



MIDWESTERN STATE UNIVERSITY  
STUDENT HANDBOOK  
2018-19

GENERAL MAILING ADDRESS

3410 Taft Boulevard

Wichita Falls, TX 76308-2099

Internet Address: <http://www.msutexas.edu>

This handbook belongs to:

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# Foreword

The Midwestern State University Student Handbook is a source of valuable information regarding student responsibilities, obligations, and privileges while attending the university. Deriving the ultimate advantages from your enrollment will depend not only on your scholastic effort but also upon wise participation in co-curricular activities and utilization of campus services and resources.

This handbook is available online from the Student Affairs website at <http://msutexas.edu/student-life/>, and within the myMSUTexas portal. Copies are available at the Clark Student Center Information Desk and Residence Hall offices. **Failure to read this handbook does not excuse students from the requirements and regulations described herein.**

As the programs, policies, and statements contained herein are subject to continuous review and evaluation, MSU reserves the right to make changes at any time without notice. This publication is for information only.

No person shall be excluded from participation in, denied the benefit of, or be subject to discrimination under any program or activity sponsored or conducted by Midwestern State University on any basis prohibited by applicable law including, but not limited to race, gender, gender identity, age, religion, creed, national origin, disability, or sexual orientation.

## Mission Statement

Midwestern State University is a leading public liberal arts university committed to providing students with rigorous undergraduate and graduate education in the liberal arts and the professions. Through an emphasis upon teaching, augmented by the opportunity for students to engage in research and creative activities alongside faculty and to participate in co-curricular and service programs, Midwestern State prepares its graduates to embark upon their careers or pursue advanced study. The university's undergraduate education is based upon a comprehensive arts and sciences core curriculum. The understanding that students gain of themselves, others, and the social and natural world prepares them to contribute constructively to society through their work and through their private lives.

## Our Values

- Excellence in teaching, learning, scholarship, and artistic production
- Social justice
- Intellectual curiosity and integrity
- Civic service
- Critical thinking
- Stewardship of the environment, and of financial and human resources
- Emotional and physical well-being
- A safe, attractive, and well-designed campus
- Mutual respect, civility, and cooperation

## Alma Mater

Hail to Midwestern,  
hail maroon and gold.  
We praise Alma Mater,  
as days of old.  
Here's to the Mustangs,  
long may we stand.  
Onward to victory,  
on hand in hand.

## Fight Song

Here's to Maroon and the Gold,  
long may they wave.  
True spirits out of the west,  
leading the Mustangs brave.  
Rah, Rah, Rah,  
Fight on victorious again,  
spirit always bold.  
Here's to Midwestern Mustangs,  
hurrah for Maroon and the Gold.

## Business Hours

### ADMINISTRATIVE OFFICES

Monday-Friday	8:00 a.m.-5:00 p.m.
Monday-Thursday (June-July)	7:00 a.m.-6:00 p.m.

### BOOKSTORE

Monday-Thursday	7:30 a.m.-5:30 p.m.
Friday	7:30 a.m.-5:00 p.m.
Saturday	10:00 a.m.-5:00 p.m.
Sunday	Closed

### BUSINESS OFFICE (Window Service)

Saturday-Sunday	Closed
Monday-Friday	8:15 a.m.-4:30 p.m.

### POST OFFICE (Window Service)

Monday-Friday	8:30 a.m.-4:30 p.m.
Saturday-Sunday	Closed

### MOFFETT LIBRARY

Monday-Thursday	7:45 a.m.-2:00 a.m.
Friday	7:45 a.m.-5:00 p.m.
Saturday	10:00 a.m.-6:00 p.m.
Sunday	2:00 p.m.-2:00 a.m.

### CAMPUS POLICE (office)

Monday-Friday	8:00 a.m.-5:00 p.m.
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### CLARK STUDENT CENTER

Monday-Friday	7:00 a.m.-11:00 p.m.
Saturday-Sunday	9:00 a.m.-11:00 p.m.

## Emergency Contacts

MSU Campus Police	397-4239
Wichita Falls Police/Ambulance/First Responder	911
First Step (sexual assault crisis center) 24-hour hotline	1-800-658-2683
United Regional Health Care System (1600 11th Street)	764-7000
MSU Counseling Center	397-4618
MSU Dean of Students	397-7400
MSU Residence Life and Housing	397-4217
MSU Vinson Health Center	397-4231

Midwestern State University takes great pride in that it treats all students with the dignity and respect they deserve. The aspect of community is paramount and is reflected throughout the entire university community.

# Student Rights

Midwestern State University is an academic community in which all persons share responsibility for its growth and continued well-being. As members of the university community, students can reasonably expect the following:

- A. In all instances of general discipline, the student has the right to due process. Due process, as applied to student-university relationships and the disciplinary process, is equated with fundamental and procedural fairness.
- B. Students have the right to freedom from discrimination on the basis of race, gender, gender identity, age, religion, creed, national origin, disability, or sexual orientation.
- C. MSU considers freedom of inquiry and discussion essential to a student's intellectual development. Thus, the university recognizes the right of all students to engage in discussion, to exchange thought and opinion, and to speak, write, or print freely on any subject in accordance with the guarantees of federal and state laws and university policies.
- D. The university affirms the right of students as citizens to exercise their freedoms without fear of university interference for such activity.
- E. Students have the opportunity to participate in the formulation of policy directly affecting them through membership on appropriate committees as determined by the President of the University, the Student Government Association, and other registered organizations within the university.
- F. Students shall have ready access to established university policies and procedures.
- G. Students, as members of the university community, have the responsibility to participate in any of the disciplinary proceedings and to testify as witnesses when reasonably notified. Self-incrimination is not intended or construed.
- H. Students are free to engage in peaceful and orderly protest, demonstration, and picketing which do not disrupt functions of the university.
- I. Students are protected from unreasonable searches and seizures.

## Human Dignity Statement

Midwestern State University is committed to equitable, civilized, and concerned treatment for all individuals without regard for race, gender, gender identity, age, religion, creed, national origin, disability, or sexual orientation. As members of the academic community, university students enjoy the privileges and share the obligations of the larger community of which the university is a part. Students are entitled to the privileges which accrue to them by virtue of their membership. These privileges carry with them the obligations of responsible citizenship.

**FREEDOM OF EXPRESSION:** Freedom of discussion, inquiry, and expression is fostered by an environment in which the privileges of citizenship are protected and the obligations of citizenship are understood.

**EACH PERSON HAS WORTH AND DIGNITY:** It is imperative that students learn to recognize, understand, and celebrate human differences. Universities can, and indeed must, help students become open to the differences that surround them. Differences such as race, religion, age, gender, gender identity, culture, physical ability, nationality, and lifestyle are learned best in collegiate settings that are rich with diversity, and they must be learned if the ideals of human worth and dignity are to be advanced.

**RESPONSIBILITY OF STUDENTS:** Midwestern State University actively promotes the philosophy that students are responsible for their own lives and learn responsibility when they bear the consequences of their actions and inactions in an environment marked by caring and support.

# Student Honor Creed

*“As an MSU Student, I pledge not to lie, cheat, steal, or help anyone else do so.”*

As students at MSU, we recognize that any great society must be composed of empowered, responsible citizens. We also recognize universities play an important role in helping mold these responsible citizens. We believe students themselves play an important part in developing responsible citizenship by maintaining a community where integrity and honorable character are the norm, not the exception.

Thus, We, the Students of Midwestern State University, resolve to uphold the honor of the university by affirming our commitment to complete academic honesty. We resolve not only to be honest but also to hold our peers accountable for complete honesty in all university matters.

We consider it dishonest to ask for, give, or receive help in examinations or quizzes, to use any unauthorized material in examinations, or to present, as one's own, work or ideas which are not entirely one's own. We recognize that any instructor has the right to expect that all student work is honest, original work. We accept and acknowledge that responsibility for lying, cheating, stealing, plagiarism, and other forms of academic dishonesty fundamentally rests within each individual student.

We expect of ourselves academic integrity, personal professionalism, and ethical character. We appreciate steps taken by university officials to protect the honor of the university against any who would disgrace the MSU student body by violating the spirit of this creed.

*Written and adopted by the 2002-2003 MSU Student Senate.*



# Message from the President



We have much to celebrate at MSU Texas during the 2018-2019 academic year. Construction is progressing on three major projects, most obviously the Health Sciences and Human Services (HSHS) Building to house the Robert D. and Carol Gunn College. Completion of the building is on schedule for the end of the academic year and will house summer classes in 2019. The Moffett Library renovation will be ongoing through this year as we transform one floor at a time in our welcoming historical library. The modernized features will provide easier to access technology and a more collaborative learning space. Once the HSHS project is complete we will

begin renovation of Bridwell Hall to make a new home for our West College of Education and Facilities Services, as well as the Counseling Center. This will allow us to use the heart of the campus, the Daniel Building for student life activities. And finally, our campus police have found a new home just across Midwestern Parkway to the west of the Redwine Wellness Center and our Wichita Falls Museum of Art.

I know that you have chosen MSU Texas because you can learn here in a personal and meaningful way. The faculty will encourage you not only to listen and observe, but, more importantly, to engage. Be sure to engage in internships, community service, research, Greek life, and international study. Make your MSU years memorable and valuable. You will have boundless opportunities here, and we all encourage you to reach out for them every day.

When we meet in person, I hope to learn your views concerning Midwestern State. What are your ideas for MSU Texas as we move forward together? This year we welcome our Centennial Class, students graduating in 2022! Let's build an exciting future for MSU Texas as we move closer to our one hundredth birthday.

Whether you are new to campus or a returning student, I hope to see you out and about soon. Have a great semester and GO MUSTANGS!

A handwritten signature in cursive script that reads "Suzanne Shipley". The signature is written in dark ink and is positioned above the printed name and title.

Dr. Suzanne Shipley  
President

# Message from the Student Government President



Greetings Fellow Mustangs,

As your 2018-2019 President it is my pleasure to welcome you on behalf of Midwestern State's Student Body. Midwestern State University is home to many experiences and traditions that unite all Mustangs, past and present. I know your time at MSU will be rewarding, and I encourage you to take advantage of the many opportunities available for academic and personal growth.

