



Southeastern Oklahoma  
State University

Student Code of Conduct

**2015**  
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RESIDENT STUDENT HANDBOOK - please click on this link<http://homepages.se.edu/residence-life/>

## A Message from the Vice President for Student Affairs

### Welcome to the Southeastern Oklahoma State University (SE) Community!

We are pleased that you have chosen Southeastern for your college education. We believe that we have much to offer our students. Take advantage of all the services that are available to you. We have excellent academic support services, student services and support staff at the University to assist you with your questions and concerns. The faculty is here to assist you in meeting your academic goals. Talk to them when you are having problems. Make sure that you are connected with the University through your faculty, our staff in all our departments and service areas, your residence halls, your campus job, your coaches and your fellow students. Share your concerns. We are here to help you make these the best years of your life! Southeastern is very student-centered. We want you to succeed. We also want you to get involved in academics and in activities that will enhance your University experience.

Take a few minutes to familiarize yourself with the contents of this code. The purpose of this publication is to provide you with information related to your rights and responsibilities. It includes the ***Student Code of Conduct***. It tells you what you can expect from the University and outlines what the University expects of you. By accepting admission to the University and University housing (where applicable), you are agreeing to abide by these policies and procedures and will be held accountable for abiding by them. Take advantage of all the University has to offer and enjoy your college experience. We look forward to what you have to contribute to your University.

Have a great year!

Sharon Robinson  
Vice President for Student Affairs



SOUTHEASTERN OKLAHOMA STATE UNIVERSITY

## STUDENT CODE OF CONDUCT

### A. SCOPE OF REGULATIONS

1. Board Rule – University authority is vested by the Regional University System of Oklahoma Board of Regents with the President. This grants the President the responsibility and authority to promulgate rules governing student conduct and rules ensuring the order and safety of the campus. Students must comply with all the rules and regulations of the institution.

Generally speaking, disciplinary authority and the judicial latitude necessary to accomplish it are delegated to the Office of Student Affairs.

The objective of Southeastern Oklahoma State University is to provide an opportunity for education to all students. In order to achieve this objective, it is important to define standards of conduct or limits of behavior which will enable students to work together and with the faculty, staff, and administration in a positive manner.

The voluntary entrance of a student to Southeastern Oklahoma State University means that the student also voluntarily assumes obligations of attendance, performance and behavior reasonably imposed by the University.

University rules and regulations are designed to ensure optimal conditions for learning for all students. Standards of conduct for students are seen as a base or foundation of behavior rather than arbitrary limits of behavior.

Misconduct is considered a matter of concern by the University. Reports of misconduct variously labeled offensive, unacceptable, destructive, and in violation of University regulations, usually are made in the first instance to the Office for Student Affairs for investigation and determination of appropriate action, if any.

The University's policies concerning students' behavior take an educational and rehabilitative approach in contrast to a punitive approach. The former approach emphasizes assisting students to understand and accept responsibilities for their behavior as students of the University. Both the interests of the student and the University are taken into account in deciding the desirability of undertaking a program of rehabilitation within the University.

The President of Southeastern Oklahoma State University, or his/her designee, shall have the authority to deny admission and/or readmission to applicants to attend the University after review and consideration of any applicant's previous actions of law violations, misconduct, rule violations, or any interference with the orderly conduct of the University, separately or in combination.

2. When University Rules Govern – Students who are enrolled at the University are subject to the rules and regulations of the institution.

## B. STUDENTS OBLIGATIONS & REGULATIONS

Each student assumes an obligation to obey all rules and regulations made by the University, to preserve faithfully all property provided by the State for his/her education, and to discharge his/her duties as a student with diligence, fidelity, and honor. The term —student includes all persons enrolled at the university, both full-time and part-time, pursuing undergraduate, graduate, or professional studies. Persons who are not officially enrolled for a particular term but who have a relationship with the university are considered —students. This definition includes but is not limited to incoming freshmen, transfer students, anyone participating in university sponsored programs and activities for students, and persons who enroll for courses from time to time. Failure to observe the following regulations will subject the student to disciplinary action:

1. Acts of Dishonesty. No student shall commit acts of dishonesty, including but not limited to the following:

- a. Cheating, plagiarism, or other forms of academic dishonesty.
- b. Furnishing false information to any university official, faculty member, or office.
- c. Forgery, alteration or misuse of any university document, record or instrument of identification.
- d. Falsifying or participating in the falsification of any university record.
- e. Any other acts of dishonesty which adversely affect the university pursuit of its objectives.

2. Public Law. All students are expected to conform to all local, state, and federal laws.

3. Personal behavior. Each student shall maintain the highest standards of integrity, honesty, and morality and shall obey the University rules and regulations

4. Disturbing the Peace and Destruction of Property. No student or group of students shall disturb the peace, injure any person, (including hazing), damage or remove university property, or disrupt the functions of the university including its teaching, research, administration, or disciplinary proceedings, public-service functions or other authorized university activity, or interfere with its faculty or staff in the performance of their duties. No student shall encourage or in any way participate in the formation or prolonging of such a gathering.

Should any of these conditions exist, students will be asked to leave the area. For their personal safety, it is suggested students return immediately to their place of residence so there can be no question concerning their behavior.

5. Alcoholic Beverages. The consumption or possession of alcoholic beverages on the campus, in university housing (to include sorority and fraternity housing,) or at any on campus event sponsored by or for student organizations or other activities for students is forbidden. Each university is authorized to develop and implement a policy regulating consumption of alcohol at officially sponsored off campus events.

6. Controlled Substances. The use, possession, or distribution of narcotics or other controlled dangerous substances, or controlled substances except as expressly permitted by law, and the inappropriate use or abuse of prescription or over-the counter medications is forbidden.

7. Payment of Accounts. Students shall make satisfactory arrangements for the settling of University accounts promptly. Failure of a student to make satisfactory arrangements for the settlement of a University account by the due date will result in a late payment penalty. Continued failure to settle the account will result in either suspension or placing of a hold on the student's records. A student may neither re-enroll, receive a diploma, live in on-campus housing nor obtain a transcript until the student has (1) cleared the account, and (2) paid the assessed service charge to cover the administrative expense involved in placing the financial hold on the record.

8. Weapons. The possession or firing of firearms, fireworks, explosives or weapons or imitations of weapons including but not limited to bows, knives, or guns by students is prohibited on campus, in any student residence, sorority, fraternity, approved private housing or university operated facility, except as they are used in officially approved university programs.

University regulations and 21 O.S., Section 1277 prohibits the possession of concealed weapons on university property except in a vehicle and prohibits the removal of the weapon from the vehicle while on campus.

9. Change of Address. Students must notify the Registrar's Office of their current address through Campus Connect. Failure to do so may result in disciplinary action.

10. Computer Theft or Abuse. Theft or other abuse of computer time, including but not limited to the following is forbidden:

- a. Unauthorized entry into a file, to use, read, or change the contents, or for any other purpose.
- b. Attempts to circumvent established security procedures or to obtain access privileges to which the user is not entitled.
- c. Unauthorized transfer of a file.
- d. Unauthorized use of another's identification and password.
- e. Use of computing facilities to interfere with the work of other students, faculty member of university official.
- f. Use of computing facilities to send obscene or harassing messages. Harassment is defined by Section C(5) below.
- g. Use of computing facilities to willfully, publish, distribute or exhibit any obscene expression.
- h. Use of computing facilities to interfere with normal operation of the university computing system.

11. Failure to Comply. Failure to comply with the directive of a university official or law enforcement officer acting in the performance of his or her duties or failure to identify oneself to these persons when requested to do so may result in disciplinary actions.

12. Off Campus. Students may also be subject to university disciplinary action for actions committed off university property.

### C. PROHIBITED ACTIONS AND ACTIVITIES OF MISCONDUCT

Students engaging in the following actions, among others, are subject to disciplinary action by Southeastern Oklahoma State University:

1. Interference by any means, directly or indirectly, with functions and/or activities of the University or with its educational or service programs, either by breach of the peace, force, violence, noise disturbances, disorderly conduct, physical obstruction, or unauthorized occupation of premises, and failure or refusal to comply with directions of University officials, faculty, or staff acting in the performance of their duties;

2. Dishonesty, such as cheating, violating the integrity of examinations, plagiarism, or knowingly furnishing false information to the University or staff for official University records or during University investigations;

3. Forgery, alteration, destruction, damage, or misuse of official University documents, records, or identification cards or devices;

4. Physical abuse; threat of physical abuse; hazing; acts that endanger the health, safety or property of others; or acts that interfere with education activities of any person on University owned or controlled premises, including the premises used at University sponsored or supervised functions;

5. Harassment which includes any act, statement, or combination of acts and statements so objectively and subjectively severe, pervasive, and offensive that it could be said to:

a. deprive a reasonable student or potential student of access to the education opportunities or benefits provided by the university.

b. create a hostile or abusive work environment for a reasonable university employee so as to affect the employee's ability to work or remain on the job, or

c. create a hostile or abusive environment for a visitor so as to deprive the reasonable visitor from exercising legal rights or privileges granted by the university in furtherance of the university's mission.

