commitment to provide information that students, faculty, and staff may need to help make their campus safe, and to comply with the 1991 Student Right to Know and Campus Security Act, the following are the reported crime statistics, as defined by the Act, for Southern Methodist University for 1998, 1998, and 2000.

**SOUTHERN METHODIST UNIVERSITY POLICE DEPARTMENT SAFETY  
CAMPUS CRIME SECURITY ACT REPORT INCIDENT REPORTING  
COMPARISONS - REPORTING PERIODS JANUARY 1 TO DECEMBER 31**

<b>CRIME CATEGORIES</b>	<b><u>1998</u></b>	<b><u>1999</u></b>	<b><u>2000</u></b>
Murder	0	0	0
Forcible Sex Offenses	0	0	0
Robbery	1	0	1
Aggravated Assault	0	1	1
Burglary	19	19	31
Motor Vehicle Thefts	7	5	13
Negligent Manslaughter	0	0	0
Non Forcible Sex Offenses	0	0	0
Sexual Offenses Reported to Other University Officials	12	8	N/R
Arson	1	0	2
<b>CATEGORIES</b>	<b><u>1998</u></b>	<b><u>1999</u></b>	<b><u>2000</u></b>
Liquor Law Violations	6	21	21
Liquor Law Violations Judicial Referrals	N/R	80	248
Drug Abuse Violations Arrests	0	5	3
Drug Abuse Violations Judicial Referrals	N/R	6	14
Weapons Violations	1	3	2

A copy of the Annual SMU Security Report is available from the SMU Police Department, Patterson Hall Rm 212, or on the internet at [www2.smu.edu/pd/](http://www2.smu.edu/pd/)

**SAFE AND SOUND ADVICE**

**GENERAL SAFETY TIPS**

- Avoid walking alone, particularly after dark. Use the campus Escort Service or the Blue Angel Shuttle whenever possible. If walking alone is unavoidable, be aware of your surroundings and let someone know when to expect you.
- Avoid shortcuts. The shortest route is not always the safest route. Walk along the mid-point between curbs and buildings and away from alleys and bushes.
- Dress for mobility, particularly after dark.
- Avoid deserted areas, poorly lit streets, alleys, and pathways.
- Never jog alone.
- When walking or jogging, go against the flow of traffic; that makes it harder for motorists to bother you. (If harassed from a car, walk or run in the opposite direction. Scream if you are truly frightened.)
- Do not jog while wearing stereo headphones. It's important to be alert to what's happening around you.
- Carry your personal belongings in a backpack or similar container that will enable your arms and hands to be free at all times.
- Avoid approaching your car with bundles that restrict use of your arms. If you've been shopping, ask the store for assistance.
- Always have your keys ready to unlock the door to your car or residence and enter without delay. Lock the doors after you get inside.

- Before entering your car, look in the back seat and on the floorboard.
- Always lock car doors and windows when you leave or enter your car.
- Never leave belongings in plain view in your car. Lock them in the trunk.
- If someone in a vehicle attempts to stop you - even to ask for directions - do not get close to the vehicle.
- Register, engrave, mark, and/or photograph all your valuables including bicycles, stereos, jewelry, vehicles, computers, etc.
- Never get on an elevator with someone who looks suspicious. If someone who looks suspicious gets on, get off immediately.
- Avoid using ATMs in dark, isolated areas; it's best to use machines that are highly visible in public areas such as supermarkets.
- Never flash your cash. Always have "emergency" change for a phone call.
- Be responsible with alcohol. If you are intoxicated, you are less alert and an easier target for robbers and attackers.

### **SECURITY IN THE RESIDENCE HALL**

- Never leave your door open, even if you will be gone for only a few minutes; especially, never prop any door open. Always lock doors, screens, and windows to prevent uninvited access to your room.
- Don't mark your room key or key chain with your name, address, or telephone number.
- Do not give anyone a key to your room.
- Do not leave valuables in plain sight.
- Never let strangers into your hall. This puts you and others at risk.
- Be aware of suspicious persons and activities. If you observe someone or something suspicious, notify the hall staff and the SMU PD, 214-768-3333.