With a student-to-faculty ratio of 17:1, make it a point to know your professors. The opportunity to form mentoring relationships with faculty is an invaluable benefit of attending MSU. This mentoring extends to our outstanding undergraduate research program, EURECA. Those who participate with a faculty mentor in undergraduate research will have a benefit over students attending larger schools; this benefit being critical when you graduate and compete with them for jobs or graduate school admission.

MSU offers services that will improve your success in-and-out of the classroom. From Tutoring and Academic Support Programs (TASP), to the Counseling Center, Testing Center, and the Career Management Center, among many others, I encourage you to take advantage of the services offered to you. In order to promote health and fitness, we have a state-of-the art Wellness Center, which includes the Vinson Health Center, and a robust offering of recreational sports and fitness classes.

MSU has over 100 student organizations and 14 nationally affiliated fraternities and sororities. These organizations range from special interest or service based, such as MSU Bigs; multicultural based, such as the Organization of Hispanic Students; academic clubs and honor societies, such as Psi Chi; and major-based organizations that encourage other students to become involved in a field other than their own, such as the Environmental Student Organization. All of our registered organizations can be found on MustangsLink.

I would also like to urge you to become familiar with your Student Government Association, the Office of Student Leadership and Involvement, the University Programming Board, the Artist-Lecture Series, as well as cheering on your fellow Mustangs who play on our athletic teams. The fall and spring semesters have lots of sporting events on-and-off campus for students to attend and show off their Mustang Pride!

Again, I strongly encourage you to take advantage of all the opportunities MSU has to offer. Get involved, make new friends and create a memorable college experience! If you ever have any questions, feel free to visit me in my office in the Clark Student Center. I wish you success and look forward to serving you this year.

Best Regards,

A handwritten signature in cursive script that reads "Ellie Gunderson".

Ellie Gunderson

# Solution Finder

## GENERAL INFORMATION

Who to See and Where (if dialing from off-campus, add the prefix 397 before the extension number.)

DEPARTMENT	LOCATION	EXT. #
Admissions	Hardin Adm. South 101	4334
Alumni Relations	Hardin Adm. 204	4121
Annual Fund	Hardin Adm. 201	4539
Artist-Lecture Series	Clark Student Center 121	7500
Athletics	D. L. Ligon Coliseum 134	4779
Bookstore	Clark Student Center	4225
Business Office	Hardin Adm. 103	4101
Campus Card	Clark Student Center 116	4223
Career Management Center	Clark Student Center 108	4473
Clark Student Center	Clark Student Center 116	4223
Continuing Education	Hardin Adm. 218	4756
Counseling Center	Corner of Hampstead and LJR Drive	4618
Dean of Students	Clark Student Center 121	7500
Dining Services	Clark Student Center	4203
Disability Support Services	Clark Student Center 168	4140
Donor Services & Scholarships	Hardin Adm. 109	4919
Equity, Inclusion & Multicultural Affairs	Bea Wood Hall 131	4947
Facilities Services	Daniel Bldg.	4228
Financial Aid	Hardin Adm. South 102	4214
Graduate School	Hardin Hall 146	4920
Greek Life	Clark Student Center 194	3278
Honors Program	Moffett Library 112D	4534
Housing	Sunwatcher Village Clubhouse	4217
Information Technology	Memorial Bldg.	4278
Intensive English Language Inst.	Hardin 216	4609
International Services	Hardin Adm. South 211	4568
Library	Moffett Library	4204
Lost and Found	Clark Student Center	4223
Police (University)	University Police	4239
Post Office	Clark Student Center 181	4241
President's Office	Hardin Adm. 107	4211
Print Shop	University Press	4235
Provost and Vice President for Academic Affairs	Hardin Adm. 114	4226
Public Information	Hardin Adm. 206	4352
Psychology Clinic	O'Donohoe Hall 106	4791
Recreational Sports	Bruce and Graciela Redwine Student Wellness Center	4206
Registrar	Hardin Adm. South 101	4321
Residence Life	Sunwatcher Village Clubhouse	4217
Student Affairs	Clark Student Center 108	7500
Student Leadership and Involvement	Clark Student Center 194	3033
Student Transition Services	Clark Student Center 194	4500
Student Government Association	Clark Student Center 173	4709
Student Organizations	Clark Student Center 194	4500
TSI Coordinator	Hardin Adm. South 101	4320
Telecommunications	Memorial Bldg. 203	4555

Testing Center	Hardin Adm. South 224	4676
Tutoring and Academic Support Programs	McCullough Hall	4684
TV 2 Studio	Fain Fine Arts Center C102	4394
University Development	Hardin Adm. 201	4539
University Programming Board	Clark Student Center 194	4500
Veterans' Affairs	Hardin Adm. South 100	4305
Vinson Health Center	Vinson Health Center	4231
Volunteer Programs	Clark Student Center 194	4500
Wichitan (Newspaper)	Fain Fine Arts Center B103	4704

**RESIDENCE HALLS & APARTMENTS**

Killingsworth Hall	7200
Legacy Hall	6700
Legacy Commons	6600
McCullough-Trigg Hall	7930
Pierce Hall	7510
Sundance Court	6400
Sunwatcher Village	6400

**RELIGIOUS ORGANIZATIONS**

Baptist Student Ministry	(940) 767-1222
Campus Ministries International	(940) 397-4187
Catholic Campus Ministry	(940) 692-9778
Colonial Student Organization	(940) 691-8568
Mustangs 4 Christ	(940) 692-3142
Portico	(940) 247-0488
Wesley Campus Ministry	(940) 202-0142

<b>ACADEMIC DEPARTMENTS</b>	<b>LOCATION</b>	<b>EXT. #</b>
Accounting & MIS	Dillard College of Business 287	4380
Applied Arts and Sciences (BAAS)	Ferguson 102	4400
Art	Fain Fine Arts Center C104	4264
Athletic Training & Exercise Physiology	D. L. Ligon Coliseum 214	4232
Biology	Bolin Hall 218	4163
Business, Dillard College of	Dillard College of Business 239	4248
Chemistry	Bolin Hall 307	4251
Clinical Laboratory Science	Bolin Hall 218	4163
Computer Science	Bolin Hall 126	4702
Criminal Justice	Martin Hall 105	4752
Dental Hygiene	Bridwell Hall 107	4737
Distance Education (online courses)	Hardin 222	4785
Economics & Finance	Dillard College of Business 209	4248
Education, West College of	Ferguson Hall 201	4313
English	Bea Wood Hall 216	4300
Fine Arts, Fain College of	Fain Fine Arts Center B128	4243
Geosciences	Bolin Hall 102	4250
Global Studies	O'Donohoe Hall 202	4376
Graduate School	Hardin Hall 146	4920
Health Sciences and Human Services, Gunn College of	Bridwell 104	4597
History	O'Donohoe Hall 222	4258
Humanities	Bea Wood Hall 216	4300
Humanities & Social Sciences, Prothro-Yeager College of	O'Donohoe Hall 121	4030
Kinesiology	Ferguson Hall 301E	4641
Management, Marketing, and Legal Studies	Dillard College of Business 271	4248
Mass Communication	Fain Fine Arts Center B112	4670
Mathematics	Bolin Hall 118	4411
Mechanical Engineering	McCoy Engineering Hall 101	4286
Music	Fain Fine Arts Center C117	4267
Nursing	Bridwell Hall 308C	4331
Philosophy	Bea Wood Hall 216	4128
Physics	Bolin Hall 307	4345
Political Science	O'Donohoe Hall 202	4376
Pre-Dental, Pre-Medical, Pre-Pharmacy	Bolin Hall 218	4163
Pre-Physical Therapy, Pre-Veterinary		
Psychology	O'Donohoe Hall 122	4340
Radiologic Science/Radiologic Technology	Bridwell Hall 201A	4337
Respiratory Care	Bridwell Hall 301A	4652
Science and Mathematics, College of	Bolin Hall 111	4253
Social Work	Martin Hall 104	4437
Sociology	O'Donohoe Hall 122	4340
Sport and Leisure Studies	Ferguson Hall 211	4641
Teacher Certification	Ferguson Hall 302	4063
Theatre	Fain Fine Arts Center B112	4670
World Languages and Cultures	Bea Wood Hall 116	4309



# SECTION I



## Traditions & Landmarks

Traditions are customs that have their roots in the past and are handed down from one generation to the next. University traditions are formed in much the same way. Customs begun by earlier generations of MSU students are still followed on campus today. Some of our most cherished traditions are:

- **COLORS:** Maroon and Gold
- **MASCOT:** Mustangs
- **THE MSU TOWER:** The tower is the landmark of MSU. The Redwine Carillon is housed in the tower and is comprised of 37 bells. The bells play the Westminster chime every quarter-hour and strike the hour on the hour.
- **BOLIN FOUNTAIN AND QUADRANGLE:** The Bolin Fountain, centered in the Quadrangle, just west of the Hardin Administration Building, is a central hub of the university and popular gathering place for the student body. Mr. and Mrs. D. Phil Bolin believed that the beautification of the campus to be of the utmost importance, and funded the construction of the fountain in 1992. Students helped lay the brick walkways to and from the fountain.
- **CYCLING STATUE:** In 1999, the Hotter 'N Hell Hundred (HHH), annual bike race in Wichita Falls, was celebrating its 18th year and the turn of the millennia. The HHH commissioned Jack Stevens, sculptor of the Sunwatcher statue and the Believers, to create a work of art to celebrate the rich history of cycling in our community. In 2000, a mutual agreement was made between MSU and the HHH to have the statue placed at its current location, southwest of the Hardin Administration Building.
- **DILLARD MUSTANGS:** The mustangs sculpture located on the south side of D.L. Ligon Coliseum, created by Jack Stevens, pays tribute to MSU's mascot, "Mustangs." A stone near the mustangs bears the following inscription: *The Believers – Wisdom, Strength, Courage.*
- **GATES OF HERCULES:** These three limestone pillars, by artist Sandi Stein, are located on the south lawn of Bolin Hall. They were designed and commissioned by Doug Burns, in honor of his mother, father and wife. They were donated to MSU during the 75th anniversary celebration in 1997.
- **LIBERTY BELL:** An exact replica of the Liberty Bell cast by the Paccard Fonderie des Cloches of Annecy, France, is located in front of the Hardin Administration Building. The markings and inscriptions replicate the Liberty Bell down to the nail that was placed in the crack. The bell is 44 1/2" in diameter, 42 3/16" high (including the yoke and stand), and weighs 2,050 pounds.
- **SIKES HOUSE:** Sikes House, located at 2405 Midwestern Parkway, is the official residence of the university's president. The home was built between July 1939 and November 1940 by Mr. Louis Sikes, an oilman and rancher, and his wife Glenna. The university purchased the property from Mr. and Mrs. Sikes in 1970. In November of 1991, the university officially named the home Sikes House.