Mere disagreement does not constitute harassment;

6. Disruption of or interference with classes by any means. Faculty members are authorized to dismiss students from classes pending other action, and it shall be a further offense for any student not to leave a classroom when told to do so by a faculty member;
7. Theft, vandalism, defacement or damage to property of the University, its premises, or to property of other students or members of the University community;
8. Unauthorized use, entry or occupancy of University facilities or premises; or unauthorized possession, duplication, or use of keys to any University premises;
9. Violation of University policies or regulations requiring the registration of student organizations, or prior approval of the use of University premises or facilities;
10. Tampering with the election of any University-recognized or registered student body organization;
11. Theft, unauthorized access or other abuse of University computer systems or University computer labs;
12. Theft, unauthorized access or other abuse of the University phone system;
13. Unlawful use, sale, possession, or distribution of being unlawfully under the influence of or being in knowing unlawful association with narcotics, marijuana, hallucinogenic drugs, or other controlled substances while on or off campus;
14. Disorderly conduct, lewd, indecent, or obscene conduct on University-owned or controlled property, or at a University-sponsored or supervised function;
15. Abuse of fire alarm systems or firefighting equipment, including tampering with equipment, failure to use the equipment for its intended purpose, or any other act that might produce a false alarm, or interfere with the intended use of the equipment;
16. Possession or use of weapons or imitations of weapons on campus or in University housing, except as they are used in officially approved University programs;
17. Gambling;
18. General misconduct, including any act constituting violation of federal, state, civil, or criminal laws or city ordinances. General misconduct that adversely affects the student's suitability as a member of the University community such as the commission of a felony, misdemeanor involving moral turpitude, public nuisance, disturbance of the peace, inciting to rout or riot, disorderly conduct, and all acts that recklessly endanger the student or others;
19. Littering;
20. Refusal to exhibit a student identification card to school officials, faculty, staff, or security personnel when required to do so on school premises or at University sponsored events;

21. Hazing. The Oklahoma Legislature has enacted a law prohibiting hazing by a person or organization against a student at an educational institution. Failure to comply with the specific provisions of the law will result in criminal penalties and fines. A copy of the law in its entirety is available from the Office for Student Affairs. Following is a brief summary of the law:

A person commits an offense under the hazing law if that person:

- a. engages in hazing;
- b. solicits, encourages, directs, aids or attempts to aid another engaging in hazing;
- c. intentionally, knowingly, or recklessly permits hazing to occur; or
- d. has firsthand knowledge of the planning of a specific hazing incident involving a student in an educational institution, or has firsthand knowledge that a specific hazing incident has occurred, and knowingly fails to report said knowledge in writing to the Office for Student Affairs.

Hazing includes, a) any type of physical brutality; b) physical activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student (i.e. sleep deprivation, exposure to the elements, calisthenics); c) activity involving consumption of a food, liquid, alcoholic beverage, liquor, drugs, or other substance which subjects the student to an unreasonable risk of harm or which adversely affects the mental or physical health or safety of the student; d) activity that intimidates or threatens the student with ostracism; and e) activity that subjects the student to extreme mental stress, shame or humiliation, or that adversely affects the mental health or dignity of the student.

The aforementioned activities are only examples of specific hazing offenses. Any type of activity which falls within the general definition of hazing is prohibited under the hazing law. Consent of the individual subjected to the hazing is not a defense against prosecution of an offense under the hazing law.

Organizations that are covered under this law include any recognized campus organization whose members are primarily students at an educational institution. A student means any individual who is enrolled at said educational institution and who is associated with said organization.

Specific penalties which may be imposed against an individual or organization guilty of an offense under the hazing law include the imposition of fines ranging between \$500 and \$1,500 and/or confinement in the county jail for a period of time not to exceed 90 days. An organization convicted will be required to forfeit, for a period of not less than one year, all of the rights and privileges of being an organized or operated organization at the educational institution.

The specific penalty imposed for a hazing offense depends on the seriousness of the offense and whether or not bodily injury or death to an individual resulted from the hazing incident.

22. Failure to comply with the sanctions imposed under the Student Code of Conduct or sanctions otherwise imposed by the University;

23. Actions not committed on University property may be subject to University disciplinary action in cases where a clear and distinct interest of the University is involved or affected.

#### D. STUDENT DISCIPLINARY PROCEDURES

1. Authority of Vice President for Student Affairs. The Vice President for Student Affairs, Dean of Students or their designee are authorized to investigate potential violations of university regulations or law and to determine and administer appropriate penalties using a preponderance of weight of the evidence standard. The Office of Student Affairs has the responsibility for handling on a person-to-person basis, as many of the complaints as possible, except for those cases which by their nature require initial action by another University department, such as

##### a. Matters of Academic Dishonesty and Classroom Misconduct

Academic dishonesty matters may first be considered by the faculty member who may recommend penalties such as withdrawal from the course, reduction or changing of a grade in the course, test, assignment, or in other academic work; denial of a degree and/or performing additional academic work not required of other students in the course. Acceptance of the faculty member's recommended penalties by the student shall make the penalties final and constitute a waiver of further administrative procedures. If the student does not accept the decision of the faculty member, the student may have the case reviewed by the academic department chair. If the student does not accept the decision of the academic department chair, the student may have the matter referred to the Dean of the School. If this decision is not accepted, the student may have the matter referred to the Academic Appeals Committee. The Academic Appeals Committee will serve as an appeals board upon receipt of written requests from faculty or students who seek to have grades or records altered. The Committee will also act on appeals of students who are on academic probation or who have been suspended for academic reasons. The decision of the Academic Appeals Committee will be final.

##### b. Residence Hall Matters

Students who reside within the residence hall system are under a contractual obligation to abide by the rules and regulations of Residence Life, as well as being bound by the University catalogs and all other University rules and regulations governing the conduct of students. Rule or regulation violations may be considered by the Director of Residence Life, who may implement penalties such as cancellation of contract (any contract which is terminated as a sanction will follow existing contract cancellation guidelines, dates and fees), removal from the residence hall system, moving to another hall or within the same hall, imposing of behavioral contract, community service, research and reporting, compulsory attendance at events, programming, restitution or special fees. Acceptance of the Director's recommended penalties by the student shall make the penalties final and constitute a waiver by the student of further administrative procedures. The decision of the Director of Residence Life is final in all matters related to the Residence Halls, except a decision to terminate the Residence Hall Contract.

Students may appeal the termination of contract by the Director of Residence Life by submitting a written letter of appeal to the Dean of Students within one business day of receiving the decision from

the Director of Residence Life. In addition, Housing may refer all or part of the student's case directly to the Dean of Students at any time. The decision of the Dean of Students is final.

#### c. Financial Matters

In matters involving a violation of a financial obligation to the University, including issuance of a check without sufficient funds, the University may initiate action and may assign penalties such as late fees, service charges, fines, loss of money-related privileges, blocks from re-enrollment, etc. If the student believes the penalties have been applied prejudicially or in an arbitrary or capricious manner, or where penalties are the result of an alleged error on the part of the University, student may have the matter reviewed by the Vice President for Business Affairs.

If the student does not accept the decision of the Vice-President for Business Affairs, the student may appeal to the President, whose decision is final.

#### d. Health Matters

Students whose physical or mental health problems may affect the health, safety, and/or welfare of the University community, or who represent a danger to themselves or others, or whose continuing presence disrupts the academic or administrative process, or who fail to follow the directives of the Office of Student Affairs' health or psychological personnel regarding these problems may face disciplinary sanctions from the University.

In all cases covered by this policy, the University reserves the right to exercise the final judgment with respect to the admission or retention of the person whose fitness has been questioned.

#### e. Dean of Students' Office Disciplinary Procedures

The following procedures will be used in all cases referred to the Dean of Students:

##### 1. Non-acceptance of Administrative Disposition

If the student does not accept the Dean of Students' decision, the student may appeal temporary suspension, suspension, expulsion or degree revocation cases in writing that the matter be heard by the Committee on Student Conduct.

## E. SANCTIONS

Sanctions – The Vice President for Student Affairs, Dean of Students, or his or her designee may authorize the following penalties for violations of University regulations or public law may include one or a combination of the following:

1. Warning.
2. Imposing of specified restrictions and sanctions, including but not limited to: letter of apology, presentation of a workshop, preparation of a research paper or project, social probation, community service, assessment or evaluation, counseling, restitution for damages, punitive fines, eviction from residence halls, loss of privileges (i.e. visiting privileges in housing or denial of access to computer services) prohibiting membership or leadership in campus organizations; OR denial of participation in any official athletic or non-athletic extracurricular activity, including practices or travel; OR withholding of official transcript or degree; or blocking from enrollment for a specified period of time; intervention program fee; or any combination of the above.
3. Conduct probation. A student may be placed on conduct probation. If a second violation occurs while a student is on probation, disciplinary action will be based on both charges. The record of conduct probation is kept in the student's folder in the Dean's office. If the student has a Dean's disciplinary hold on the student records, it is removed at the discretion of the Dean of Students.
4. Temporary suspension. A student may be temporarily suspended from the university or university housing prior to the student code of conduct hearing to ensure safety and well-being of members of the university community or preservation of university property; to ensure a student's own physical or emotional safety and well-being; and/or if the student poses an ongoing threat or disruption. Such an administrative decision will be effective immediately.

During the temporary suspension, a student may be denied access to university housing and/or all other university activities or privileges for which the student might otherwise be eligible, as the Dean of Students may determine to be appropriate.

The temporary suspension does not replace the regular process, which shall proceed on the normal schedule, up to and through a student hearing, if required.

The student will be notified in writing of this action and the reasons for the temporary suspension. The notice shall include the time, date, and place of a subsequent show cause hearing at which the student may show cause why his or her continued presence on the campus or in university housing does not constitute a threat.

5. Suspension. A student may be suspended from the University for reasons of conduct for a definite period of time not less than the remainder of the current semester in which student is enrolled. The student who has been suspended may apply

for readmission at the close of the period for which the student was suspended. A suspension hold will be placed on the student's transcript during the period of suspension.

6. Expulsion. When a student is expelled, a record of this action will be noted on the student's transcript and it will be a part of the student's permanent record in the Office of the Registrar. A student who is expelled will not be allowed to re-enter the university.