**“Learning is not attained by chance, it must be sought for with ardor and attended to with diligence.”**

*ABIGAIL ADAMS*

## **SMOKING POLICY**

Southern Methodist University is dedicated to providing a healthy, safe, comfortable, and productive work, study, and social environment for students, faculty members, and staff. This goal can be achieved only through ongoing efforts to protect nonsmokers and by helping students and employees adjust to restrictions on smoking. All areas in University buildings, including residence halls and greek houses\*, will be smoke-free.

The success of this policy depends upon the thoughtfulness, consideration, and cooperation of smokers and nonsmokers. All members of the SMU community share the responsibility for adhering to and enforcing the policy. Any conflict should be brought to the attention of the appropriate supervisor and, if necessary, referred to the department head, dean, or vice president. The director of the Office of Environmental Health and Safety has the responsibility for interpreting policy and reviewing questions concerning smoking issues.

*\* First offense for smoking in any University-owned greek house will result in a \$250 fine assessed to the house. Subsequent offenses will be fined and assessed to the house at an incremental rate of \$50 per offense (i.e., second offense anywhere in the house is \$300, third offense is \$350, and so forth.)*

**“It is time for a new generation of leadership, to cope with new problems and new opportunities. For there is a new world to be won.”**

*JOHN F. KENNEDY*

## **FEDERAL LAW & CONFIDENTIALITY OF STUDENT RECORDS**

The Family Educational Rights and Privacy Act of 1974 is a federal law that grants to students the right to inspect, to obtain copies, to challenge, and to a degree control the release of information contained in his or her education records. The act and regulations are very lengthy, and for that reason SMU has issued guidelines which are available to students in the Division of Enrollment Services. Policy 1.18 of the University Policy Manual, accessible on SMU’s Intranet, also discusses this law.

In general, no personally identifiable information from a student’s education record will be disclosed to a third party without consent from the student. Several exceptions exist, including these selected examples: (1) Information defined by SMU as directory information may be released unless the student sends a written request to the Registrar that it be withheld; and (2) information may be released to a parent or guardian if the student is declared financially dependent upon the parent or guardian as defined by the Internal Revenue Service Code. A parent or guardian wishing to have access to a student’s education records must provide to the University Registrar a completed Declaration of Student Dependency form, available in the Registrar’s Office.

The Declaration of Dependence For Purposes of Obtaining Student Education Records form referred to above is available from the Manager of Transcript and Certification Services in the Department of Enrollment Services. *PLEASE NOTE: The old form, Parental Certification for Purposes of Obtaining or Releasing Student Academic Data, is no longer valid.*

On the Declaration of Dependence form a taxpayer filer, or two filers for joint returns, may declare on an annual basis that a student is their dependent.

If the parent has filed a Declaration of Dependence form SMU may disclose, but is not required to disclose, information to the parent from the student’s educational records. In most situations it is expected that information requested would be provided.

In addition to the Declaration of Dependence form that can be completed by the taxpayer, the student can complete a Student Release for Purposes of Releasing Student Education Records form providing a standing release of information to specific persons. This form is also available from the Manager of Transcript and Certification Services in the Department of Enrollment Services.

Please contact the University Registrar in the Department of Enrollment Services, 214-768-2058, if you have any questions regarding FERPA or releasing information to parents.

**“Liberty means responsibility. That is why most men dread it.”**

*GEORGE BERNARD SHAW*

## **OFFICE OF SERVICES FOR STUDENTS WITH DISABILITIES**

The mission of this office is to provide individual attention and support for students with disabilities, to assess the unique needs of students with disabilities, and to identify campus resources for them.

This office works closely with faculty members, advisers, the Learning Differences Specialist and other staff at the Learning Enhancement Center to ensure that the students' needs are met. All students requesting accommodations must make prior arrangements with the office. New students will be required to present documentation of their disability before receiving accommodations. Documentation can be sent to the Office of Services for Students with Disabilities as soon as the student is enrolled in the University.

The office is located in Hughes-Trigg Student Center, Room 302. Its telephone number is 214-768-4563.

Students who disagree with the response to their request that a current policy, practice or procedure be altered because of the student's documented disability may file an appeal by following the steps outlined in the Academic Grievance and Appeals Procedure for Students with Disabilities. To learn more about the procedure, please contact the Coordinator of Services for Students with Disabilities, 214-768-4563, the Learning Disabilities Specialist, 214-768-1918, or view the policy online at [http://www2.smu.edu/studentlife/Disabilities\\_Appeals.html](http://www2.smu.edu/studentlife/Disabilities_Appeals.html).