- **SUNWATCHER:** This statue of a South Plains Indian by Jack Stevens exemplifies the progressive spirit of the university. It was presented to MSU by the Alumni Association and financed through donations and brick paver sales during the 75th anniversary celebration in October of 1997.
- **WELCOME (STAMPEDE) WEEK:** Welcome Week began in 2004 as a joint endeavor between the Student Government Association and former Office of Student Activities. The event takes place during the first week of class each fall and spring semester, and features a range of diverse activities from outdoor movies, special entertainers, crafts, novelties, tours and scavenger hunts, day trips, cookouts, and much more for students to make new friends, connect with the campus, and enjoy themselves. Welcome (Stampede) Week is a collaborative effort, jointly implemented by several offices in the Division of Student Affairs, as well as various registered student organizations. In the fall, Welcome Week features Student Convocation as the official entrance ceremony for new students.
- **FAMILY DAY:** Family Day is a tradition when parents, family members, and friends join their MSU student, or students, for a relaxing day of fun. Every year, thousands of MSU's extended family come to celebrate and display their MSU pride by cheering on our Mustangs! Festivities include a variety of games, free food, novelties, home football game, and entertainment for the entire family to enjoy. Attendance at all Family Day events is free for family members and guests of current MSU students.
- **HOMECOMING:** This traditional event provides for a gathering on the campus of alumni, parents, and friends who join with the faculty and student body to renew old friendships, make new acquaintances, and generally have a good time. The week is filled with many student activities-bonfire, all-school picnic, lip sync competition, boat race, football game, and the crowning of the homecoming king and queen.
- **MSU-BURNS FANTASY OF LIGHTS:** This dazzling holiday display includes 38 brightly lit scenes and 20,000 lights outlining five major buildings on campus. Its purpose is to provide a festive atmosphere on the Midwestern State University campus, to serve as an outreach to the community, and to be a focal point for holiday activities in North Texas. The MSU-Burns Fantasy of Lights Is filled with individual displays that showcase themes or characters from well-known children's stories, fairy tales, and holiday icons.
- **FINALS FRENZY:** Occurring the Thursday before final exams during the fall and spring semesters, Finals Frenzy has evolved into one of the most popular and anticipated events at Midwestern State University. Traditionally held in the Clark Student Center from 7-11 p.m., Finals Frenzy features a large range of activities, entertainment, and free food. The event is a great opportunity to relax, de-stress, and have fun prior to the onset of final exams.
- **GREEK WEEK:** Each year Greek social organizations are recognized at a series of Greek Week activities. During Greek Week, MSU Greeks compete among themselves in various physical and service activities and host social events for the entire campus.
- **HONORS RECOGNITION BANQUET:** This function is an annual affair in which outstanding students from the freshman, sophomore, junior, senior and graduate classes are recognized. In addition to the naming of MSU's Man and Woman of the Year and Hardin and Clark Scholar, the university recognizes the scholastic and leadership achievements of students.
- **OFFICIAL MSU RING:** The ring represents the tradition and history of our school. Each icon has special significance in the lives of our graduates. The date 1922 represents when the school was first established as Wichita Falls Junior College. The Hardin Building is a campus landmark and represents the beauty of our campus and remains a symbol of strength and pride. The Sunwatcher statue represents our history with the Kiowa Tribe.



- SENIOR CAMPUS WALK: This “farewell” walk for graduating seniors gives faculty and staff the opportunity to celebrate the successful completion of their degrees with the graduates. At each academic building the parade will pause and the graduates of that College will be acknowledged. Faculty and staff stand outside their respective building and cheer for the graduates, then join them on their walk. With each stop, the faculty and staff add to the parade. At the conclusion of the walk, graduates participate in a reception.



# SECTION II



## Student Affairs/Student Life

### *Student Affairs*

The university believes its responsibilities to students include more than academic training in the classroom and laboratory. It must assist students in the development of their total being in a way that will prepare them for a full and satisfying life while attending college and in the succeeding years.

The Division of Student Affairs creates an environment that fosters student development and success. Student Affairs professionals strive to build and promote opportunities for student wellness, intellectual growth, civic responsibility, social engagement, equity, and leadership, with the goal of developing awareness of self and others.

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Vice President for Student Affairs

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Medical Director and University Physician  
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## ***Alumni Association***

Anyone is eligible to be an active member of the Midwestern State University Alumni Association. As a member of *your* Alumni Association, not only will you receive benefits, but your loyalty will also be passed on to the university community. Through scholarships, awards, and academic recruiting, we are able to help with student enrollment as well as help current students with tuition and funding.

*Your* Alumni Association sponsors or supports many MSU activities and programs including: Homecoming, the Alumni Association Scholarship Endowment, Outstanding Alumni Awards, Annual Spirit Award, Outstanding Honors Student Award, and many alumni and student social events.

*Your* Alumni Association works to provide quality programming, meaningful association networking opportunities and enticing social events. It is the goal of *your* Alumni Association to continually strive to cultivate loyalty, tradition, service and lifelong relationships. It is a strong network of loyal MSU supporters working to promote *your* University and *your* Alumni Association. To join, call the Office of Alumni Relations, (940) 397-4121 or [msutexas.edu/alumni](http://msutexas.edu/alumni).

## ***Annual Fund***

Gifts make a difference at Midwestern! Private contributions can enhance many areas on campus such as student scholarships, academic colleges, library, alumni programs, athletics, involvement opportunities, the museum and more!

The **Parent Fund** encourages all parents to participate in their student's experience at MSU. In order to provide more educational opportunities for students, the parents of our current students contribute to the Parent Fund Scholarship Endowment so more MSU students can receive scholarships.

Students also have an opportunity to help MSU. They can come to work at the MSU **Phonathon**. Students will contact alumni, parents and friends and ask them to contribute to Midwestern. Students become active philanthropists on campus while fine-tuning their communication and negotiation skills – perfect for any future job!

Giving at MSU is a way of life. Private donations from faculty, staff, alumni, parents and students make a powerful difference in the lives of MSU students. You may not be able to give much, but *every gift counts!*

If you would like more information about any of these programs, call the MSU Annual Fund at (940) 397-4539.

## ***Artist-Lecture Series***

The Midwestern State University Artist-Lecture Series was established to enhance the cultural and intellectual atmosphere of the MSU campus and the Wichita Falls community. The Artist-Lecture Series brings to campus outstanding artists and lecturers who have achieved national and international acclaim in their respective areas. MSU students interested in attending any of the Artist-Lecture Series programs may pick up free tickets at the Clark Student Center Information Desk as early as four weeks prior to a scheduled event. Additional information concerning the Artist-Lecture Series may be obtained through the Student Affairs office, Room 121 Clark Student Center. Recent events have included Pentatonix, Dr. Drew Pinsky, Cpt. Sig Hansen, Ben Stein, Bob Dole, Vanessa Carlton, Jeff Corwin, Elizabeth Smart, Dr. Michio Kaku and the Harlem Gospel Choir.

## ***Athletics***

Midwestern State University is affiliated with the National Collegiate Athletics Association (NCAA) Division II and is a member of the Lone Star Conference (LSC). Varsity sports for women include basketball, cross country, golf, indoor & outdoor track, soccer, softball, tennis and volleyball. Varsity sports for men include basketball, football, soccer, tennis and golf. Scholarships are offered in all sports on the basis of athletic ability.

Admission to university athletic events, excluding LSC Tournament and NCAA championship events, is free to currently enrolled MSU students and one guest on presentation of current MSU Campus Card.

## ***Campus Card***

The Campus Card is the official identification card of Midwestern State University which allows access to numerous campus locations and events. All enrolled students are eligible to receive a Campus Card. Each student will be issued an initial card at no cost. Campus Cards will only be issued after verification of enrollment and with the presentation of a government-issued photo ID (e.g. Driver's License, Military ID, and Passport). A replacement fee of \$20 exists for all lost, stolen, or damaged cards.

In addition to providing all the campus access features of the current MSU Campus Card (e.g. building access, library access, meal plan access, and on-campus event admission), an enhanced MSU Campus Card through a partnership with Wells Fargo bank can give students additional ways to make purchases on and off campus. The enhanced MSU Campus Card program is optional for students. When students order an enhanced MSU Campus Card and link it to their new or existing *Wells Fargo College Checking* account, purchases can be made with the Campus Card anywhere Visa is accepted.

Campus Cards are issued at the Clark Student Center Information Desk, Room 116. Regular hours are Monday through Friday, 8 a.m. to 5 p.m.

## ***Campus Police***

Officers of the Midwestern State University Police Department are bona fide Texas peace officers, bonded and commissioned by the Board of Regents. The Department has the responsibility of enforcing all state laws on all properties under the control and jurisdiction of Midwestern State University, as well as all university regulations applicable to their area of responsibility. All of the general and criminal laws of the State of Texas and such other federal and state laws applicable in areas under the control and jurisdiction of the university are in full force and effect.

## ***Career Management Center***

The Career Management Center (CMC), located in the Clark Student Center, Room 108, presents several opportunities for students to be introduced to and guided through the professional development process using a wide variety of helpful services. Services the center provides focus on preparing students for significant and personally satisfying careers and teaching them how to market themselves effectively to prospective employers. All students are encouraged to begin using the CMC early in their college experience. The Career Management Center offers the following programs:

### *On-line Career Services*

Search through and apply for full-time, part-time, and internship positions on the MSU MustangsHIRE system.

### *Job Search Assistance*

The CMC staff will work one-on-one with you to develop your resume, cover letter, interview, networking, and job search skills.

### *Professional Workshops/Seminars*

Specifically designed workshops provide helpful information in areas such as building a winning resume, interviewing skills, workplace ethics, & most importantly, preparation for the “real world.”

### *On-Campus Interviewing*

Secure your future by scheduling an on-campus interview with one of the many employers who come to Midwestern to fill their employment needs.