7. Degree revocation or rescission of credit.

#### F. STUDENT DISCIPLINARY APPEALS

1. Appeals Process. A committee consisting of faculty, staff and students will be created to consider the appeal of cases resulting in temporary suspension, suspension, expulsion, degree revocation or rescission of credit of students. The committee will be designated as the —Committee on Student Conduct. The committee shall be appointed by the president of the university and shall include faculty members and administrative employees whose primary duties are not concerned with the administration of student conduct and affairs. The president will receive nominations for committee memberships from the Faculty Senate and Staff Association, provided that nominations must be submitted within thirty (30) days from time of notification these vacancy(s) exists. Provided further, that if nominations are not made within thirty (30) days, the president will fill the vacancy(s) from the faculty and staff.

The student members of the committee shall be nominated by the Student Senate provided that said nominations must be submitted in the same manner as those for the Faculty Senate and Staff Association. A student instituting an appeal to the Committee on Student Conduct shall have the right to exclude any member of the committee upon proper request. One or more students may be included in the membership of the committee, such number to be determined by the president of the university. Any act by a properly constituted committee, at which a quorum of the committee is present, shall be binding.

To initiate an appeal, a student must make the request. The request and reason for appeal should be made in writing, by hard copy, signed, and dated, to the Vice President for Student Affairs within twenty-four (24) hours (not including state holidays or weekends) after the disciplinary decision is rendered. If the student appeals a decision of suspension, expulsion, degree revocation, rescission of credit, the decision will not become effective until after a hearing before the Committee on Student Conduct. A decision to temporarily suspend becomes effective immediately, but may be overturned after a hearing before the Committee on

Student Conduct. Hearings will be held as soon as practical after the request is made by the student.

2. Explanation of Rights. Prior to the commencement of any disciplinary action provided for herein, the Vice President for Student Affairs or a representative shall explain to the accused student the student's rights under the terms and conditions of these rules and regulations.

3. Hearing before the Committee on Student Conduct.

a) The Vice President for Student Affairs, or designee, will notify the accused student in writing of the date, time, and place of the hearing, the reason for the hearing, and the procedures and possible outcomes.

b) All hearings are closed and information presented in them and all supporting documents are confidential.

c) During the hearing, the accused student may be accompanied by an advisor of the student's choice so long as the availability of the advisor does not hamper

the timeliness of the hearing. The student may choose to have an attorney serve as advisor; however, the advisor does not represent the student in a student conduct hearing and the student will be expected to speak for him or herself at all times.

d) During the hearing, the student has the opportunity to offer information on his or her own behalf and to review all information, statements, or evidence presented.

e) The chair of the Committee on Student Conduct will decide any questions or objections to hearing procedures that are raised during the hearing.

f) Members of the committee may ask questions of any person present during the hearing and the chair will invite questions and comments from the accused student if present. Since decisions are based only on the preponderance of evidence introduced at the hearing, the chair may reconvene the hearing if the committee decides that essential information has not been presented. The hearing shall be reconvened at the earliest practical time that the necessary information will be available.

g) After the chair has determined that all necessary information has been presented and questions answered, the committee will go into closed session and all other persons will be excused. The committee will determine whether or not it believes the accused student is responsible for a violation of the regulations and, if so, whether the penalties determined by the Dean of Students are reasonable. The committee hearing will result in one of two outcomes:

1) that the Dean of Students' determination is affirmed; or

2) that the Dean of Students' determination is modified or reversed.

h) The committee's decision shall be final unless within three (3) days following the entry thereof, the student lodges a written appeal with the president of the university. Appeals with the president shall relate to procedural matters only.

4. Expulsion Hearing Before Committee on Student Conduct. When expulsion is a possible sanction due to the seriousness of the offense, the Oklahoma Administrative Procedures Act relating to disciplinary expulsions will apply. The following pertinent sections of the Act are included in this section for ease of reference. (75 O.S. § 309 et. seq. as amended).

5. Individual Proceedings-Notice-Hearing.

- a) In an individual proceeding, all parties shall be afforded an opportunity for hearing after reasonable notice.
- b) The notice shall include:
- 1) a statement of the time, place, and nature of the hearing;
  - 2) a statement of the legal authority and jurisdiction under which the hearing is to be held;
  - 3) a reference to the particular sections of the statutes and rules involved; and
  - 4) a short and plain statement of the matters asserted. If the university or other party is unable to state the matters in detail at the time the notice is served, the initial notice may be limited to a statement of the issues involved. Thereafter, upon application, a more definite and detailed statement shall be furnished.
- c) Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.
- d) Deliberations by administrative heads, hearing examiners, and other persons authorized by law may be held in executive session pursuant to paragraph 8 of section 307 of Title 25 of the Oklahoma Statutes.
- e) Unless precluded by law, informal disposition may be made of any individual proceeding by stipulation, agreed settlement, consent order, or default.
- f) The record in an individual proceeding shall include:
- 1) all pleadings, motions and intermediate rulings;
  - 2) evidence received or considered at the individual proceeding;
  - 3) a statement of matters officially noticed;
  - 4) questions and offers of proof, objections, and rulings thereon;
  - 5) proposed findings and exceptions;
  - 6) any decision, opinion, or report by the officer presiding at the hearing; and
  - 7) all other evidence or data submitted to the hearing examiner or administrative head in connection with their consideration of the case provided all parties have had access to such evidence.
- g) Oral proceedings shall be electronically recorded. Such recordings shall be maintained for such time so as to protect the record through judicial review. Copies of the recordings shall be provided by the university at the request of any party to the proceeding. Costs of transcription of the recordings shall be borne by the party requesting the transcription. For judicial review, electronic recordings of an individual proceeding, as certified by the university, may be submitted to the reviewing court by the university as part of the record of the proceedings under review without transcription unless otherwise

required to be transcribed by the reviewing court. In such case, the expense of transcriptions shall be taxed and assessed against the non-prevailing party. Parties to any proceeding may have the proceedings transcribed by a court reporter at their own expense.

h) Findings of fact shall be based exclusively on the evidence received and on matters officially noticed in the individual proceeding unless otherwise agreed upon by the parties on the record. (See 75 O.S. § 309)

i) Agencies may admit and give probative effect to evidence which possesses probative value commonly accepted by reasonably prudent persons in the conduct of their affairs. They shall give effect to the rules of privilege recognized by law in respect to: self-incrimination; confidential communications between husband and wife during the subsistence of the marriage relation; communication between attorney and client, made in that

relation; confessions made to a clergyman or priest in his or her professional capacity in the course of discipline enjoined by the church to which he or she belongs; communications made by a patient to a licensed practitioner of one of the healing arts with reference to any physical or supposed physical disease or of knowledge gained by a practitioner through a physical examination of a patient made in a professional capacity; records and files of any official or agency of any state or of the United States which, by any statute of a state or of the United States are made confidential and privileged. No greater exclusionary effect shall be given any such rule or privilege than would obtain in an action in court. Universities may exclude incompetent, irrelevant, immaterial and unduly repetitious evidence. Objections to evidentiary offers may be made and shall be noted in the record. Subject to these requirements, when a hearing will be expedited and the interests of the parties will not be prejudiced substantially, any part of the evidence may be received in written form;

j) Documentary evidence may be received in the form of copies or excerpts if the original is not readily available. Upon request, parties shall be given an opportunity to compare the copy with the original;

k) A party may conduct cross-examinations required for a full and true disclosure of the facts;

l) Notice may be taken of judicially cognizable facts. In addition, notice may be taken of generally recognized technical or scientific facts within the universities' specialized knowledge. Parties shall be notified either before or during the hearing, or by reference party may request the disqualification of a hearing examiner or agency member on the grounds of his inability to give a fair and impartial hearing, by filing an affidavit, promptly upon discovery of the alleged disqualification, stating with particularity the grounds upon which it is claimed that a fair and impartial hearing cannot be accorded. The issue shall be determined promptly by the administrative head of the agency, or, if it affects a member or members of the agency, by the remaining members thereof, if a quorum. Upon the entry of an order of disqualification affecting a hearing examiner, the agency shall assign another in his stead or shall conduct the hearing itself. Upon the disqualification of a member of an agency, the agency shall proceed with the proceeding if a quorum remains. If a quorum no longer exists, by virtue of the member's disqualification, the Governor immediately shall appoint a member pro tempore to sit in place of the

disqualified member in that proceeding. In further action, after the disqualification of a member of an agency, the provisions of Section 311 of this title shall apply.

(See 75 O.S. § 316)

m) Any party shall at all times have the right to counsel, provided that such counsel must be duly licensed to practice law by the Supreme Court of Oklahoma, and provided further that such counsel shall have the right to appear and act for and on behalf of the party he or she represents.

n) A party may request the exclusion of witnesses to the extent and for the purposes stated in Section 2615 of Title 12 of the Oklahoma Statutes.

Exclusion of a witness shall not be a violation of the Oklahoma Open Meeting Act.

(See 75 O.S. § 310)

## 6. Proposed Orders

A. If the administrative head of an agency has not heard the case or read the record of an individual proceeding, a final agency order adverse to a party shall not be made until a proposed order is served upon the party, and an opportunity is afforded to the party to file exceptions and present briefs and oral argument to the administrative head who is to render the final agency order. The proposed order shall be accompanied by a statement of the reasons therefore and of each issue of fact or law necessary to the proposed order, prepared by the hearing examiner or by one who has read the record.

B. Such proposed order shall be served upon the parties at least fifteen (15) days prior to a hearing or meeting at which the administrative head is to consider or render a decision on the proposed order. At such hearing or meeting, the parties shall be afforded an opportunity to present briefs and oral arguments concerning the proposed order.

C. The parties by written stipulation may waive compliance with this section. (See 75 O.S. § 311)

## 7. Final Orders – Contents-Notification.

a) A final university order adverse to a party shall:

1) Be in writing; and

2) Include findings of fact and conclusions of law, separately stated. Findings of fact, if set forth in statutory language, shall be accompanied by a concise and explicit statement of the underlying facts supporting the findings. If, in accordance with university rules, a party submitted proposed findings of fact, the final university order shall include a ruling upon each proposed finding.

b) Parties shall be notified either personally or by certified mail, return receipt requested, of any final university order. Upon request, a copy of the order shall be delivered or mailed forthwith to each party and to his or her attorney of record.