**“Everyone is in favor of free speech. Hardly a day passes without it being extolled, but some people’s idea of it is that they are free to say what they like, but if anyone says anything back, that is an outrage.”**

*SIR WINSTON CHURCHILL*

## **SMU POLICY ON SEXUAL HARASSMENT**

Southern Methodist University is committed to providing a work and study environment that encourages intellectual and academic excellence and the emotional well-being of its students, faculty, and staff. Circumstances, facts, and conduct that violate this policy contradict the University’s educational philosophy and standard.

Southern Methodist University expressly prohibits sexual harassment of its students, faculty, or staff, or of applicants who seek to join the University community in any capacity.

SMU strives to provide an educational and working environment for its students, faculty, and staff free of intimidation and harassment. The unprofessional treatment of students and colleagues in any form is unacceptable to the University community.

- Educational materials and programs designed to increase awareness and understanding of sexual harassment and ways to prevent its occurrence
- Prompt, effective grievance procedures that are fair to both the complainant and the accused
- Appropriate sanctions
- Reasonable action to protect complainants and others participating in the proceedings against retaliation
- Counseling and consultation services by professional counselors for those involved in sexual harassment complaints
- Informal proceedings that safeguard the identifies of the persons involved and the outcome of the proceedings

### **SEXUAL HARASSMENT**

#### **Definition**

Sexual harassment includes, but is not limited to, such behavior as unwelcome sexual advances; requests for sexual favors; verbal or physical conduct of a sexual nature directed toward a student, member of the faculty or staff, or an applicant seeking to join the University community, particularly when any of the following circumstances is present:

1. Tolerance of sexual harassment is made an explicit or implicit term or condition of status in a course, program, activity, academic evaluation, employment, firing, or admission.
2. Submission to or rejection of sexual harassment is used as a basis for academic evaluation or an employment decision affecting such individual.
3. The behavior described has the purpose or effect of creating an intimidating, hostile, or offensive environment for work or learning, or unduly interfering with an individual’s work performance. For purposes of this policy, “undue interference” is defined as improper, unreasonable, or unjustifiable behavior going beyond what is appropriate, warranted, or natural.

## EXAMPLES

- Physical assault
- Direct propositions of a sexual nature
- Direct statements regarding submission with promise of reward (i.e., higher grade, promotion, etc.) or threats of reprisal
- Implied statements regarding submission to sexual advances with promise of reward or threats of reprisal (i.e., “Meet me tonight for a drink, and I bet we can take care of your grade.”)
- Subtle pressure for sexual activity (i.e., “How would you like to go to a conference in Minneapolis with me?”)
- Pattern of conduct (not legitimately related to office business or the subject matter of a course) that causes humiliation or discomfort, such as sexually explicit or sexist comments, questions, anecdotes, or jokes

## CONSENSUAL SEXUAL RELATIONSHIPS\*

### Faculty/Student Relationships

It is a serious breach of professional ethics for a teacher to initiate or acquiesce in a sexual relationship with a student who is under the personal supervision of the faculty member. Therefore, Southern Methodist University prohibits consensual sexual relationships between a faculty member and a student enrolled in a course taught by the faculty member or whose academic work is supervised by the faculty member. This applies even when both parties appear to have consented to the relationship. A faculty member who is or has been involved in a consensual sexual relationship with a person should not enter into a student/teacher relationship with that person.

A consensual sexual relationship between a faculty member and a student, particularly when the faculty member is of power, will irreparably undermine the professional relationship between them. The issue of power and control over the student remains so strong in a sexual relationship that voluntary consent by a student is improbable and highly questionable. What one thinks is voluntary consent may be only forced consent that the hidden, subtle pressure stemming from the faculty member’s position of power has transformed into a “voluntary” act. Such a relationship creates an inevitable conflict of interest when the teacher makes judgments about a student’s work.

The appearance of impropriety to the University community, which such relationships produce, casts doubt on the faculty member’s academic decisions concerning a particular student’s performance, the faculty member’s overall professionalism and credibility, and the genuineness of the student’s accomplishments where the faculty member is directly supervising and teaching the student.

For purposes of this policy, a faculty member or a teacher is any member of the full-time or part-time faculty, a teaching assistant, an academic adviser, or any other person making academic judgments about a student’s work.