### *Graduate/Professional School Assistance*

From Graduate/Professional School Application assistance to Entrance Exam Preparation, the CMC has several programs to help you get ready for and accepted into Graduate/Professional School.

### *Career Networking Events*

Several events are offered each year providing an opportunity to network with employers and graduate/professional school programs from across the country.

Midwestern State University considers you, the student, to be its most valuable resource. Thus, the Career Management Center strongly believes in providing a unique transition into student's professional careers through its services and resources. Our student's success comes from the effective utilization of academic, leadership, and skilled development.

## ***Cheerleaders & Mascot***

Boosting spirit on campus is the job of the students on MSU's cheerleading team. In addition to being heavily involved with youth and community programs throughout the Wichita Falls and surrounding area, the team strives to encourage MSU students to actively and enthusiastically support the Mustangs at athletic events. The cheerleaders continually represent MSU at a national level in the UCA collegiate national championships. As the official mascot of Midwestern State University, Maverick T. Mustang makes appearances at intercollegiate sporting activities and various campus and community events to further enhance school spirit.

## ***Clark Student Center***

At home, many students have a “living room” where they can relax and enjoy themselves with all the amenities that make it home. But while away at college, students sometimes have trouble finding a place with many of the comforts of home. It is the goal of the Clark Student Center (CSC) to fill that void and become the “living room” for the university community—students, faculty, staff, alumni, and guests. To accomplish this, we provide a variety of programs and services. As the center of the college community, we strive to create a setting in which students can relax, develop leadership skills, and experience personal fulfillment.

*Facilities in the Clark Student Center* include the MSU Bookstore, Information Desk, Mesquite Dining Hall, Post Office, Sundance Food Court, Maverick's Corner, a computer lab, administrative offices, banquet rooms, lounges, meeting rooms, and a recreation center.

*Administrative Offices* located in the Clark Student Center include the Office of Student Affairs, Dean of Students, Office of Student Rights and Responsibilities, Career Management Center, Clark Student Center Offices, Dining Services, Disability Support Services, Student Government Association, Student Transition

Services, and Student Leadership and Involvement (Greek Life, Student Organizations, University Programming Board, and *Wai-kun* Yearbook).

The *University Master Calendar* is maintained by the Clark Student Center Office. The calendar contains information of scheduled activities and events taking place at the university. Master calendar events are compiled by the CSC and mirror reservations made for facilities. Requests for facility reservations can be made through the Clark Student Website at [www.msutexas.edu/student-life/csc/](http://www.msutexas.edu/student-life/csc/).

*Bulletin Board Space* in the Clark Student Center is provided for all registered student organizations. Postings can be taken to the Clark Student Center Information Desk for approval. One of the student assistants will put your posters in the available place. Include the following on all postings: who, what, when, where, and the organization/department's contact information.

*Computer Lab* – Open 7:00 a.m. to 11:00 p.m., 7 days a week when classes are in session. For information regarding the computer lab, please contact Information Technology at (940) 397-3000.

#### CSC Building Hours/Recreation Room Hours (Fall and Spring)

Monday – Friday: 7:00 a.m. – 11:00 p.m.

Saturday: 9:00 a.m. – 11:00 p.m.

Sunday: 9:00 a.m. – 11:00 p.m.

Monday – Friday: 9:00 a.m. – 11:00 p.m.

Saturday: 9:00 a.m. – 11:00 p.m.

Sunday: 9:00 a.m. – 11:00 p.m.

#### Information Desk Hours (Fall and Spring)

Monday- Friday: 8:00 a.m. – 11:00 p.m.

Saturday-Sunday: 9:00 a.m. – 11:00 p.m.

### ***Counseling Center***

The Counseling Center provides confidential and professional counseling services for all enrolled students. Counselors provide individual and group counseling, crisis intervention, and referral services.

Personal counseling is what most students seek. Issues discussed in personal counseling include depression, anxiety, stress, grief and loss, disordered eating patterns, abuse, loneliness, relationship issues, substance abuse, homesickness, communication skills, assertiveness, and self-esteem issues.

Academic counseling helps students experiencing academic difficulties. Issues addressed include test anxiety, stress management, attention and concentration problems, study skills, time management, and test taking skills. Students with academic concerns may choose to participate in the Scholastic Support Program which is a comprehensive, individualized program designed to assist in maintaining or achieving academic progress.

Students may also participate in career counseling designed for the exploration of personality style and preferences and how those blend with specific majors and careers.

Appointments are encouraged to guarantee sufficient time and availability of counselors. An appointment may be scheduled by calling the Counseling Center at (940) 397-4618, or coming by the Center which is located on the corner of Hampstead and Louis J. Rodriguez Drive.

**No Show Policy** – A “No Show” is someone who misses a scheduled appointment without canceling at least 24 hours in advance. No Show appointments displace other students who need access to counseling services in a timely manner. A fee is applied to a student's MSU account for each “No Show”. Three “No Show” appointments during a single semester (e.g. fall or spring) will result in loss of appointment scheduling privileges for the remainder of the semester and referral to a provider in the community.

### ***Dean of Students***

The Dean of Students Office at Midwestern State University provides services and support directly to students, not only by assisting them throughout their transition to university life, but also in their successful retention and matriculation as returning students when furthering their education at MSU. Aside from providing leadership to multiple units representing student life and student services at the University, such as residence life, recreation, activities, involvement, health, wellness, counseling, conduct, career development, and student accommodations and advocacy, some particular functions through the Dean of Students Office are as follows.

Release of Information Forms are used to grant permission for university officials to release specified information from a student's educational record to a third party (i.e. parent, spouse, agency, or sponsor). Federal privacy laws prohibit Midwestern State University from providing non-directory information within a student's educational record to a third party, such as grades, course schedule, financial aid, discipline, housing assignment, and email address. Any student who desires information to be released to a third party must submit an Authorization to Release Student Information Form to the Dean of Students Office. Forms are available on the Dean of Students website and in person through the Dean of Students Office.

For more information about services and resources in the Dean of Students Office, please go to the MSU webpage at [www.msutexas.edu](http://www.msutexas.edu), click on Student Life, then click Dean of Students.

## ***Disability Support Services***

Midwestern State University is committed to providing equal access for qualified students with disabilities to all university courses and programs, and by law all students with disabilities are guaranteed a learning environment that provides reasonable accommodation of their disability. This guarantee is provided through Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act. The ADA reads: "No qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subject to discrimination by any such entity."

### *Services*

Disability Support Services ensures that students with disabilities have equal access to all academic programs and activities. Services are provided based on individual need as assessed through recent diagnostic information and a personal interview. As new needs are identified, services may be modified or developed to accommodate the student.

Based on documentation and personal interview, the following accommodations may include (but are not limited to) the following:

- Alternate format books/materials
- Priority registration for classes
- Test readers and scribes
- Adaptive equipment and software
- Testing accommodations
- Individual orientation to campus
- Class relocation
- Counseling
- Interpreter Services
- Note-taking assistance
- Advocacy/liaison

To obtain Disability Support Services, you must:

- Be accepted for admission to Midwestern State University
- Complete an application form at <https://olympic.accessiblelearning.com/midwestern>.
- Provide documentation from a professional in disability services, education, medicine, psychology or a related area, indicating the presence of a physical or mental impairment which substantially limits one or more major life activities. Documentation should be no older than 3 years and must be provided by the appropriate professional. For complete requirements for documentation, please stop by the Disability Support Services office in the Clark Student Center, Room 168, or go to <http://www.msutexas.edu/student-life/disability/index>.

Individuals with grievances related to discrimination or lack of accommodation on the basis of a disability are encouraged to resolve the problem directly with the area involved. If the matter remains unresolved, advice and assistance will be provided by Disability Support Services. Specific information on filing a grievance is available in Disability Support Services or in the Student Affairs office, Clark Student Center Room 108, (940) 397-7500.



### *Physical Education Exemption*

In cases where an exemption from physical education is requested, the following must be submitted to the Disability Support Services office:

1. Documentation from a practitioner licensed to practice medicine who has diagnosed and treated the student.
2. A letter from the student requesting the physical activity exemption.

### ***Equity, Inclusion and Multicultural Affairs***

The Office of Equity, Inclusion and Multicultural Affairs (EIMA) focuses on student success and holistic development through a variety of programming, works collaboratively to identify and eliminate student success gaps, and builds partnerships to create a supportive and inclusive campus environment through education and training. EIMA also serves as a support and advocacy center for underrepresented and historically marginalized student populations at MSU.

EIMA operates the Center for Multicultural Affairs & Community (The CMAC), a communal space for students to connect and engage with each other, while also participating in a variety of programs geared to support and empower students of color in academic, personal and professional development. Students are welcome to the office, located in Bea Wood Hall room 131, Monday through Friday, 9:00am – 5:00pm.

All MSU students are welcome to participate in EIMA's events that allows the community to celebrate and explore cultural identity: Multicultural Welcome Back BBQ, Celebration of Thanks, It Takes A Village! Campus Tour & Program, Family Weekend: Unity Tailgate, Celebrating the Diaspora, and Multicultural Community Reception.

The campus community is encouraged to engage in meaningful, thoughtful dialogue on the intersectionality of identities, advocacy and social justice: Reel to Real Film Series – First Thursdays, 7:00pm – 9:00pm; Critical Conversations Series – Third Mondays, 4:00pm – 5:30pm.

In an effort to support the academic and personal success of students of color, students can participate in several supportive, developmental programs, including, but not limited to: Multicultural New Student Symposium, Barbershop Talks (a space for men) and Sister to Sister (a space for women).

For more information on events and programs, visit [www.msutexas.edu/eima](http://www.msutexas.edu/eima), email the office at [equityandinclusion@msutexas.edu](mailto:equityandinclusion@msutexas.edu), or call the office (940) 397-4947.

### ***Governing Councils***

The Student Senate is the campus-wide governing group of the Student Government Association. All student legislative power is vested in this group.

The Interfraternity Council (IFC) governs men's national social fraternities.

The Panhellenic Council (PHC) governs women's national social sororities.

The Cultural Greek Council (CGC) governs the historically black and Latino Greek letter fraternities and sororities.

The Residence Hall Association is comprised of delegates from the campus residence halls and apartments and represents residential students in matters pertaining to residence life, housing, and dining.