(See 75 O.S. § 312)

8. Agency Members Not to Communicate.

Unless required for the disposition of ex parte matters authorized by law, members or employees of an agency assigned to render a decision or make findings of fact and conclusions of law in an individual proceeding shall not communicate, directly or indirectly, in connection with any issue of fact, with any person or party, nor, in connection with any issue of law, with any party or his representative, except upon notice and opportunity for all parties to participate. An agency member (1) may communicate with other members of the agency, and (2) may have the aid and advice of one or more personal assistants. (See 75 O.S. § 313)

9. Implementation of Emergency Action Pending Outcome of Proceedings.

As authorized by or pursuant to law, if an agency finds that the public health, safety, or welfare imperatively requires emergency action, has promulgated administrative rules which provide for such action and incorporates a finding regarding the emergency in its order, emergency actions may be ordered pending the final outcome of proceedings instituted pursuant to this article. (See 75 O.S. § 314.1)

10. Furnishing of Information, Attending of Witnesses and Production of Books, Records, etc. – Subpoenas.

A.

1. The agency conducting any individual proceeding shall have power to require the furnishing of such information, the attendance of such witnesses, and the production of such books, records, papers or other objects as may be necessary and proper for the purposes of the proceeding.

2. The agency, or any party to a proceeding before it, may take the depositions of witnesses, within or without the state, in the same manner as is provided by law for the taking of depositions in civil actions in courts of record. Depositions so taken shall be admissible in any proceeding affected by this act. Provided, however, all or any part of the deposition may be objected to at time of hearing, and may be received in evidence or excluded from the evidence by the agency or individual conducting the hearing in accordance with the law with reference to evidence in this act or with reference to evidence in courts of record under the law of the State of Oklahoma.

B. In furtherance of the powers granted by subsection A of this section, any agency, administrative head, hearing examiner or any other duly authorized member or employee thereof, upon its own motion may, and upon the request or any party appearing in an individual proceeding shall:

1. Issue subpoenas for witnesses;

2. Issue subpoenas duces tecum to compel the production of books, records, papers or other objects, which may be served by the marshal of the agency or by any person in any manner prescribed for the service of a subpoena in a civil action; or

3. Quash a subpoena or subpoena duces tecum so issued; provided, prior to quashing a subpoena or subpoenas duces tecum the agency shall give no-

tice to all parties. A subpoena or subpoenas duces tecum may not be quashed if any party objects.

C.

1. In case of disobedience to any subpoena issued and served under this section or to any lawful agency requirement for information, or of the refusal of any person to testify to any matter regarding which he may be interrogated lawfully in a proceeding before an agency, the agency may apply to the district or superior court of the county of such person's residence or to any judge thereof for an order to compel compliance with the subpoena or the furnishing of information or the giving of testimony. Forthwith the court or the judge shall cite the respondent to appear and shall hear the matter as expeditiously as possible.

2. If the disobedience or refusal is found to be unlawful, the court, or the judge, shall enter an order requiring compliance. Disobedience of such an order shall be punished as contempt of court in the same manner and by the same procedure as is provided for like conduct committed in the course of judicial proceedings.

(See 75 O.S. § 315)

#### 11. Disqualification of Hearing Examiner or Agency Member.

A hearing examiner or agency member shall withdraw from any individual proceeding in which he cannot accord a fair and impartial hearing or consideration. Any party may request the disqualification of a hearing examiner or agency member, on the ground of his inability to give a fair and impartial hearing, by filing an affidavit, promptly upon discovery of the alleged disqualification, stating with particularity the grounds upon which it is claimed that a fair and impartial hearing cannot be accorded. The issue shall be determined promptly by the administrative head of the agency, or, if it affects a member or members of the agency, by the remaining members thereof, if a quorum. Upon the entry of an order of disqualification affecting a hearing examiner, the agency shall assign another in his stead or shall conduct the hearing itself. Upon the disqualification of a member of an agency, the

agency shall proceed with the proceeding if a quorum remains. If a quorum no longer exists, by virtue of the member's disqualification, the Governor immediately shall appoint a member pro tempore to sit in place of the disqualified member in that proceeding. In further action, after the disqualification of a member of an agency, the provisions of Section 311 of this title shall apply. (See 75

O.S. § 316)

## 12. Rehearing, Reopening or Reconsideration of Agency Decision.

A. A final agency order issued by an administrative head of an agency shall be subject to rehearing, reopening or reconsideration by such administrative head. Any application or request for such rehearing, reopening or reconsideration shall be made by any party aggrieved by the final agency order within ten (10) days from the date of the entry of such final agency order. The grounds for such action shall be either:

1. Newly discovered or newly available evidence, relevant to the issues;
2. Need for additional evidence adequately to develop the facts essential to proper decision;
3. Probable error committed by the agency in the proceeding or in its decision such as would be ground for reversal on judicial review of the final agency order;
4. Need for further consideration of the issues and the evidence in the public interest; or
5. A showing that issues not previously considered ought to be examined in order properly to dispose of the matter.

B. The order of the agency granting rehearing, reconsideration or review, or the petition of a party therefore, shall set forth the grounds which justify such action.

C. Nothing in this section shall prevent rehearing, reopening or reconsideration of a matter by any agency in accordance with other statutory provisions applicable to such agency, or, at any time, on the ground of fraud practiced by the prevailing party or of procurement of the order by perjured testimony or fictitious evidence.

D. On reconsideration, reopening, or rehearing, the matter may be heard by the agency, or it may be referred to a hearing examiner. The hearing shall be confined to those grounds upon which the reconsideration, reopening or rehearing was ordered.

E. If an application for rehearing shall be timely filed, the period within which judicial review, under the applicable statute, must be sought, shall run from the final disposition of such application. (See 75 O.S. § 317)

## 13. Administrative Appeal.

Any order of the Committee on Student Conduct affirming the expulsion of a student shall be final, unless, within three (3) days following the entry thereof, a student lodges a written appeal with the president of the university. Appeals to the president shall relate to procedural matters only.

## STUDENT'S RIGHTS TO PRIVACY

As required by the Family Educational Rights and Privacy Act of 1974 (commonly known as the Buckley Amendment), Southeastern Oklahoma State University is hereby acquainting students with their privacy rights.

Students of Southeastern Oklahoma State University have the right to:

1. Inspect and review information contained in their educational records within 45 days of the day the University receives a request for access. Students should submit to the Vice President for Student Affairs written requests that identify the record(s) they wish to inspect. The University official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the University official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.

2. The right to request the amendment of the student's education records that the student believes is inaccurate.

Students may ask the University to amend a record that they believe is inaccurate. They should write the University officials responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate. If the University decides not to amend the record as requested by the student, the University will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the University in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the University has contracted (such as an attorney, auditor, or collection agent); a person serving on the board of trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official performing his or her tasks. A school official has a legitimate education interest if the official needs to review and education record in order to fulfill his or her professional responsibility. Upon request, the university discloses education records without consent to officials of another school in which a student seeks or intends to enroll.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by Southeastern Oklahoma State University to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202-4605

5. The right to request that the following directory information pertaining to them not be published.

The law requires that written approval from the student is necessary before granting access to or releasing education records to a third party, except in the case of directory information and in response to a Federal Grand jury subpoena. Other exceptions are listed in #3 of the Notification of Rights section.

Directory information is a category of information and does not refer to a publication known as a —directory. Students have the right to refuse the release of information which has been identified as directory information. However, if the student chooses to exercise that right, he or she must appear in person in the Office of the Registrar and sign a form stipulating that information not be released.

Information that Southeastern Oklahoma State University has declared to be directory information includes:

1. Student's name
2. Local and permanent addresses
3. Telephone number
4. Date of birth
5. Place of birth
6. Last School attended
7. Major field of study
8. Academic classification
9. Participation in officially recognized organizations, activities, and sports
10. Dates of attendance at Southeastern Oklahoma State University
11. Degree(s) held, date granted, and institution(s) granting such degree(s)
12. Enrollment Status (full, part-time, undergraduate, graduate)
13. Awards granted (Honor Rolls, Who's Who, etc.)
14. Photographs
15. Weight and height of members of athletic teams
16. Electronic mail address

Confidentiality: All other information not contained in the student's record above will be released only upon written consent of the student. In implementing this policy it is recognized that:

- a. Parents and guardians of dependent students (a student who is claimed as a dependent for income tax purposes) have a legitimate interest in the progress of their sons and daughters, and information contained in the student's record may be released to them, consistent with the Right to Privacy Act.
- b. The information contained in the student's record is the students and may, by proper authorization, allow others to use it.

c. When a student requests that the student transcript be sent to another educational institution, the University shall have the right to supply such other academic information as may be requested by that institution. If a currently enrolled student seeks admission or intends to enroll in another school or university, Southeastern Oklahoma State University, upon written request from appropriate university officials, will send copies of requested academic information, if available. No information concerning disciplinary action will be released unless such action is currently active at the time of inquiry, or unless specific inquiry is made about disciplinary action.

d. Information may be released from a student's record to appropriate persons in connection with an emergency if the knowledge of such information is necessary to protect the health or safety of a student or the University community. The following factors should be taken into consideration in determining whether records may be released under this section.

1. The seriousness of the threat to the health or safety of a student of the University.
2. The need for such records to meet the emergency.
3. Whether the persons to whom such records are released are in a position to deal with the emergency.
4. The extent to which time is of the essence in dealing with the emergency.