*\* “Consensual sexual relationships” may include amorous or romantic relationships, and the term is intended to indicate conduct between a faculty or staff member and a student that passes beyond what a person of ordinary sensibilities would believe to be a collegial relationship.*

## STAFF/STUDENT RELATIONSHIPS

Consensual sexual relationships between staff and students are prohibited in cases where the staff member has authority or control over the student. Even where there is no power or authority of the staff member over the student, consensual sexual relationships are discouraged between the staff person and the student.

## **SMU GRIEVANCE PROCEDURES**

The University has two levels of review - informal and formal proceedings. If after informal proceedings, the complainant and/or the person accused are not satisfied with the results, formal proceedings may be made.

Informal proceedings generally are handled by the alleged offender's principal administrator, in consultation with the affirmative action officer.

Formal proceedings involving a:

- faculty member, teaching assistant, or other instructional personnel ... are submitted to the Faculty Senate Ethics and Tenure Committee for consideration;
- student ... are handled by the University Judiciary System;
- staff or other member of the University community ... are submitted to the vice president or person designated by the vice president, responsible for the unit in which the person is employed.

Details of these grievance procedures may be obtained from the Affirmative Action or any administrative office, and are listed under the University Policy Op-00-011, Sexual Harassment and Consensual Relationships.

## **OPTIONS FOR HANDLING SEXUAL HARASSMENT**

- Know your rights. Sexual harassment is a violation of University policy and the Student Code. It is also prohibited under Title VII of the Civil Rights Act of 1964, as amended, and Title IX of the Education Amendments of 1972. You have a right to an education or work environment that is free of bias, intimidation, or hostility.
- State your objections at the time. Express your objections to undesirable behavior clearly and firmly. Your response could prevent future harassment from the person especially if he or she did not realize the behavior was offensive.
- Tell someone. It is helpful to talk to a trusted friend, teacher, resident assistant, colleague, or counselor to help clarify the nature of the incident, receive support, and discuss alternative responses. Many victims of sexual harassment feel ashamed, angry, even frightened, and have a tendency to blame themselves for the incident. The staff of the Women's Center may be particularly helpful if you need emotional support and information on University policies and procedures. The services of the center are free and confidential.
- Document incidences. Note dates, times, places, persons involved, descriptions of the behavior, and how you responded in a journal or datebook. Keep notes or letters received from the person.
- Write a letter. A letter to the harasser can be an effective way to communicate one's objections to certain behaviors. Such a letter should state: (a) the facts of the situation, (b) the effects the behavior has had on the harassee, and (c) that the harassee would like the behavior to stop.
- Report the incidences on course evaluation forms. This option permits the complainant to report an incident anonymously to the faculty member and the chairperson of the department.
- Report the incident. The Affirmative Action Office - administratively neutral and knowledgeable - can be helpful if you need information or want to file an informal or formal complaint. You may remain anonymous up until the point that you may decide to request an official review of the charges.

## **CAMPUS RESOURCES**

- For General Information, Reporting Incidents, or Consultation on Grievance Procedures  
Office of Affirmative Action  
221 Perkins Administration Building  
*Phone: 214-768-3601*
  
- For General Information, Reporting Incidents, Counseling, or Educational Programs  
Women's Center  
3116 Fondren Drive  
*Phone: 214-768-4792*  
Dean of Student Life Office  
302 Hughes -Trigg Student Center  
*Phone: 214-768-4564*
  
- Additional Counseling Options  
Counseling and Testing Center  
Health Center  
*Phone: 214-768-2211*  
Mental Health Center  
Health Center  
*Phone: 214-768-2860*  
Office of the Chaplain  
316 Hughes-Trigg Student Center  
*Phone: 214-768-4502*

**“A person may cause evil to others not only by his actions but by his inaction, and in either case he is justly accountable to them for the injury.”**

*JOHN STUART MILL*

## **SMU POLICY ON SEXUAL ASSAULT**

SMU is a community of trust whose very existence depends on adherence to standards of conduct. Student conduct that violates these standards is handled through the University Student Judiciary. Cases of alleged student misconduct involving serious physical or psychological harm are referred to the SMU Student Judiciary Serious Offense Judicial Board. This includes cases involving sexual misconduct and/or sexual assault or attempted sexual assault. (What follows is a summary of SMU’s policies and procedures on sexual misconduct and sexual assault. Please consult the University Judicial Code section for these policies and procedures in their entirety.)