### ***Insurance for Students***

Midwestern State University offers an optional student insurance plan which is tailor-made to meet the needs of college students. This major medical plan covers a participant on campus, during vacation, and at home for a full 12-month period. Application forms and information pertaining to the plan are available online at <http://msutexas.edu/healthcenter/> or in person at the Vinson Health Center. All international students are required to provide proof of this insurance (including repatriation) or equal coverage (including repatriation) to the International Services office.

## ***International Services***

The International Services office provides comprehensive guidance, adjustment, academic evaluation, visa and legal services for all international students. For more information or to contact the International Services office, you may access the website at <http://msutexas.edu/student-life/international/>.

## ***Moffett Library***

Moffett Library contains approximately 2,000,000 volumes, including microforms and government publications. It subscribes to approximately 150 periodicals and newspapers and has access to 135 databases and over 130,000 electronic journals. All major library services are located on the first floor, easily visible from the main entrance. The library's discovery service, Primo, is available through workstations provided throughout the building. Primo is also available outside the library through the library's website at <http://msutexas.edu/library/index/>. Reserve materials are listed in the on-line catalog and are housed at the Circulation Desk. Faculty members determine the circulation status of these materials.

Books and other materials are charged out at and returned to the circulation desk. Items may be renewed through the library's website unless a hold has been placed on an item. After hours book drops are available on the north side of the building or in the southwest parking lot. A valid student campus card is required to check out materials from the library. Most material circulates for three weeks, except media items that circulate for 7 days. Reference materials, periodicals, and materials from Special Collections/Archives do not circulate. The media department also has digital cameras, portable projectors, laptops, iPads and GoPros to check out for three days at a time.

The library's workstations also provide access to a variety of databases and information resources such as e-books, government documents and encyclopedias. For help with these, students should consult the Reference Librarian.

Microform readers and copiers are available in the Serials Department. Instruction and assistance are available from the Serials Department service desk. Additional collections on microform are also available in the Reference and Documents Departments. A walk-up scanner and digital converter for microforms is available, along with print copiers, accepting bills or copy cards, are housed in a separate room in the Serials Department.

Located on the second floor of the library is a curriculum center (CML) containing textbooks, curriculum guides, and other related materials. Study spaces, group study rooms, and the media library are also housed on the second floor, as are the Administrative offices.

The Nolan A. Moore III Heritage of Print Collection, housed in the Special Collections Room on the second floor, chronicles man's attempt to communicate in writing. Through realia, facsimiles, and original editions, one can trace the development of the art of printing and the written word. The Special Collections Room is open Monday-Friday, 9:00 a.m. - 5:00 p.m.

The University Archives, located on the third floor, contain university publications, including theses, bulletins, schedules, as well as a collection of the *Wai-Kun*, the university's yearbook. Departmental publications are also housed in the archives. Material housed here does not circulate, but it can be used in the library. Check with the Reference Department/Special Collections Room for materials from the archives.

## ***Post Office***

The University Post Office is an official postal substation located in the Clark Student Center. This is the place to purchase stamps, mail packages and letters. The University Post Office also provides most services that are available from the US Postal Service. Some exceptions are the selling of domestic money orders on holidays, passport applications, hunting stamps, international money orders, receipt of C.O.D. parcels, and Selective Service registration. Accepted forms of payment include debit and credit cards, cash, and checks, with proper identification. Sorry, but checks and credit cards are not accepted for money orders. All outgoing International packages require a customs form attached to the package before mailing. This form must be completed online by the customer. The form can be found at the USPS website at: [https://cns.usps.com/cfo/ShippingInformationAction\\_input](https://cns.usps.com/cfo/ShippingInformationAction_input)

### *Hours*

Window service hours are 8:30 a.m. to 4:30 p.m., Monday through Friday. Summer hours are 7:30 a.m. to 5:30 p.m., Monday through Thursday. Outgoing mail is dispatched to the US Postal Service at 4:00 p.m. on business days. Any outgoing mail received after this time will be held until the following business day. Incoming mail is received each day by noon. Mail is then sorted and delivered to PO Boxes and those living on campus the same day. When postal holidays fall on a regular school day, the University Post Office will remain open and in full operation. During spring break, semester break and other times when the campus is closed, the University Post Office will also be closed; no mail will be received or dispatched on these days.

### *Rental of Boxes*

Mailbox rental is included in housing fees for those students living in university housing. All others renting boxes must make separate payment to the University Post Office. Only letter mail is delivered to Legacy Hall, Sundance Court, and Sunwatcher Village. All packages must be claimed at the campus Post Office. Mail received at MSU is distributed only to those persons, departments, and organizations having assigned PO Boxes with the University Post Office. Any mail received for individuals not having a mailbox will be returned to the sender. Each student must be assigned their own individual PO Box - no sharing. Students residing in Killingsworth, McCullough-Trigg Hall and Pierce Hall will receive their mail at their assigned PO Box inside of Legacy Hall.

The mailing address for Individual PO Boxes (those receiving mail at the University Post Office) should be as follows:

Name

3410 TAFT BLVD. #1XXXX (XXXX equals one's assigned mailbox number)

WICHITA FALLS, TX 76308-2095

Those receiving mail at LEGACY HALL should be addressed as follows:

Student Name

3705 LOUIS J. RODRIGUEZ DR. #1XXXX (XXX equals one's assigned mailbox number)

WICHITA FALLS, TX 76308-2215

Those receiving mail at SUNWATCHER VILLAGE should be addressed as follows:

Student Name

3704 LOUIS J. RODRIGUEZ DR. #XXXX (XXXX equals one's assigned mailbox number)

WICHITA FALLS, TX 76308-2215

Those receiving mail at SUNDANCE COURT should be addressed as follows:

Student Name

3990 Louis J. Rodriguez Dr. #XXXX (XXXX equals one's assigned mailbox number)

WICHITA FALLS, TX 76308-2902

## ***Psychology Clinic***

The Psychology Clinic provides a comprehensive array of psychological services, including intellectual and personality assessment and psychotherapy. These services are free to MSU students, faculty, staff, and their families; individuals from the community who meet low-income guidelines are seen on a sliding scale basis. Services are provided by graduate students in the clinical masters program, under the supervision of a licensed psychologist.

The Psychology Clinic is housed in O'Donohoe Hall 107. The hours of operation vary by semester, but appointments can be made by calling (940) 397-4791.

## ***Publications***

The *Wichitan* is a weekly, student-produced newspaper that reports the news of the campus and gives interested students an opportunity to learn about newspaper journalism. The publication seeks to chronicle campus events and news of importance to students, faculty, and staff; to present announcements of future events; and to provide a forum for debate on pertinent issues. Students from all majors are encouraged to participate in positions that include editing, writing and reporting, page design and layout, photography, graphics work, and selling and designing advertisements.

The *Wai-Kun* is Midwestern State University's electronic yearbook. It is a pictorial record of the college year including extracurricular as well as academic pursuits. It includes sections for the academic areas, student activities and organizations, and class pictures. The *Wai-Kun* office is located in Clark Student Center, room 194, extension 4498, or visit [msutexas.edu/student-life/development/waikun](http://msutexas.edu/student-life/development/waikun).

The *Voices* magazine is the MSU arts publication and provides a forum for ideas, opinions, and creative efforts for all MSU students. The magazine is published each spring, and submission guidelines are available at <http://www.mwsu.info/voices>. Advisor for *Voices* is Assistant Professor of English, John Schulze.

## ***Recreational Facilities***

All recreational facilities are open for student recreational use when not being used by organized recreational sporting events. A current MSU Campus Card is required prior to admittance to the Bruce and Graciela Redwine Student Wellness Center. All the facilities in this area are available on a first-come, first-served basis unless prior arrangements have been made with the Director of Recreational Sports and Wellness Center. MSU cannot be held liable for any form of injury to any individual or for the loss of or injury to the property of any individual using the Student Wellness Center or other recreational facilities.

### ***Student Wellness Center***

During the fall and spring semesters, the hours of operation are 5:25 a.m. – midnight, Monday through Friday and 10:00 a.m. – 10:00 p.m., Saturday through Sunday, excluding holiday hours.

**GYMNASIUMS:** A wide variety of activities are offered in the two gymnasiums during the fall, spring, and summer semesters including free play.

**WELLNESS CENTER AMENITIES:** The Student Wellness Center is approximately 52,000 square feet filled with the best equipment available. There are over sixty (60) pieces of CYBEX equipment in both free weights and machine weights. There is an extensive line of cardiovascular equipment including 30 treadmills with personal viewing monitors, 15 CYBEX Arc Trainers with personal viewing monitors, 2 stair climbers, and several other upright and incumbent bikes.

**INDOOR TRACK:** The Student Wellness Center features a state of the art suspended indoor walking/jogging track. The track is approximately 1/11th of a mile for each lap. The indoor track is available during all hours of operation.

**LOCKS AND LOCKERS:** The male and female locker rooms are available for all MSU students and may be used during regular hours of operations. All locks must be removed at the end of operating hours each day.

### ***Aquatics***

The Student Wellness Center boasts an outdoor aquatics area. Students enjoy swimming, playing beach volleyball, outdoor basketball, and cooking out at the aquatics facility. Hours of operations during season are 1:00 p.m. – 7:00 p.m.

### ***Outdoor Courts***

**TENNIS COURTS:** Ten lighted tennis courts are located just west of the coliseum. The courts are available for recreational play when not scheduled for classes or other scheduled activities. Courts are closed from midnight to 7:00 a.m.

**SAND VOLLEYBALL COURT:** One outdoor sand volleyball court is available for recreational play when not scheduled for Recreational Sports. The court is located on the west side of the Student Wellness Center.

**JOGGING TRACK:** A 1.1 mile cement walking/jogging path encircles Sikes Lake. The track is available for recreational activities and for all leisure activities as well. An elevated walking/jogging track is located in the Student Wellness Center.

**SIKES LAKE:** This small lake is home to ducks, geese, herons, and other water fowl. The lake is a favorite spot for sunbathing, fishing or just relaxing.

**OUTDOOR FACILITIES/FREE PLAY FIELDS:** Students have access to three artificially turfed, regulation size athletic fields for outdoor soccer, football, rugby, ultimate frisbee, and other outdoor activities. Students can also enjoy two lighted outdoor basketball courts and two smaller sized turfed fields for other activities.