Some records and documents of the University Security Department, which are kept apart from all other student records and are maintained solely for law enforcement purposes, are not available to persons other than law enforcement officials of the same jurisdiction and

the appropriate University disciplinary officials. Certain information is available to the press upon request.

The following locations have been designated as the offices where educational records are maintained and where information may be released to the student or upon written consent of the student.

Registrar's Office - for academic records and directory information

The Dean of Students Office - for disciplinary records

The Career and Placement Services Office - for records pertaining to securing employment

The Financial Aid Office - for records pertaining to securing financial assistance

The Student Health Services Office - for health records (if submitted)

The Counseling Center - for counseling records

Human Resources- for student employment

## POLICY ON SERVICES FOR STUDENTS WITH DISABILITIES

(in compliance with Section 504 of the Americans with Disabilities Act and the Rehabilitation Act of 1973)

### General Policy

Southeastern Oklahoma State University complies with the Americans with Disabilities Act and the Rehabilitation Act of 1973, Section 504 which states, —No otherwise qualified person with a disability in the United States...shall, solely on the basis of disability, be denied access to, or the benefits of, or be subjected to discrimination under any program or activity provided by any institution receiving federal financial assistance. Definition of a person with a disability:

A —person with a disability is someone with an impairment that substantially limits one or more major life activities.

1. The Campus Coordinator assumes responsibility for seeing that the University is properly interpreting federal regulations requiring that the University take such steps as are necessary to ensure that no student with a disability is denied the benefits of, excluded from participation in, or otherwise subjected to discrimination because of the absence of reasonable accommodations.

2. To request accommodations for any public program or service at Southeastern, contact either the Campus Coordinator or the department in charge of the program or service for assistance.

3. The ADA Compliance Committee is a required committee by the Oklahoma State Regents for Higher Education which consists of representatives from Council of Deans (1), Compliance Officer (1), Coordinator of Student Disability Services

(1), Director of Safety and Security (1), Physical Plant (1), Campus Coordinator (1), Faculty (2), Student Government Association (1), Students (2), Campus Security (1).

### Policy for Students

Students should complete the steps listed below well in advance of the anticipated need for services and accommodations to allow for a reasonable period of time in which to evaluate those needs and requests:

1. Students must be admitted to and/or enrolled in the University to request accommodations.

2. Students requiring accommodations should first contact the Coordinator of Student Disability Services located in the Student Union, Suite 204 before the beginning of classes. All students should be prepared to provide documentation of disabilities and needs. Documentation is subject to verification by the University.

3. Requests that require special funding, such as a need for specific software, adaptive equipment, memberships to the RFB&D, etc., will be assessed for possible resources that might already provide for

the request, such as Voc Rehab, TRC, DARS, TCOG, RFB&D, Oklahoma Library for the Blind, etc. If not duplicating an available resource, the University will provide reasonable accommodations for the documented request in a reasonable length of time.

4. In conjunction with the Campus Coordinator and the faculty consultant, the Coordinator of Student Disability Services will make a case-by-case determination of the student's educational need for any requested auxiliary aids, accommodations, and/or other special services determined to be necessary. These services, and equipment (if deemed appropriate), will be provided at no cost to the student.

#### Grievance Procedures

Students who believe that they have experienced discrimination on the basis of a disability can seek resolution through the University's discrimination grievance procedure. Information and consultation on these procedures are available through the Office of Student Affairs (Administration Building, Room 205) or the Coordinator of Student Disability Services (Student Union, Suite 204).

Southeastern Oklahoma State University (SE) has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints concerning discrimination or accommodations provided by Section 504 of the Rehabilitation Act of 1973 and/or the Americans with Disabilities Act.

#### Procedure

1. Complaints should be addressed to the Compliance Officer for SE (Administration Building, Room 309) who has been designated to coordinate compliance efforts.
2. A complaint should be filed within fifteen (15) days after the complainant becomes aware of the alleged violation.
3. A complaint should be filed in writing or on audiotape containing the name, address, and telephone number of the person filing it and a brief description of the alleged violation.
4. The SE Compliance Officer should meet with the complainant within ten (10) days to discuss the complaint.
5. If an investigation is deemed appropriate by the Compliance Officer, the investigation may be conducted by the Compliance Officer, the Coordinator of Student Disability Services, and the Chair of the Faculty Senate (or a designee). An informal but thorough investigation will be conducted which will allow the complainant an opportunity to submit information or evidence relevant to the complaint.
6. A written determination as to the validity of the complaint and a description of the resolution, if any, shall be issued by the Compliance Officer and a copy forwarded to the complainant and others deemed appropriate by the Compliance Officer no later than ten (10) days after the investigation is completed.
7. The campus Compliance Officer shall maintain files and records of all complaints, investigations, resolutions, and correspondence.

8. The complainant may request a review of the matter. Requests for review must be done in writing and must include the reason for review. The complainant should provide as much detail as is necessary to document a position which puts into question the findings of the Compliance Officer. The request for review should be made within ten (10) days of the date of the determination to the Campus Compliance Officer. The review will be heard by the ADA Compliance Committee within fourteen (14) days. The Committee may review evidence gathered by the Compliance Officer's investigation in addition to conducting its own investigation. The procedures for a review will be followed as outlined in the Student Handbook and Planner (PDF) under the Section F. STUDENT DISCIPLINARY APPEALS, 1. Appeals Process. The basic appeals process and hearing will model a hearing before the Committee on Student Conduct, as detailed in 2. Explanation of Rights and 3. Hearing Before Committee on Student Conduct. A written determination of the Committee's decision will be issued by the Campus Coordinator within ten (10) days after the investigation is completed. The determination of the Committee will be final and may only be referred to the President if a question exists on procedural matters followed during the review.

Southeastern Oklahoma State University's effort to provide prompt and equitable resolution of any complaint filed hereunder shall not be impaired by the complainant's pursuit of other legal remedies under Section 504 or the Americans with Disabilities Act. The purpose of these rules is to protect the substantive rights of interested persons, to meet appropriate due process standards, and to assure that SE complies with Sections 504 and 508 of the Americans with Disabilities Act.

A complete listing of all ADA Compliance Policies and additional information and resources for students can be found on the SE website at [www.se.edu/ada/services](http://www.se.edu/ada/services).

#### COMMUNICABLE DISEASE POLICY STATEMENT

It is the general policy of the University that applicable federal and state laws pertaining to contagious or infectious disease, all matters of public health, as well as those governing discrimination and privacy shall be appropriately observed and followed in its operation. All University personnel are expected to cooperate with authorized public health officials in resolving threatening situations which may arise.

Recent events have brought attention to numerous communicable diseases including AIDS, mumps, measles, and rubella. The most recent information distributed by the Centers for Disease Control, U.S. Department of Health and Human Services, states that casual contact with AIDS patients or persons who might be a risk for the illness does not place others at risk for contracting the illness; that AIDS is spread by sexual contact, needle sharing, or less commonly, through infected blood or its components.

The University shall treat AIDS the same as any other disease that may be contracted by employees/students. Victims of AIDS or other diseases will be permitted to work at and/or enroll in courses at Southeastern Oklahoma State University unless the employee's personal physician, campus medical officials, or federal or state public health officials declare that the disease represents a substantial risk to the health and safety of other members of the community. In such instances, appropriate measures will be taken to protect the institution and the individual.

Legal and ethical considerations strongly oppose the adoption of any policies or courses of action which would deny ordinary privileges and rights, including that of privacy, to employees/students who are known or suspected to be infected with the AIDS virus.

In those instances in which a member of the University community is diagnosed as having AIDS or having tested positive to AIDS exposure, the University will consider facts, medical information, and legal advice in determining the appropriate action to be taken.

Employees of the University identified as having AIDS or AIDS-Related Complex (ARC), or any other communicable disease, will not be barred from working, attending classes, or participating in University-sponsored activities unless University officials, in consultation with the individual's personal physician or state health department officials, determine that he/she presents a clear and present danger to the public health. All such decisions will be made on a case-by-case basis, will remain open to reexamination in light of new information, and will consider facts such as the individual's state of health and occupation.

No specific or detailed information concerning individual patient's medical conditions will be released to the general public.

In the event that a personal physician or state health department official determines that an individual's medical condition represents a public health hazard and warrants limitation of activities, only essential administrative personnel will be informed, on a need-to-know basis.

The physician/patient privilege, which is statutorily credited, and the patient's right of privacy, which is derived from the first Amendment of the United States Constitution, dictate that information regarding a patient's diagnosis as having AIDS should be maintained in the strictest confidence possible. The duty to report such information is limited only to those situations in which there are specific government reporting requirements or a medical justification for the disclosure of that information.

The University will continue to develop and review guidelines, educational programs, and resources to meet the needs of all personnel and students.

Campus Life: Individuals with a serious communicable disease should have the same rights as any other person — free of discrimination on the basis of their infection, but will comply with University policy and procedures contingent on medical recommendations.

Housing: On-campus housing will be made available to students with communicable diseases under the same conditions as applicable to any individual, but will comply with federal, state, local, and University policy and procedure in relation to the disease. Requests by the afflicted individual for unique accommodations will be given every reasonable consideration, where possible, to meet the special housing needs of that individual. Precautions will be taken on the advice of appropriate public or private health science professionals.

Laboratories: Laboratory instructors, workers, and students should follow safe procedures that prevent transmission of body fluids. In the event of laboratory accidents that break the skin, precautions should

be exercised to prevent transmission of body fluid. Laboratory procedures that involve blood samples, muscle biopsies, and other biological materials should be collected and handled with care using recommended procedures. Check with departments for guidelines concerning laboratory procedures when dealing with communicable diseases.

**Athletic and Sports Activities:** Persons with communicable diseases should seek counseling concerning participation in athletic or sports activities. Sports activities can result in bleeding or open wounds. Individuals coming into contact with such injuries in any way should use utmost caution. For applicable procedures, check with the Athletic Department concerning such incidents.