### **WHAT CONSTITUTES SEXUAL ASSAULT?**

Sexual assault offenses include the actual or attempted intentional touching of an unconsenting person’s intimate parts (defined as genitalia, groin, breast, the buttocks, or clothing covering them) or forcing an unconsenting person to touch another’s intimate parts; rape; forcible sodomy; forcible oral copulation; and forcible sexual penetration, however slight, of another’s anal or genital opening with any object. These acts may be committed by a stranger or by acquaintance and must be committed either by force, threat, or intimidation, or otherwise without consent.

### **EDUCATIONAL PROGRAMS THAT PROMOTE AWARENESS**

The Coordinator of Psychological Services for Women will conduct educational programs on sexual assault for students through the Wellness Program, the Orientation Week Program, the Extended Orientation Program (EOP) in the residence halls, and seminars for specific groups as requested. In addition, confidential, ongoing counseling for student survivors of sexual assault is available with the Coordinator of Psychological Services for Women and can be arranged through the Counseling and Testing Center. Confidential, ongoing counseling for faculty and staff survivors of sexual assault is available through the Counseling and Testing Center on a fee basis.

### **WHAT TO DO IF YOU HAVE BEEN SEXUALLY ASSAULTED**

Students, faculty, and staff are encouraged to report sexual assaults to the SMU Department of Public Safety, whether the assault occurs on or off campus, no matter who the alleged assailant is. Students may report sexual assaults to the SMU Department of Public Safety or the Dean of Student Life Office. Reporting a sexual assault to University officials or filing a police report does not automatically initiate criminal charges. It is important for persons who have been sexually assaulted to seek medical attention. The Coordinator of Psychological Services for Women is available to accompany students who have been sexually assaulted to the hospital and for counseling, if desired. A medical examination called a “Rape Kit Test,” conducted by an area hospital, will help preserve important evidence of the sexual assault if the person who has been sexually assaulted decides later to prosecute.

## **HOW TO FILE A SEXUAL ASSAULT COMPLAINT**

Persons with complaints of sexual misconduct and/or sexual assault allegedly committed by students, whether occurring on or off campus, should report such complaints to the Office of the Dean of Student Life. If the complainant wishes to proceed with formal charges through the SMU Judiciary, an investigation is conducted, and the case is referred to the SMU Serious Offense Judicial Board, a group specially trained to hear serious offense cases. This board is composed of six members (three students, one faculty member, one staff member, and one nonvoting SMU Law School faculty member, who serves as chair). A hearing is held following the procedures outlined in The University Judicial Code, Section V, Serious Offenses - Student Judicial Procedures. Such procedures include opportunities for both the complainant and the accused: to attend the hearing and present evidence on their own behalf; to challenge any member of the Serious Offense Judicial Board on grounds of prejudice; to have their parents and one support person for the SMU community attend; to present either in writing or in person the testimony of witnesses; to cross-examine witnesses; to request to have her/his living arrangements (if living in campus housing) modified pending the outcome of the student judicial proceedings if the accused is living near the complainant; and not to have his or her sexual history discussed during the hearing. However, evidence of a recent sexual relationship between the accused and the complainant may be considered if the accused asserts consent as a defense. In addition, the accused has the right to appeal the decision of the Serious Offense Judicial Board to the University Judicial Council. Students found responsible for sexual misconduct or sexual assault face sanctions imposed by the student judiciary ranging from judicial reprimand to expulsion.

Filing formal charges through the SMU student judiciary does not preclude filing criminal and/or civil charges. Students who wish to file criminal and/or civil charges may receive information and assistance from the Office of the Dean of Student Life and the SMU Department of Public Safety.

**“We only want that which is given naturally to all peoples of the world, to be masters of our own fate, only of our fate, not of others and in cooperation and friendship with others.”**

*GOLDA MEIR*

## **CENTER FOR ALCOHOL EDUCATION**

### **STANDARDS OF CONDUCT**

Alcohol: A) The Student Code of Conduct prohibits possession and consumption of alcoholic beverages in public places on campus. B) The University strictly enforces that which may be considered a violation of state law and prohibits the possession and consumption of alcohol by those younger than 21.