## ***Recreational Sports***

Midwestern State University sponsors an extensive recreational sports program. Activities are provided for both men and women. Competition is held in sports such as but not limited to badminton, basketball, bowling, disc golf, flag football, golf, pickleball, softball, soccer, table tennis, tennis, ultimate frisbee, and volleyball. Other activities may be scheduled by the Recreational Sports Department.

The entire Recreational Sports Calendar can be found on the Midwestern State University website at [www.msutexas.edu/student-life/recsports](http://www.msutexas.edu/student-life/recsports). All team and individual sign-ups can be found at [www.IMLeagues.com/mwsu](http://www.IMLeagues.com/mwsu). If any questions arise about the schedule, sign-ups, or Recreational Sports in general, the Department of Recreational Sports is located within the Bruce and Graciela Redwine Student Wellness Center.

The Department of Recreational Sports and the Student Wellness Center try to keep students informed of important Information as soon as it is readily available. They do this through means of emails, text messages, and social media postings. To stay up to date on all information regarding Recreational Sports and the Student Wellness Center, please follow them on **Twitter and Instagram @msutexasrec**.

## ***Residence Life & Housing***

The Residence Life & Housing program is a vital part of the Midwestern campus community. The program is intended to support the educational mission of the university through programs, activities, services, facilities, and personnel that promote an atmosphere in university housing conducive to meeting the academic, social, cultural, and personal/developmental needs of resident students.

### ***Residence Life Policy***

The residence life policy is based on the knowledge that living in university housing can provide both educational and social opportunities important to the success of college students. All students enrolling at Midwestern State University are required to live in university housing unless they:

1. Are living in the home of their parents or legal guardian within 60 miles of the campus and commuting to class.
2. Are married and living with their spouse.
3. Have accumulated 45 semester hours of college academic credit as a post-high school student prior to the first day of classes for the housing agreement period. Hours achieved while in high school are not counted (e.g. concurrent or dual credit).
4. Have reached the age of 21 prior to the first day of classes for the housing agreement period.
5. Are part-time students enrolled in 11 hours or less for the fall or spring semester.

### ***Food Service Policy***

All students living in MSU residence halls (except Sundance Court, Sunwatcher Village) during the fall and spring semesters are required to have a residential meal plan. Three meal plans (Platinum All Access; Gold 200; Silver 150) are available for students residing in the residence halls. Each meal plan includes Flex dollars that may be used at any dining facility on campus, as well as a meal exchange program for use at retail dining locations.

### *Policy Exceptions*

In unusual circumstances, the Director of Residence Life and Housing may grant exceptions to these policies. Regardless of the reason for a request for an exception to the housing requirement, all requests must be made in writing (forms are available in the Office of Residence Life and Housing) and filed with the director by the following dates: FALL SEMESTER: July 1 SPRING SEMESTER: January 1

Students requesting an exception to the required meal plan policy must complete a form (available in the Office of Residence Life and Housing) and, if necessary, provide medical evidence of any special dietary need. During the time that an exception is being reviewed, the student will remain on his or her chosen meal plan.

### *Withdrawals*

Students living in university housing must move out within 24 hours of withdrawing or being withdrawn from the university.

For more information, contact the Office of Residence Life & Housing, located across the street from Legacy Hall in Sunwatcher Clubhouse (3704 Louis J. Rodriguez Drive), or refer to the *Residence Life Handbook*.

## **Social Media**

Within the Division of Student Affairs is the Manager of Digital Marketing and Social Media, who serves as the official voice of the @MSUTexas social media.

The Manager is responsible for utilizing not only Instagram, but a variety of platforms like Facebook, Twitter, YouTube, and Snapchat to welcome new students, promote MSU in a positive manner, announce student activities, and engage everyone with interesting facts, exciting contests, helpful information, and more. Aside from daily interactions and monitoring activities, the Manager manages several departmental websites, plans event promotions, teaches faculty and staff at MSU about emerging online technologies and apps, and provides various analytics and online traffic reports.

The Manager must constantly stay on top of online student trends and find new ways to get the word out to interested followers in real time. Facilitating positive and helpful interactions is vital to making MSU a leader amongst colleges and universities. With all of the emerging mobile and wireless technology, MSU aspires to remain ahead in the game of getting students engaged through popular and relevant online social channels.

The Manager also schedules Student Takeovers for the official Snapchat. Have an event or organization you would like to promote on Snapchat? Contact the Manager of Digital Marketing and Social Media at [socialmedia@msutexas.edu](mailto:socialmedia@msutexas.edu) for more information about taking over the official Midwestern State Snapchat!

Keep up with Midwestern State University using the most popular channels to stay up to date with your MSU community. Feel free to tag Midwestern State with pics and posts showing your school spirit and student experience, and watch for ongoing contests and giveaways for FREE stuff.

### Midwestern State University

Facebook - @MSUTexas

Twitter - @MSUTexas

YouTube - MidwesternState

Instagram - @MSUTexas

Snapchat - @midwesternstate

#StangGang

### Hashtags

#MSUTexas

#MidwesternState

#Wichita Falls

To see a complete listing of all MSU Social Media accounts, please visit [www.msutexas.edu/socialmedia](http://www.msutexas.edu/socialmedia).

## ***Student Alumni Council***

The Student Alumni Council (SAC) is a leadership organization sponsored by the Office of University Advancement and Public Affairs and is open to selective students at Midwestern State University. The SAC strives to inform, engage and involve students more in the life of the University and the MSU Texas Alumni Association through its activities and programs. Additionally, the SAC is charged to help promote new traditions at MSU Texas and nurture the existing ones. It also works toward making students aware of their potential role as alumni and help students build the foundation for their future.

## ***Student Elections***

All student elections are under the supervision of the Student Government Association (SGA) and are governed by the Student Government Association constitution. A copy of the constitution is available online at the Student Government Association website.

### *Election Requirements*

ELECTION	GPA	CLASSIFICATION	NOMINATED BY	ELECTED BY
Student Body President, Vice President and Secretary	2.5	Junior or above at the close of the semester elected	Individual Registrations	Student Body
Senators	2.0	Any Classification	Individual Registrations; University Housing	Classes; Organizations; Residence Halls
Homecoming Lord and Lady	N/A	Freshman	Student Body	Student Body
Homecoming Duke, Duchess, Prince, Princess	2.25	Sophomore/Junior	Student Body	Student Body
Homecoming King and Queen	2.5	Senior	Student Body	Student Body

1. Grade point averages are MSU cumulative averages and must be met at the time of nomination.
2. Write-in nominees for SGA officer and senator elections will be accepted upon presentation of a petition containing no fewer than 25 names of the members of the electing group for which the write-in candidate will be a nominee. A petition must be filed in the Office of the Vice President for Student Affairs prior to the official election ballot being created, and the eligibility of the nominee must be certified prior to the first scheduled voting period.

# ***Student Government Association***

## ***Executive Office***

The executive office of the Student Government Association consists of the president, vice president, and secretary. The executive office is charged with the responsibility of serving the student population and providing campus leadership.

## ***Student Senate***

All student legislative power is vested in the Student Senate. The senate consists of senators from student organizations, residence halls, graduate school, and classes. The vice president of the student body presides over the senate meetings.

## **2018-2019 SGA Officers**

Ellie Gunderson, SGA President  
[sga.president@msutexas.edu](mailto:sga.president@msutexas.edu)

Preston Busby, SGA Vice President  
[sga.vp@msutexas.edu](mailto:sga.vp@msutexas.edu)

Jose Torres, SGA Secretary  
[sga.secretary@msutexas.edu](mailto:sga.secretary@msutexas.edu)

Student Senate meetings occur on campus during the first and third Tuesday of each month of the fall and spring semesters at 7:00pm.

## ***Student Leadership and Involvement***

The mission of the Office of Student Leadership and Involvement is to educate, enhance, and enrich students and their collegiate experience. The office provides social, cultural, educational, leadership, and service programming which fosters student learning and cultivates connections between students, their MSU community, and beyond. Any MSU student is welcome to join the fun of planning campus activities and events by becoming a member of the University Programming Board (UPB). Major campus events during the year include Stampede (Welcome) Week, Homecoming, and Finals Frenzy. A calendar of the activities on campus is printed each month and is also available on the office's website, <http://msutexas.edu/student-life/involvement/activity-calendar.php>.

Fourteen social Greek-letter organizations representing a variety of backgrounds exist at Midwestern State University. Greek life is a great way to make new friends and live a life of values and purpose. Chapters adhere to standards of excellence in scholarship, leadership, service, and unity. Recruitment schedules and events vary for the different chapters so to learn more, please stop by the Student Leadership and Involvement office in room 194 of the Clark Student Center.

There are approximately 100 registered student organizations at MSU ranging from academic, special interest, honorary, religious, and sports to a variety of Greek-letter fraternities and sororities. Students can learn more about these organizations by attending one of the student organization fairs or visiting the online student organization database available from the Student Leadership and Involvement website. Additionally, Midwestern State University utilizes a web-based application called MustangsLink for students to join, manage and communicate with student organizations and their respective members.

Volunteerism is actively encouraged within the student body through the Volunteer MSU program and most student organizations participate in some form of community service or philanthropy. Programs for service learning are arranged during the year and any student wishing to learn more about volunteer opportunities in the local community and with non-profit organizations are encouraged to visit the office.

Leadership programming for students occurs in a variety of formats, including the annual iLEAD and weCONNECT student leadership conferences, Rising Mustangs, Toolbox Thursdays, and various workshops intended for students to learn about and expand their leadership potential.

Multiculturalism and appreciation for diversity is an important part of a college education. MSU students are encouraged to participate in the various multicultural awareness programs sponsored by the office during the year.

Located in the Clark Student Center, room 194, Student Leadership and Involvement is definitely the "fun" office on campus! If you would like more information about any of these programs or wish to get involved on campus, stop by anytime or call (940) 397-3033.



## ***Student Organizations***

Midwestern State University hosts approximately 100 registered student organizations which offer a range of activities to satisfy the diverse interests of our students. Through the different clubs and organizations on campus, students are able to become more active in their university and gain valuable skills that will enhance their personal growth and self-awareness. Please contact the Office of Student Leadership and Involvement at (940) 397-3033 for further information regarding these student organizations and MustangsLink.