**Food Handling:** Persons involved in the preparation or serving of food or beverages should maintain current health certificates and follow current health standard recommendations. Persons identified as having a communicable disease will abide by federal, state, local, and University procedures in the performance of their duties.

**Counseling & Health Services:** Southeastern Oklahoma State University will make all reasonable effort to provide referral for students, faculty, and staff for counseling or health services in community and state agencies. The Student Health Center, the Counseling Center, and Student Support Services will maintain information regarding sources of assistance available to students, faculty, and staff.

**Confidentiality:** Confidentiality must be carefully maintained in accordance with all legal requirements. The patient's right to confidential treatment should be protected and the associated medical records should be kept confidential in accordance with existing University and legal requirements. Southeastern Oklahoma State University will make all reasonable efforts to insure that such information is kept confidential. In addition, other University personnel will be made aware of the necessity for confidentiality.

**Responsibility of Infected Individuals:** Southeastern Oklahoma State University emphasizes that individuals with a known communicable disease have a special responsibility to protect others from this infection. This responsibility includes appropriate conduct in situations where the infection could likely be transmitted. Behavior contrary to this responsibility may be considered as cause for disciplinary action by the University.

**Special Needs:** As new findings on communicable diseases become available, the University may find it necessary to make difficult decisions concerning the rights of the individual having a communicable disease, the need for medical or psychological assistance to the infected individual, and the protection of the welfare of the community at large. To facilitate such decision-making and to provide academic counseling or health care needs, University staff members may seek the assistance of additional University personnel. Such consultation will take place only with the consent of the student involved, unless inaction is judged to endanger the welfare of others. In all cases, the identity of those involved will be protected.

## IMMUNIZATIONS

Oklahoma Statute, Title 70 3244 requires that all students who enroll as a full-time or part-time student in Oklahoma public or private postsecondary institution provide documentation of vaccinations against hepatitis B, measles, mumps or rubella (MMR).

The statute requires that Institutions notify students of the vaccination requirements and provide students with educational information concerning hepatitis B, measles, mumps and rubella (MMR), including the risks and benefits of the vaccination. The statute permits that when the vaccine is medically contraindicated and a licensed physician has signed a written statement to that effect, such student shall be exempt from the vaccination. Further, the statute permits a student or if the student is a minor, the student's parent or other legal representative, to sign waiver stating that the administrations of the vaccine conflicts with the student's moral or religious tenets.

Oklahoma Statutes, Title 70 3243, requires that all students who are first time enrollees in any public or private postsecondary educational institution in this state and who reside in on-campus student housing shall be vaccinated against meningococcal disease. Institutions of higher education must provide the student or the student's parents or other legal representative detailed information on the risks associated with meningococcal disease and on the availability and effectiveness of any vaccine. The statute permits the student or, if the student is a minor, the student's parents or other legal representative, to sign a written waiver stating the student has received and reviewed the information provided on the risks associated with meningococcal disease and on the availability and effectiveness of any vaccine, and has chosen not to be or not to have the student vaccinated.

## REPORTING CAMPUS CRIME STATISTICS

SE subscribes to the approach that public disclosure of the nature of crimes, the quantity, and how they are investigated is a right-to-know issue. It is this University's position that the public should know how active the campus police are in crime prevention and detection. SE is committed to preventing crime on campus. Some of the more notable efforts include:

1. Crime prevention seminars presented to any group at any time.
2. Crime prevention pamphlets provided to students and employees year round.
3. Campus security provides an escort service for the University community on a limited basis. This service is available in the late evening hours by calling Ext. 2727. Persons needing an escort may have to wait awhile for an available officer.
4. Student Campus Safety Committee through the Student Senate meets periodically with key personnel in charge of safety issues on campus for the purpose of communication, input of ideas, and suggestions for improvement.
5. A Rape Awareness Group comprised of faculty, administrators, students, and community service organizations meet for dialogue of ideas and to sponsor workshops and safety on campus.

To report a crime, a victim or witness need only call the police phone number and a police officer will meet them to gather the information. An official report is made with copies available to the victim. Each day the incidents from the previous day, excluding names, are summarized and made available upon request to other law enforcement agencies and the media. Each month the number of incidents in each category of crime is counted and reported to the State Bureau of Investigation, who in turn provides the information to the FBI. Each year the FBI publishes a book of crime statistics called Crime in the United States, which includes accurate accounting of the criminal incidents which occurred on this campus. In addition, the victim of serious crimes can request support personnel such as ministers, rape crisis counseling or domestic violence counseling during or after reporting. Crime victims, regardless of how seemingly insignificant the crime, are encouraged to promptly report the incident to the campus security or the appropriate police agency. Statistics concerning the occurrence of violent crimes both current and within the past two years are published such as:

a. Murder

b. Rape

c. Robbery

d. Aggravated assault

e. Burglary

f. Motor vehicle theft

g. Occurrences of criminal offenses or arrests of student participation in an off-campus student organized function

h. Statistics for on-campus arrests for: liquor law violation, drug abuse, and/or weapon possession

The Southeastern Oklahoma State University Campus Crime Statistics can be accessed from:  
[www.se.edu/campuspolice/offenses.htm](http://www.se.edu/campuspolice/offenses.htm) <http://www.ope.ed.gov/security>

#### CAMPUS SECURITY AUTHORITY

All security personnel are commissioned police officers. All persons on University property are required to identify themselves to such officers when requested. The Campus Police officers are authorized to enforce the State Traffic Code, the Penal Code, the traffic and parking regulations of the University, and all other laws.

#### DRUG-FREE STATEMENT

The Federal Drug-Free Workplace Act requires that any entity seeking consideration for a grant from any federal agency or any entity seeking a contract for the procurement of any property or services valued at \$100,000 or more from any federal agency, certify to the federal granting or contracting agency that it will provide a drug-free workplace. Southeastern Oklahoma State University recognizes its

responsibility as an educational and public service institution to promote a productive work and learning environment. This

responsibility demands implementation of programs and services that facilitate that effort. In order to meet these responsibilities and requirements, University policy is as follows:

1. As a condition of employment or enrollment, employees/students must abide by the terms of this policy.
2. The illegal use, sale or possession of alcohol, narcotics, drugs, or controlled substances while on University property, including University housing, or during any University activity is prohibited. Any illegal activity or substances will be reported to the appropriate law enforcement agency and may result in criminal prosecution.
3. Employees/students who are under the influence of alcohol or drugs, or who possess or consume alcohol or drugs on the job, or while attending classes, have the potential for interfering with their own as well as their associates' safe and efficient job performance or learning environment. Such conditions will be proper cause for disciplinary action.
4. Some of the drugs that are illegal under federal, state or local laws include, among others, marijuana, heroin, hashish, cocaine, hallucinogens, and depressants and stimulants not prescribed for current personal treatment by an accredited physician.
5. The University will distribute annually during the fall semester a policy statement with information regarding the penalties for unlawful drug and alcohol abuse, health risks that result from such abuse, and counseling or treatment that is available for University employees/students.
6. The Counseling Center will provide drug and alcohol counseling to University students at no charge to the individual. The Counseling Center may refer such individuals to other agencies or treatment programs if appropriate; any cost of such program will be the responsibility of the individual.
7. Violation of this policy will result in disciplinary action in the form of reprimand, suspension, temporary suspension, expulsion, restricted privileges, referral for criminal prosecution, a special project, or a combination of these actions. A criminal conviction is not required for sanctions to be imposed for violation of this policy.
8. The President will appoint a committee made up of faculty, staff, and students to review the effectiveness of the University's drug and alcohol awareness program. The Committee will review the program at least biennially.
9. Sanctions imposed for violations of this policy will be monitored and enforced by the Personnel Office when an employee is involved and the Student Affairs Office when a student is involved. University officials reserve the right to require drug testing when there is reasonable cause to believe that an employee/student is under the influence of drugs.

## SEXUAL ASSAULT POLICY

Southeastern Oklahoma State University will not tolerate or condone any form of sexual misconduct, physical, mental or emotional in nature. This includes, but is not limited to, rape (including date or acquaintance rape) or sexual assault. In instances where there is reason to believe that Southeastern Oklahoma State University's policies prohibiting sexual misconduct have been violated, the University will pursue disciplinary action. Students may elect to pursue the concern through the state criminal justice system as well as the University's student conduct system. If the University has reason to believe that sexual misconduct has occurred, the University's sanctions may include warnings, restrictions, probation, suspension or expulsion.

### Definitions:

Sexual assault is defined as having sexual contact or sexual intercourse with another person without consent of that person.

Consent is defined as positive cooperation due to an exercise of free will. Persons consenting must act freely, voluntarily and have knowledge of the act or transaction involved. Consent will not be implied from silence, passivity nor from a state of intoxication or unconsciousness. Lack of consent is implied if the victim is incapable of giving consent because of mental, developmental, or physical ability, or lack of legal age in giving consent. Lack of consent is implied if the threat of violence is used or due to an imbalance of power held by the perpetrator over the victim.

### Procedures for reporting Sexual Assault:

In the event of a sexual assault, the victim is encouraged to report the crime to Campus Police if that act occurred on campus or to the appropriate authority if the crime occurred off campus. The victims are encouraged to call the Sexual Assault Hot Line (924-3030) for medical and support services. Victims should take care to preserve the evidence of a sexual assault which may be necessary to the proof of the crime (i.e., do not take a shower.)

Prosecution of the perpetrator is a matter for the victim to consider apart from reporting the crime. The information will be treated with the confidentiality afforded any victim of a crime. Students may also report the incident to the staff within the Residence Halls, the Office for Student Affairs, the University's Counseling Center, or other University staff who will in turn inform the Office for Student Affairs. Victims are also encouraged to report the crime to the Office of the Dean of Students in order to pursue disciplinary action through the Student Code of Conduct system. Students may request that campus personnel assist them in the reporting of the crime of sexual assault. False reporting of a crime is a misdemeanor and will be treated seriously.