Controlled substances (drugs): The Student Code of Conduct requires that all students be in compliance with all local, state, and federal laws regarding controlled substances to include, but not limited to, their use, sale, possession, or manufacture.

### **HEALTH RISKS OF ALCOHOL AND DRUGS**

Alcohol: A) Acts as a depressant, affects mood, dulls the senses, and impairs coordination, reflexes, memory, and judgment. B) More serious effects may be damage to the liver, kidneys, pancreas and brain. C) It is the leading cause of death among people ages 15-24. D) On average, heavy drinkers shorten their life spans by approximately 10 years.

Marijuana: A) Prolonged use can lead to severe psychological dependence. B) An immediate increase in heart and pulse rate may cause an acute panic anxiety reaction. C) Impairment of memory, altered sense of time and inability to concentrate. D) May cause apathy/loss of motivation.

Cocaine: A) Increase in heart rate, breathing rate, and body temperature. B) Chronic runny nose and membrane infections. C) Overdose may result in seizures, heart failure, coma or death.

Opiates: A) Highly susceptible to physical dependence. B) May cause infections of the skin, liver, heart and lungs.

Tobacco: A) Shortness of breath, nagging cough, and heart difficulties. B) Long-term effects may be emphysema, bronchitis, heart disease and cancer.

### **SMU SANCTIONS**

When the standards of conduct regarding alcohol and drugs are violated, SMU will impose, at a minimum, the following sanctions:

Alcohol: A minimum of a \$100 fine. Additional sanctions will be assigned as deemed necessary by the appropriate judicial body. Additional sanctions may include, but are not limited to, notification of parents, assignment of community service hours, and referral to the Center for Alcohol Education. (See The University Judicial Code section).

Drugs (illicit): Sanctions will be imposed by the appropriate judicial body. Possible sanctions assignment include, but are not limited to, a fine, assignment to community service hours, notification of parents, probated suspension, time-frame suspension, or expulsion. (See The University Judicial Code section).

## LEGAL SANCTIONS

**Alcohol:** Minors convicted in the criminal court system of possession or consumption of alcoholic beverages may be subject to fines up to \$500 depending on the number of previous convictions. Convictions for selling to minors may subject individuals to fines up to \$2,000 and to a jail term of up to six months. Convictions for driving while intoxicated may subject individuals to up to \$2,000 and to a jail term of up to two years. Fines and jail terms escalate with subsequent offenses.

**Controlled substances (drugs):** Sanctions upon conviction in the criminal court system for possession, distribution, or manufacture of controlled substances range from fines to probation to imprisonment. Amounts of fines, terms of probation, or years of imprisonment generally are contingent upon the circumstances and amounts of drugs in possession, sale, distribution, or manufacture.

## SERVICES AVAILABLE TO THE CAMPUS COMMUNITY

The mission of the Center for Alcohol Education is threefold: 1) To provide students, faculty, and staff with a confidential source of help when confronted with alcohol or drug abuse or addiction issues. 2) To promote activities and programs with student support to focus campus attention on the problem of alcohol and drug abuse. 3) To help the student body claim ownership of alcohol and drug problems on campus and take charge of identifying solutions.

We have nine primary service functions on campus. They are:

- 1) **ASSESSMENT:** We meet with clients to assess the extent of their problem with alcohol and other drugs, which may range from misuse to abuse to addiction.
- 2) **INTERVENTION:** By working with friends, family, faculty and staff, we reach out to people in trouble and provide them access to appropriate help.
- 3) **SHORT-TERM:** Counseling: As appropriate, we provide counseling to students, faculty or staff.
- 4) **REFERRAL/AFTER-CARE:** Based on our assessment, we assist clients in finding specialized care. This may include outpatient therapy or inpatient treatment.
- 5) **CAMPUS AWARENESS:** We work with student organizations to coordinate projects to focus attention on the dangers of alcohol and drug abuse and the problems of dependency.
- 6) **SUPPORT GROUPS:** Our office supports self-help groups such as Alcoholics Anonymous and refers to a wide range of support groups in the community, as dictated by the needs of the individual.
- 7) **EDUCATION:** Professional staff give presentations on topics related to alcohol and other drugs, chemical dependency and substance abuse.
- 8) **TRAINING:** Our office provides training for students and staff in dealing with others who they believe may have a substance abuse or dependency problem.
- 9) **PEER EDUCATORS:** SMU supports a peer education program in which students provide prevention education on campus and in the surrounding community.