### **ACADEMIC ORGANIZATIONS**

Accounting Society  
American Advertising Federation  
American Chemical Society  
American Society of Mechanical Engineers  
Arts & Literature Society  
Assoc. for Computing Machinery  
Assoc. of Information Tech. Profess.  
Biology Club  
Council for Exceptional Children  
Engineers for a Sustainable World  
Geosciences Club  
Graduate Student Association  
Pre-Professional Health Sciences Society  
Radiology Club  
Respiratory Therapists Association  
Sharing the Profession of Athletic Training  
Social Workers Acting Together  
Sociology Student Association  
Student Nursing Association  
The History Club

### **UNIVERSITY COMMITTEES**

Artist-Lecture Series Committee  
Honors Program Student Committee  
Student Ambassadors  
University Programming Board

### **GREEK - HONORARY**

Delta Sigma Pi

### **CLUB SPORTS**

MSU Cheerleaders  
MSU Cycling Team  
Rugby Team  
Ultimate Frisbee Club

### **HOBBIES AND SPORTS**

Chess Club  
Coalition of Anime Lovers

### **GREEK - FRATERNITIES**

Kappa Alpha Order  
Kappa Sigma  
Omega Delta Phi  
Sigma Alpha Epsilon  
Sigma Nu  
Tau Kappa Epsilon

### **GREEK - SORORITIES**

Alpha Kappa Alpha  
Alpha Phi  
Chi Omega  
Delta Sigma Theta Sorority, Inc.  
Gamma Phi Beta  
Kappa Delta Chi  
Sigma Kappa  
Sigma Lambda Alpha

### **SPECIAL INTEREST ORGANIZATIONS**

Armed Forces Veterans  
Bilingual Education Student Organization  
Circle K International  
Cynosure for Understanding of Islam  
& Comparative Religion  
German Club  
Martial Arts Club  
Midwestern State University College Republicans  
MSU Bigs  
MSU Crime Stoppers  
MSU Lions Club  
Mustang Maniacs  
Mustangs Movie Club  
People Respecting Identity Diversity for Everyone  
Philosophy Club

### **GOVERNING COUNCILS**

Interfraternity Council  
Multicultural Greek Council  
Panhellenic Council  
Residence Hall Association  
Student Government Association

## HONOR SOCIETIES

Alpha Chi  
Golden Key International  
Kappa Delta Pi  
Kappa Pi  
Lambda Nu  
Mortar Board  
National Society of Collegiate Scholars  
Phi Alpha  
Phi Alpha Theta  
Pi Mu Epsilon  
Pi Sigma Alpha  
Psi Chi  
Sigma Tau Delta  
Tau Sigma National Honor Society  
Upsilon Pi Epsilon

## RELIGIOUS/FAITH-BASED ORGANIZATIONS

Baptist Student Ministry  
Catholic Campus Ministry  
Colonial Student Organization  
Mustangs 4 Christ  
Portico

## CULTURAL ORGANIZATIONS

African Students Organization  
Black Student Union  
Caribbean Students Organization  
East Asian Student Association  
Midwestern Indian Students Association  
National Association for the  
Advancement of Colored People  
Organization of Hispanic Students  
Saudi Students Association  
Spanish Club

## *Student Organization Policies*

While all registered student organizations have faculty/staff advisement, general coordination and supervision of Midwestern State University's student organizations are handled through the Office of Student Leadership and Involvement. Information regarding the present status of all groups, their current officers, and membership requirements may be obtained in that office.

### *General Policies*

In order to be in good standing with the university, student organizations must fulfill the requirements listed as follows:

1. All student organization members must be enrolled students at MSU during the semester(s) in which they plan to participate in their respective organization(s).
2. Once officially approved and registered, student organizations must have a minimum of four (4) members to remain in good standing
3. Each student organization must complete a MustangsLink student organization profile renewal by October 1 for the fall semester and February 15 for the spring semester.
4. Each student organization must have a campus-related advisor from the faculty or staff. In general, selection of the faculty/staff advisors will be made by the organization in accordance with the national and/or local constitution and in consultation with the Director of Student Leadership and Involvement. Faculty/staff advisors are to counsel the officers and members of the organization with regard to the purposes and activities of the organization. The faculty/staff advisors shall oversee and be responsible for its financial planning and transaction and shall confirm the eligibility of membership and of members to hold office. Faculty/staff advisors should attend as many organization meetings and programs as possible. A faculty/staff advisor is required to attend events where alcohol is served and/or off-campus guests are present.
5. All student organizations must observe an alcohol-free academic week. No alcohol will be permitted at registered functions taking place Sunday-Thursday.
  - A. Alcoholic beverages at approved student organization events must be distributed by a TABC licensed third party vendor which will ensure compliance with state law in regard to consumption, intoxication, drinking age, distribution, sale, etc. A copy of the third party vendor's current license must be submitted with an Alcohol Registration Form to event approval.
6. All activities, whether held on or off campus, must be registered in the student organization's profile on MustangsLink. All activities must conform to university social regulations. The failure of a student organization to conform to university policies will result in disciplinary action and could result in suspension.

7. Each student organization must have a constitution or statement of purpose on file in the Office of Student Leadership and Involvement.
8. No student organization shall initiate efforts to raise funds from private donors or organizations without prior university approval. Requests for approval should be initiated in writing through the Office of Student Leadership and Involvement and should include the following information:
  - A. Name of organization, business, or donor to be contacted.
  - B. Amount or nature of specific items or funds being requested.
  - C. Intended purpose of raising funds and method of distribution of products or use of funds. Upon receipt of the request, the Office of Student Leadership and Involvement will secure approval from the Office of University Development to avoid conflicts with potential donors. This provision will ensure that fundraising efforts are centrally planned and coordinated. Notification of approval or denial will be given to each organization from the Office of Student Leadership and Involvement.
9. Midwestern State University assumes no fiscal responsibility or liability for any student organization including club sport organizations.
10. All club sport teams are required to have a group accident policy, covering the entire membership, each academic year. A copy of the policy is to be submitted to the Office of Student Leadership and Involvement at the beginning of each fall semester. Additionally, members of club sport teams are required to sign a liability waiver before participating in the sport. Each club sport team is responsible for ensuring compliance with this policy.
11. A student organization training must be completed by October 1 of each year. Each organization is required to have one student representative to participate in a training, online or in person.
12. A student representative from each student organization must complete a university sponsored or approved risk management training by February 15 of each year.
13. Regulations pertaining to student organizations may be obtained in the Office of Student Leadership and Involvement, CSC 194.

#### *Additional Policies for Social Fraternities/Sororities*

1. All single-sex fraternities and sororities as recognized by Title IX of the Education Amendments of 1972 criteria, and formed and operating not for professional or honorary purposes, must be members of an appropriate MSU governing council (IFC, CGC, or PHC), as determined by the Director of Student Leadership and Involvement.
2. Each fraternity/sorority must adhere to the MSU Greek Life Standards of Excellence and submit yearly review materials by January 31.
3. Each fraternity/sorority must adhere to the MSU Greek Life policies for Academic Reporting, Expansion/Extension, and Recruitment/Intake. Full policies are available in the Office of Student Leadership and Involvement, CSC 194.
4. Each fraternity/sorority must maintain a 2.50 semester chapter GPA and adhere to the MSU Greek Life Academic Policy. The full policy is available in the Office of Student Leadership and Involvement, CSC 194.

#### *Procedure for Establishing a New Organization*

1. Students interested in forming a new organization must meet with the Director of Student Leadership and Involvement, or his/her designee. Student organizations may be officially registered when formed for purposes that are consistent with the philosophy and goals of Midwestern State University. The purposes, goals and activities of one organization should not duplicate those of another.
2. The following forms must be submitted to the Director to begin the approval process: the student organization roster (a list of proposed members, officers and faculty-staff advisor) with a minimum of eight (8) currently enrolled MSU students, an Activity Reservations/Guidelines Agreement, and a constitution or statement of purpose which must include:
  - A. The exact title of the organization.
  - B. The purpose of the organization. Is it fostering a broad educational goal? Does it have a social,

cultural, or political aim? Why was the group founded? Be precise enough so that a non-member would understand the group's written purpose. Religious organizations must indicate their religious affiliation.

- C. A statement of the group's willingness to abide by all university policies.
  - D. A statement that membership must be open to all Midwestern State University students, with the exception of single-sex organizations as recognized by Title IX of the Education Amendments of 1972.
  - E. Details on how to become a member. How are voting members identified? What is the deadline for joining to be able to vote? Who keeps the official membership list?
  - F. Membership dues, if applicable.
  - G. Details on how a member may remain in the organization if she/he fails to pay dues.
  - H. A statement on the number of officers. What are their titles and duties? Will the officers constitute an executive committee? Officers must be full-time undergraduate students.
  - I. Details on how officers are elected. What constitutes a quorum? What type of ballot? Who may vote? When are they elected, and for what period? Who is eligible for office? When do officers assume office? How may officers be removed? How will mid-year vacancies be filled? You may wish to clarify the role of the faculty-staff advisor.
- 3. If the organization has a state, regional, or national affiliation, the organization must also include from its state, regional, or national office the constitution, by-laws, financial support, type of supervisory role held with local chapters, and documentation establishing recognition and support for a student organization at MSU. When this is obtained, final approval of the state, regional, or national organization must be made by the university's Administrative Council.
  - 4. Final approval for local organizations must be made by a committee comprised of the Vice President for Student Affairs, Associate Vice President & Dean of Students, and the Director of Student Leadership and Involvement.
  - 5. Prospective MSU student organizations may have a maximum of three (3) organizational meetings on campus prior to final approval. All student organizational meetings must comply with the MSU Activity Reservations/Guidelines Agreement.

#### *Eligibility to Hold Office in a Student Organization*

- 1. Officers of each organization must have a 2.0 cumulative grade point average preceding election to office and must maintain this average while in office.
- 2. An officer must not be on University academic or conduct probation.

### ***Student Rights & Responsibilities***

Located in the Clark Student Center room 108, the Office of Student Rights & Responsibilities helps promote student responsibility by encouraging fairness, integrity, and respect through education, awareness and assisting students to develop self-advocacy skills.