### Disciplinary Procedures in Alleged Cases of Sexual Misconduct:

Students who wish to file a student misconduct report should contact the Office of the Dean for Students, room 312 of the Student Union Building. If the matter cannot be resolved by the Dean of

Students in an informal manner acceptable to the person bringing the complaint, it will be the option of the complainant to pursue the formal process. In the event that the complaining person wishes to file formal grievance against another student accused of sexual misconduct, the Committee on Student Conduct will hear the case. This Committee will be comprised of faculty, administrative staff and students in the same manner as outlined in the Student Code of Conduct policy. Should the complaining student name a faculty member or any other employee of the Institution as the alleged perpetrator, the established University policy for grievance as found in the University Employee Handbook shall be followed. To initiate this action, contact the Office of Affirmative Action/Risk Management.

- a. The complainant shall be permitted to have a person or persons of his or her choosing accompany him or her throughout the disciplinary hearing.
- b. The complainant shall be permitted to be present during the disciplinary hearing (except during the deliberations of the panel.)
- c. The complainant shall have the right to be informed of the outcome of the formal hearing upon its conclusion by the panel.
- d. The person alleged to have engaged in sexual misconduct shall also be afforded all of the rights set forth in this section.
- e. If the sanctions against the alleged perpetrator include suspension or expulsion, the perpetrator may appeal, in writing, the committee decision to the Vice President for Student Affairs within 5 (five) working days of the issuance of the decision.

#### Education:

Educational materials related to sexual misconduct will be disseminated to each incoming student during orientation as well as those students currently enrolled on the campus.

Orientation of all new students will include a component related to sexual assault and its prevention. Programming to promote the awareness and prevention of sexual misconduct will continue to be offered in the Residence Halls as well as other locations accessible to the greater student body. Self defense seminars are offered to the student body through community resources.

#### Services to Victims:

Medical treatment is available through local physicians or at the Medical Center of Southeastern Oklahoma where evidence may be collected to preserve the option of prosecution if the victim so chooses. The Student Support Services Office and the University Counseling Center will provide initial counseling and referral to those students requesting assistance.

If requested by the victim, reasonable accommodations will be made to victims of sexual assault living on campus who request a room assignment change or an adjustment in their academic schedule as is possible within the existing curricular offerings.

The University will foster an environment of safety for the entire student body and will support a climate of acceptance and concern for victims of sexual assault.

## SEXUAL HARASSMENT

This policy is designed to apply to employment and/or academic relationships among faculty, staff, and students.

It is the policy of Southeastern Oklahoma State University that no member of the University Community may sexually harass another. Sexual harassment of students is prohibited in and out of the classroom and in the evaluation of students' academic performance.

It is also the policy of the University that accusations of sexual harassment which are made without good cause shall not be condoned. It should be remembered that accusations of sexual harassment are indeed grievous and can have serious and far-reaching effects upon the careers and lives of individuals. This policy is equally applicable to faculty, staff, and students.

This policy is in keeping with the spirit and intent of various federal guidelines which address the issue of fair employment practices, ethical standards, and enforcement procedures.

Sexual harassment is defined as unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature in the following context:

1. Submission to or rejection of such conduct is made explicitly or implicitly a term or condition of instruction, employment, status or participation in any course, program or other University activity;
2. Submission to or rejection of such conduct is used as a basis for evaluation in making academic or employment decisions affecting an individual; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance, or creating an intimidating, hostile or offensive working or learning environment.

Whenever there is an instance of alleged sexual harassment, or reprisal for reporting same, prompt and corrective action shall be taken.

Persons who have a complaint alleging sexual harassment should report their complaint to the alleged harasser's supervisor or the Office for Student Affairs. For further information contact the Office for Student Affairs, (580) 745-2360.

## RACIAL AND ETHNIC HARASSMENT POLICY

Southeastern Oklahoma State University is committed to a multicultural, multiethnic and multiracial environment. Diversity is one of the hallmarks of a great university. Promoting dignity and respect among all members of the university community is a responsibility each of us must share. Acts of racial and ethnic harassment are repugnant to the Board's commitments and will not be tolerated. While the

university embraces the principles of free speech guaranteed by the First Amendment to the United States Constitution, it abhors the abuse of this freedom by those who would provoke hatred and violence based on race and ethnicity. Racial and ethnic harassment is a growing concern across American college campuses. It has taken various forms, from criminal acts (assault and battery, vandalism, destruction of property) to anonymous, malicious intimidation and is most often directed toward persons whose race or ethnicity is readily identifiable. While principles of academic freedom and freedom of speech require tolerance of ideas and opinions, racial and ethnic harassment cannot and will not be permitted at the regional universities.

It is the policy of the Board that racial and ethnic harassment shall be prohibited and is subject to disciplinary action as set forth in this policy. Racial and ethnic harassment is defined as:

Behavior or conduct addressed directly to individual(s) related to the victim's race, religion, ethnicity, or national origin that threatens violence, or property damage, or that incites or is likely to incite imminent lawless action.

Violations of this policy may result in disciplinary action taken by the appropriate authority. Sanctions may range from reprimands to suspension, expulsion or termination. Sanctions shall be based upon the facts and circumstances of each case and shall be in accordance with the terms and guidelines of the applicable campus complaint procedures.

Threats or other forms of intimidation or retaliation against complaining witnesses, other witnesses, any reviewing officer, or any review panel shall constitute a separate violation of this policy which may be subject to direct administrative action.

This policy is in addition to current Board and university policies concerning discrimination, and applies to all students, faculty, staff, guests or visitors. Complaints alleging violation of the racial and ethnic harassment policy will be reviewed and investigated by the appropriate university office. Complaints may be resolved informally or may proceed through the applicable formal complaint proceedings. Complaints may be filed in the following manner:

(1) Complaints against students or student organizations shall be filed with the Affirmative Action Office (AAO) and Dean of Students for review and investigation. The AAO, or its designee, may assist in the informal resolution of the complaint or in processing a complaint through the applicable campus procedures.

(2) Complaints against faculty or staff shall be filed with the Affirmative Action Office. The AAO or its designee may assist in the informal resolution of the complaint or in processing a formal complaint through the applicable campus procedures for faculty and staff.

(3) Complaints against visitors or guests should be directed to the university police office on the campus where the incident occurred.

## TEACHER'S ENGLISH PROFICIENCY

Oklahoma Statute 70 O.S. Supp. 1982, Section 3225, provides that all instructors employed at institutions within the Oklahoma State System of Higher Education be proficient in speaking the English language so that they may adequately instruct students. Any student who feels that Southeastern Oklahoma State University is in violation of this statute may file a complaint with the Office of the President.

## JURY DUTY

Southeastern Oklahoma State University requires that students serving on jury duty notify the Office of Student Affairs if more than one class day of a course is missed. The Office of Student Affairs will notify all professors of the reason for the absence. Proof of jury duty must be brought to the Office of Student Affairs upon return to Campus. This document will be copied and sent to all professors for verification of the day (s) missed.

## MILITARY LEAVE

If a student is called to active military service during a term in which the student has completed an amount of work sufficient to receive a grade, as determined by the university, the university may award a grade to the student and give the student academic credit for the full semester's work. If the student has not completed an amount of work sufficient to receive a grade, the university may refund or waive tuition and fees in accordance with the policy of the Oklahoma State Regents for Higher Education.

## STUDENT DRESS AND APPEARANCE CODE

Neatness and appropriate dress are important at all times. It is assumed that students who attend Southeastern Oklahoma State University will exercise mature discretion in regard to their personal appearance and hygiene. Extreme modes of dress and personal hygiene that interfere with the educational process are discouraged. Instructors may refer students to the Dean of Students for violations of this code.

## LITTER/POLITICAL MATERIAL POLICY

Signs and posters may not be attached to campus buildings except where bulletin boards are provided, or to trees, sidewalks, handrails or traffic or directional signs, or motor vehicles parked on university property.

The Office of Student Life will be responsible for enforcing appropriate and reasonable regulations to prevent littering of the campus and to protect public safety. The spirit of this policy is not to suppress, but to preserve the aesthetic value and appearance of the campus to prevent unnecessary public expenditures to remove litter or public nuisances, and to provide for vehicle and pedestrian safety.

## SMOKING POLICY

No smoking or other tobacco use shall be allowed in or on any vehicle, building, other structure, or land owned, leased, or under the control of Southeastern Oklahoma State University.

Employees and students should ask smokers to refrain from smoking or other tobacco use upon observation of anyone violating the provisions of this policy.

## COMPUTER POLICIES AND PROCEDURES

### PRINCIPLES

The Southeastern Oklahoma State University (SE) computing facilities are designed to support the research, teaching, and related activities of the SE community. These facilities include communication features that offer many opportunities for members of the SE community to share information among themselves and with outside collaborators. With the ability to share comes the responsibility to use the system in a responsible, ethical, professional, and lawful way. Universities value communication of ideas, including those new and controversial; thus, the intention of SE is to maximize freedom of communication for purposes that further the goals of SE. Misuse by even a few individuals has the potential to disrupt the academic and research work of faculty and students and University business.

The policy of SE recognizes an individual's right to privacy and intends to preserve the privacy of all data on each individual at SE. Academic records and personnel files will be released only with the written permission of the individual involved. All academic records will be kept confidential in accordance with the Family Educational Rights and Privacy Act of 1974 (PL 98-380 p571) and the Oklahoma Open Records Act. It is also the intent of SE to preserve the privacy of all forms of communication in accordance with the Electronic Communications Privacy Act (18 USC 2510-2521; 2701-2710).