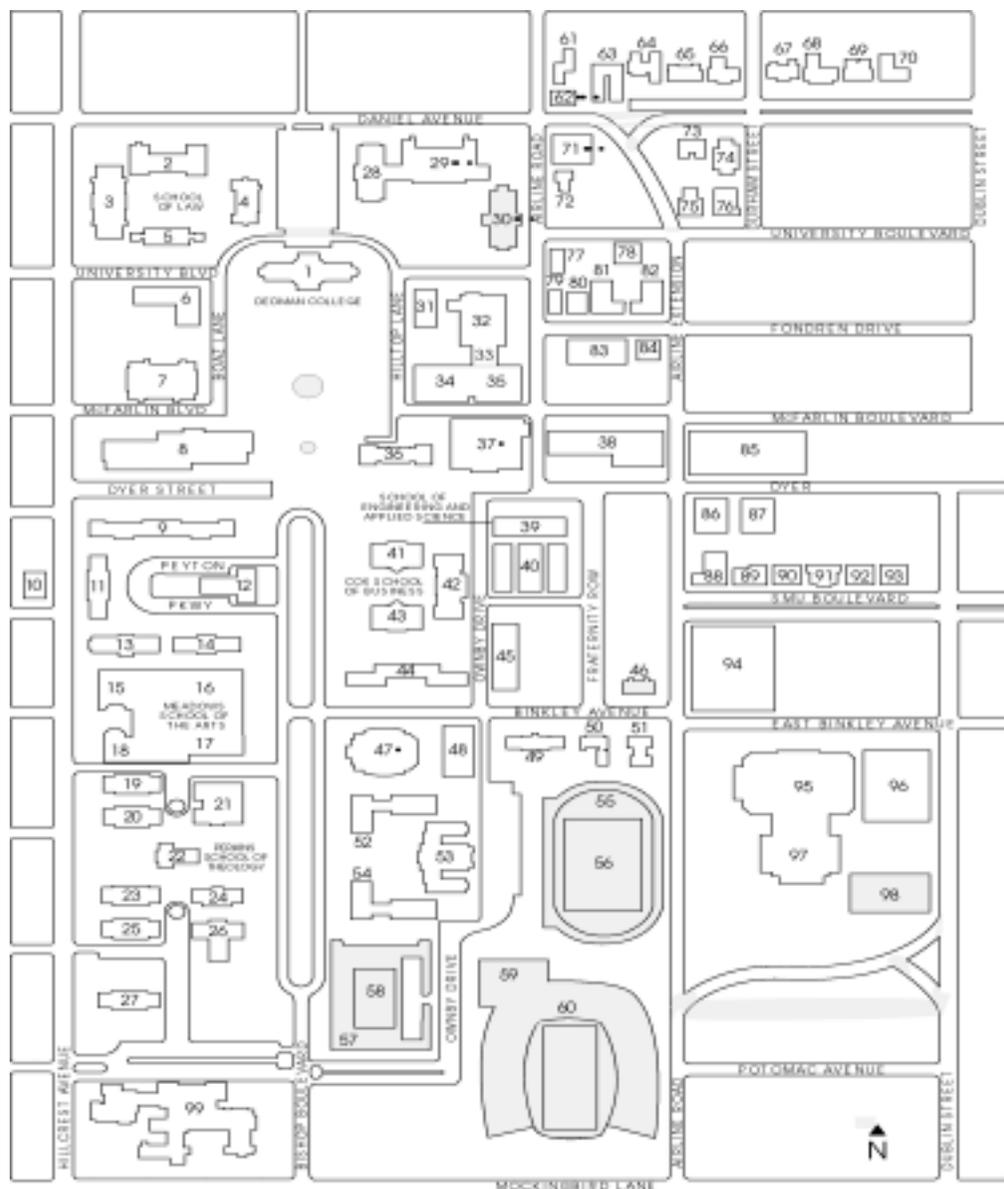
Additional information is available at the Center for Alcohol Education, Memorial Health Center, second floor, from 8:30 a.m.-5 p.m. Monday through Friday; 214-768-4021.