A person in violation of this policy may be subject to administrative action, with a penalty of a fine, restitution for services used, loss of computer privileges, or dismissal from the University. Some actions covered by this policy are also covered by SE regulations or policies, the violation of which could lead to disciplinary proceedings. Some actions covered by this policy are also covered by city, state, or federal law, the violation of which could lead to civil or criminal prosecution.

### INTENDED USE

The hardware available to SE and the software licensed for that hardware are intended for research and educational use by faculty, staff, and students of SE. Use of SE resources by anyone outside SE requires approval of the President (or designee). Personal use of SE resources is prohibited. Computer accounts will be given to all approved users. In order to ensure privacy for all users, Network Operations and Administrative Computing employ passwords associated with user accounts. These passwords are critical to the security of the user's account, as well as the integrity of the campus computing

environment as a whole. Each user is responsible for keeping his or her account secure and password confidential.

#### DISCLAIMER

SE accepts no responsibility for any damage to or loss of data arising directly or indirectly from the use of these facilities or for any consequential loss or damage. SE makes no warranty, expressed or implied, regarding the computing services offered or their fitness for any particular purpose.

SE cannot guarantee the confidentiality or privacy of electronic messages and makes no promises regarding their security. Users of electronic mail systems should be aware that electronic mail in its present form cannot be secured and is, therefore, extremely vulnerable to unauthorized access and modification.

SE does not routinely review users' files, including e-mail. In cases of system failure and subsequent repair, or where there is reason to believe there has been unauthorized use or misuse of computer resources, SE shall have the authority and right to review user accounts, archival tapes, or disks in accordance with The Electronic Communications Privacy Act.

#### GENERAL USER POLICIES

A user of SE Information Technology Resources shall obey the following policies:

1. Obtain necessary accounts and passwords and be responsible for maintaining the security of all those accounts on SE's information technology systems.
2. Users of SE administrative computer resources must have a signed request form on file.
3. Users may not authorize anyone to use any of their accounts for any reason. Users are responsible for all usage on their accounts. Users must take all reasonable precautions, including password maintenance and file protection measures, to prevent use of their accounts by unauthorized users. Users are not to provide others with access to any SE information technology resources.
4. Users may not impersonate or misrepresent another user's computer account or email user name.
- 5 The accessing or attempting to gain unauthorized access into any account to use, read, transfer, or change contents in any way of another user's account will be viewed as theft of SE resources and as computer fraud.
6. Because many of the technological resources of SE are shared, the use of such resources for endeavors not directly related to enhancing and facilitating instruction and scholarly research activities will be considered secondary activities. Should such secondary activities interfere in any way with the primary activities of instruction and research, they may be terminated immediately.
7. Access to SE computer resources must not be abused either by attempting to harm the systems or by stealing copyrighted/licensed software or by installing unlicensed software. Software may not be

installed in the computer labs unless SE is the authorized owner and permission is granted by the lab manager. Federal Copyright Laws must not be violated by downloading copyrighted audio, video, graphics, or text materials from the Internet without proof of proper licensing arrangements. Attempting to gain unauthorized access to any information technology resource or alteration of system hardware or software configurations is prohibited.

8. Information technology resources are not to be used for profit or commercial activity of any kind or for solicitations on behalf of groups, organizations, etc. that are not related to SE.

9. SE's information technology resources will not be used to violate any SE policies; city, state, or federal laws; or contracts and agreements entered into by SE.

10. Non-portable computer equipment is not to be removed from campus without written approval from the Vice President for Academic Affairs (or designee).

11. Using computing resources to interfere with the normal operation of university computing systems and connected networks including, but not limited to, introducing viruses, flooding the network with messages, sending chain letters, downloading or transferring excessively large files, or unfairly monopolizing resources that results in the exclusion of others in such a way that it causes disruption in instruction or computer labs or exploits network security and/or other vulnerabilities is prohibited. Intentionally causing any damage to any equipment is prohibited.

12. The creating, displaying, posting, or transmitting of any unlawful, fraudulent, defamatory, obscene or harassing, language, images and/or materials is not permitted. Harassment or stalking, whether physical, verbal, electronic, or any other form, will not be tolerated.

13. Accidental damage, or damage caused by other parties, should be reported as soon as possible so that corrective action may be taken.

14. If a user identifies a potential security problem, the problem should be reported to the Help Desk immediately and should not be discussed with any other party.

15. No food, drinks, or tobacco products will be allowed in the computer labs.

16. Disturbing others in the computer labs will not be allowed.

17. Adhere to OneNet Acceptable Use Policy.

- The use of SE's information technology resources indicates acceptance of these General User Policies of SE and OneNet's policies.

- The use of a personally-owned computer that is on the SE network obligates the owner to comply with these General User Policies of SE and OneNet.

18. The above is a representative set of rules and guidelines. Any individual whose conduct violates the above guidelines or is not consistent with what is expected of a competent computer user will be subject to the following actions:

- The account will be immediately deactivated.
- The appropriate administrative authorities (SE, state, or federal) will be informed.
- The appropriate administrative authorities will act. Actions taken by the administrative authorities will depend on the severity of the computer abuse. The SE Code of Student Conduct, Administrative Policies and Procedures Manual and the Academic Policies and Procedures Manual, as well as state and federal laws, will be used in determining appropriate sanctions.

19. As the information technology environment and laws change, the General User Policies may be modified or amended. Notice of any such modifications or amendments shall be provided by email to users and will be posted in the computer labs and on the Office of Information Technology web pages. Users are responsible for keeping informed of the current policies. Questions about these policies should be directed to the Assistant Vice President for Information Technology.

20. Acceptable uses of the computing resources at SE in priority order:

- Instructional use relative to SE classes
- Faculty and Student Research
- Class Assignments
- Official work of students, faculty, administration, and staff, recognized student organizations, and agencies of SE
- Electronic communication that supports instruction, research, or official work of students, faculty, administration, and staff
- Secondary usage by authorized users that is not directly related to instruction that does not interrupt or diminish access to resources for instruction and/or research

#### ONE NET ACCEPTABLE USE POLICY

The following is the policy of the Oklahoma State Regents for Higher Education:

OneNet provides access to state, national and international resources through connections from networks outside of OneNet. Therefore, this policy is intended to provide customers with a framework as to the acceptable and unacceptable use of OneNet. In general, it is the responsibility of external networks to enforce their own acceptable use policies. Nevertheless, OneNet will inform its clients of any restrictions on use of networks to which it is directly connected.

The Oklahoma State Regents for Higher Education, as operators of OneNet, or their designee will review violations of this Acceptable Use Policy on a case-by-case basis. Clear violations of the policy, which are not promptly resolved by the client organization, may result in disciplinary action by OneNet, up to and including expulsion from OneNet, termination of OneNet network services and/or forfeiture of all monies paid to date. OneNet reserves the right to change or amend this policy when appropriate circumstances warrant modifications.

#### Policy Guidelines

1) The telecommunications services provided by OneNet are provided at special government and educational rates and may not be used by, or resold to, commercial entities without the express written consent of the service provider.

2) The telecommunications services provided by OneNet may not be used to provide voice services except for those voice services currently provided by OneNet Foreign Exchange (FX) service and incidental voice communications required to establish video and/or data connections on the network. OneNet must mutually agree to any additional exceptions in writing.

3) OneNet accepts no responsibility for traffic that it originates which violates the acceptable use policy of any directly or indirectly connected networks beyond informing the client that it is in violation if the connected network so informs OneNet.

4) Use of OneNet must be consistent with the goals of facilitating and disseminating knowledge, encouraging collaborative projects and resource sharing, providing public service, aiding technology transfer to Oklahoma businesses, fostering innovation and competitiveness within Oklahoma, promoting economic development, conducting the affairs of government and building broader infrastructure in support of education and research. 5) It is not acceptable to use OneNet for illegal purposes.

6) It is not acceptable to use OneNet to transmit threatening, obscene or harassing materials.

7) It is not acceptable to use OneNet so as to interfere with or disrupt network users, services or equipment. Disruptions include, but are not limited to, distribution of unsolicited advertising, propagation of computer viruses or worms, and use of the network to make unauthorized entry to any other machine accessible via the network.

8) It is not acceptable to use OneNet to post a single article or advertisement to more than ten (10) Usenet or other newsgroups, forums, e-mail mailing lists or other similar groups or lists; post to any Usenet or other newsgroup, forum, e-mail mailing list or other similar group or list articles that are off-topic according to the charter or other owner-published FAQ or description of the group or list; or send unsolicited mass e-mails to more than twenty-five (25) e-mail users if such unsolicited e-mails provoke complaints from recipients.

9) Use of OneNet must be consistent with local regulation that may include, but is not limited to: Copyrighted material, threatening, obscene, libelous or defamatory material or material protected by

trade secret. It is not acceptable to retransmit or rebroadcast OneNet video material or data services without the express written consent of OneNet.

10) It is assumed that information and resources available through OneNet are private to those individuals and organizations that own or hold rights to those resources and information and, unless specifically stated otherwise, by the owners or holders of rights. It is, therefore, not acceptable for an individual to use OneNet to access information or resources unless permission to do so has been granted by the owners or holders of rights to those resources and information.

11) It is not acceptable to resell or otherwise provide OneNet voice, video or data services without the express written permission of OneNet.

12) OneNet rates include all of OneNet data- and video-related services, including access to the Internet and other services. Therefore, only clients paying for OneNet connections are eligible to utilize OneNet's value added services. Access to these services requires each client site to subscribe to OneNet. Dial-up services are provided to meet the needs of qualified agencies and institutions and for agencies that do not require a dedicated circuit. OneNet dial-up access is not offered to individuals for personal use, individuals desiring such services should contact a commercial Internet Service Provider (ISP).

RESIDENT STUDENT HANDBOOK - please click on this link <http://homepages.se.edu/residence-life/>