# SMU Campus Map - Legend

1. Dallas Hall
2. Law Parking Garage
3. Storey Hall
4. Underwood Law Library
5. Collins Hall
6. Florence Hall
7. Perkins Administration Building
8. McFarlin Memorial Auditorium
9. Umphrey Lee Center
10. Virginia-Snyder Hall
11. Shuttles Hall
12. Memorial Health Center
13. Peyton Hall
14. Mary Hay Hall
15. Greer Garson Theatre
16. Owen Fine Arts Center
17. Hamon Arts Library
18. Smith Hall
19. Perkins Hall
20. Bridwell Library
21. Perkins Chapel
22. Martin Hall
23. Kirby Hall
24. Hawk Hall
25. Selecman Hall
26. Moore Hall
27. Heroy Science Hall
28. Fondren Science Building
29. Dedman Life Sciences Building
30. Hyer Hall
31. Science Information Center
32. Fondren Library Center
33. Fondren Library West (DeGolyer Library)
34. Fondren Library East (Fondren Library)
35. Clements Hall
36. Hughes-Trigg Student Center
37. Patterson Hall
38. Caruth Hall
39. Laboratory Buildings (Engineering)
40. Maguire Building
41. Fincher Memorial Building
42. Crow Building
43. Boaz Hall
44. Bradfield Computing Center
45. Sigma Chi
46. Perkins Natatorium
47. Barr Pool
48. Lettermen Hall
49. Sigma Alpha Epsilon
50. Lambda Chi Alpha
51. Morrison-McGinnis Hall
52. McElvaney Hall
53. Cockrell-McIntosh Hall
54. Morrison-Bell Track
55. Westcott Field
56. Meadows Parking Garage
57. Meadows Museum
58. Loyd All-Sports Center, Alumni Center
59. Ford Stadium
60. Daniels II
61. Alpha Psi Lambda
62. SMU Apartments
63. Delta Gamma
64. Kappa Kappa Gamma
65. Panhellenic House #2
66. Faculty Club
67. Gamma Phi Beta
68. Alpha Chi Omega
69. Chi Omega
70. Airline Parking Garage
71. Intercultural Resource Center
72. Panhellenic House #1
73. Pi Beta Phi
74. Kappa Alpha Theta
75. Delta Delta Delta
76. Education & Lifelong Learning
77. Delta Sigma Theta
78. Continuing Studies
79. Women's Center
80. International Office, Gifted Students Institute-Precollege Programs, and SMU-in-Taos
81. Public Affairs
82. Tower Apartments
83. Alpha Kappa Alpha
84. Mechanical Engineering Complex
85. Dawson Service Center
86. SMU Service House
87. Pi Kappa Alpha
88. Phi Delta Theta
89. Phi Gamma Delta
90. Beta Theta Pi
91. Sigma Phi Epsilon
92. Kappa Sigma
93. Kappa Alpha
94. Moody Parking Garage
95. Moody Coliseum
96. Haggard Tennis Stadium
97. Dedman Center for Lifetime Sports
98. Temporary Athletic Facilities
99. Highland Park United Methodist Church

# SMU Campus Map



# 10 ESSENTIAL TIPS

1. Call **911** in case of an emergency, or to report any safety concerns, regardless of your location.
2. The Office of the Dean of Student Life (302 Hughes-Trigg Student Center) is a resource to consult when you want general information and assistance, or if you simply do not know where else to go.
3. Get involved! Students who are involved in out-of-class activities (i.e. clubs, sports, organizations) report more overall satisfaction with their college experience, and are more likely to graduate.
4. All SMU students are expected to uphold the Honor Code and principles of academic integrity.
5. When in doubt about questions of academic honesty, you should consult the instructor of the course in question. For example, turning in the same paper for two different courses is only acceptable with the prior permission of both instructors.
6. Students who utilize the services in the SMU Career Center during their first year report greater success in finding the job of their choice.
7. The Altshuler Learning Enhancement Center offers tutoring, academic success courses, and supplemental instruction without charge for all students. Check it out!
8. SMU students are members of the University community wherever they go, and are held responsible by the University for their actions on and off campus.
9. Students are responsible for their own lives. It is your responsibility to read the *SMU Policies for Community Life* and *Peruna Express* and to utilize all resources available.
10. **CALL HOME** - your parents want to hear from you!