The Office of Student Rights & Responsibilities seeks to provide a wide range of resources, education, and crisis management services to support the success of students in conjunction and collaboration with other offices on campus and agencies within our community. The Director works with individual students to determine their unique needs and provide guidance in utilizing campus and community resources to meet those needs, as well as navigate any relevant University policies and procedures.

Services the Office oversees or is responsible for include, but are not limited to: Behavioral Intervention Team, Student Advocacy, General Student Complaints, Absence Letters, Welfare Checks, Community Resource Liaison, Student Withdrawals from Classes, Behavioral Alerts, and the Code of Student Conduct.

General Complaints provide a means by which students may address general issues that do not fall under formal grievance policies. Initiated through the Office of Student Rights and Responsibilities, students may, under most circumstances, institute an Informal Complaint. However, if resolution does not occur via the Informal Complaint Process, a student may then elect to pursue the Formal Complaint Process outlined in the Student Handbook.

Student Referral forms are available on-line for faculty and other personnel when a student exhibits behavior or concerns which require monitoring or action by the Office of Student Rights and Responsibilities. Such actions may include a student never having attended or unexpectedly missing class, exhibiting disruptive or otherwise inappropriate conduct, displaying sudden or drastic behavioral change, or struggling academically.

Withdrawals are when a student wishes to be unenrolled from all courses at MSU. A withdrawing student must contact the Office of Student Rights and Responsibilities, preferably in person, to begin the withdrawal process and complete an official withdrawal slip. At the time of withdrawal, a student will be informed of any eligible refund for tuition and fees and any academic consequence of the withdrawal given the timing within a particular term. If a student is unable to withdraw him/herself (i.e. due to medical reasons, etc.), he/she may only be withdrawn by someone who has legal power of attorney for the student. Students living in university housing must move out within 24 hours of withdrawing or being withdrawn from the university.

## ***Student Success Series***

The Student Success Series was established to provide high-quality, interesting and interactive educational presentations for students that will enhance their university experience and help them succeed in achieving an education. The Student Success Series brings nationally known campus presenters who deal with a variety of subjects such as study skills, alcohol abuse, eating and health, career planning, and diversity. All Student Success Series programs are free to MSU students, faculty, and staff. For more information, contact Student Transition Services at (940) 397-4500.

## ***Student Support Services***

The mission of Student Support Services is to facilitate a supportive environment for academic success and personal enrichment through proactive and individualized services available to a student from their first semester through graduation. Student Support Services students are challenged to take charge of their learning and develop skills that will enable them to enhance their lives and become well-rounded citizens of the Midwestern State University community. Student Support Services staff initiates and develops partnerships with students that are academically based and strive to lead students down a path towards cultural growth and awareness. For more information, contact the Student Support Services office at (940) 397-4076.

## ***Student Transition Services***

The Office of Student Transition Services is responsible for new student orientation, which includes orientation events during the fall, spring and summer terms as well as the early orientation and registration program. All new MSU students, including beginning freshmen and transfer students, are required to participate in orientation. Returning MSU students have the opportunity to serve as Orientation Leaders and Peer Counselors. Distance education students are provided an opportunity to complete the university orientation process online.

Mustangs Round Up and Family Weekend are two large-scale student events sponsored by Student Transition Services each year, as well as a number of other services and programs designed to help new students have a successful first year at MSU.

## ***Testing Center***

The Testing Center office, located in Hardin South, Room 224, offers a wide variety of national, state, and local exams as well as provides information regarding exams to students and to the community. The Testing Center office may be contacted by telephone at (940) 397-4676 or by email at [testing@msutexas.edu](mailto:testing@msutexas.edu). The Testing Center offers both paper/pencil-based exams and computer-based exams.

The paper/pencil-based exams include the American College Test (ACT), Scholastic Aptitude Test (SAT), Law School Admission Test (LSAT), and the Braille Texas Examination of Educator Standards (TExES). In addition, placement exams and correspondence exams are also administered by the Testing Center.

Computer based exams include, but are not limited to, Graduate Record Exam (GRE), Texas Examination of Educator Standards (TExES), General Education Development (GED), Test of English as a Foreign Language (TOEFL), Miller Analogy Test (MAT), Texas Commission on Law Enforcement Officer Standards Exam (TCLEOSE), Texas Success Initiative (TSI), Health Education Systems, Inc. (HESI), and the Test of Academic Skills (TEAS). The College Level Examination Program (CLEP), which provides credit by examination, is also computer-based. The MSU Testing Center is a Prometric testing site offering hundreds of computer-based exams for professional and IT licensure. For more information go to <http://www.prometric.com>.

Please visit our web site at <http://www.msutexas.edu/testing> for more information.

## ***University Programming Board***

The University Programming Board (UPB) is a student organization that is open for membership to all MSU students. The University Programming Board is responsible for campus programming which includes bringing in featured entertainers, a cinema series, and many other special events. Admission to UPB events is free. For more information, contact the Office of Student Leadership and Involvement in Clark Student Center Room 194, phone (940) 397-3033.

## ***Vinson Health Center***

The Vinson Health Center is the student health center for Midwestern State University. The Vinson Health Center Is accredited by the Accreditation Association for Ambulatory Health Care, Inc. Ambulatory care services are provided for the exclusive benefit of MSU students. Medical services are designed to meet the needs of students with acute illnesses and/or injuries. The health center utilizes an emphasis on preventive medicine to enable students to focus on the university curriculum and campus life.

Additional services to promote wellness are provided to ensure each student maintains a state of optimal health. The health center serves as a resource for developmental programming in areas of health promotion, health maintenance and health education. Students may contact the Vinson Health Center by calling (940) 397-4231. Please visit the health center website at <http://www.msutexas.edu/healthcenter>.

### ***Hours***

1. The health center is open from 7:45 a.m. until 4:45 p.m., Monday through Friday, in fall and spring semesters.
2. In summer sessions, the health center provides services on a variable schedule. The dates and hours of operation will be adjusted to coordinate with the Midwestern State University summer class schedule.
3. During the academic year, patients are seen during the following clinic hours:  
Fall and spring semesters (Mon-Fri): 7:45 a.m. to 4:30 p.m.  
Summer semesters (Mon-Thurs): 7:30 a.m. to 1:30 p.m.  
Students are seen by appointment, which may be made in person or by calling (940) 397-4231. Same day appointments are available, as the schedule permits.
4. In the event of an emergency, call 911 to access emergency services. Students should contact 1) a housing staff member (for campus residents); 2) University police (for off campus students); 3) recreational sports official (for recreational sports injuries only); or 4) athletic trainer (for athletic injuries only). When the clinic is closed, additional medical facilities can be found by visiting <http://msutexas.edu/healthcenter/emergency>.
5. No Show Policy - A "No Show" is someone who misses a scheduled appointment without canceling at least 24 hours in advance. No Show appointments inconvenience the Vinson Health Center, but most importantly, displace individual students who need access to medical care in a timely manner. A failure to present at the time of a scheduled appointment will be recorded in the patient's chart. A fee of \$25.00 will be applied to a student's MSU account for each "No Show". Three "No Show" appointments for the same illness will result in a meeting between the individual student and Medical Director and/or Manager of the Vinson Health Center, which may result in the student's loss of appointment scheduling privileges.

## ***Wellness Programs***

Wellness Programs are a great way for current students to maximize their physical fitness. A wide assortment of fitness classes are available for all of our students, including indoor cycling, Boot Camp, Step Class, HIIT, Barre, Core, Cardio Fusion, Aquatics (during pool operations), Pilates, and yoga. Students also have access to one-on-one personal training sessions with certified personal trainers and can have assistance in creating a workout program specific to their needs. Students may also have their Body Mass Index (BMI) calculated to better understand their workout needs so they may reach a specified goal. All of these services are free to currently enrolled students.





# SECTION III



## Academic Topics

For a complete description of all services available to students not listed in this handbook, please refer to the most recent copy of the *Midwestern State University Undergraduate Catalog* or the *Midwestern State University Graduate Catalog*, as applicable. The catalog is available online at: <http://msutexas.edu/registrar/catalog/index/>.

Specific academic services and topics of interest addressed in the catalogs that are not specifically addressed in this handbook are:

- Academic Standards
- Table of Academic Standards
- Academic Probation
- Continued Academic Probation
- Academic Suspension and Dismissal
- Limits on Readmission
- Readmission after Academic Suspension
- Petitions for Reinstatement
- Appeal of Course Grade
- Audit of Courses
- Change of Major
- Classification of Students
- Common Course Numbering System
- Correspondence Work
- Course Changes, Drops, and Withdrawals
- Course Load
- Course Numbers
- Credit by Examination
- College Level Examination Program (CLEP)
- College Board Advanced Placement Program
- Defense Activity for Non-traditional Education Support (DANTES)
- International Baccalaureate Program
- Proficiency Examinations
- Degree Plan
- Grade Point Average
- Grading System
- Honor Rolls
- Independent Study Course
- International Services
- Invalidation of Courses
- Mustangs I.D.
- Other Non-Traditional Credits
- Credit for U.S. Military Service
- General Comments about Non-traditional Credits
- Undergraduate Transfer of Non-traditional Credits

Credit for Institutes, Certificate Programs, Clock Hour Programs,  
Registry Examinations, Federal Certifications, and Military Training  
Credit for Experiential Learning  
Personal Identification Number (PIN)  
Testing Center  
Texas Success Initiative  
Transcript Service  
Transfer Disputes  
Tuition Rebate  
Veterans Affairs

## ***Academic Advising***

An academic advisor is a member of the faculty or staff who guides the student in the selection of courses for degree plan completion, and assists in solving academic problems. Academic Advisors are assigned by major department and programs. Until a student selects a major field of study, the student will be assigned to an Academic Advisor in the Tutoring and Academic Support Programs (TASP). After the major is selected, the coordinator of the program in which the student is majoring will appoint an advisor.

The advisor will prepare the student's degree plan and will approve the student's schedule at each registration. The student should feel free to consult his/her advisor regarding his/her course of study, other interests, and problems.

MSU students are required to meet with their Academic Advisor each semester prior to course registration.

## ***Building Hours and Keys***

Classroom buildings will be open Monday through Friday from 7:00 a.m. to 6:00 p.m. Buildings in which evening classes are taught will close at the conclusion of the final class period. Classroom buildings will be closed Saturdays, Sundays, and holidays unless otherwise noted. Clark Student Center, Moffett Library, and the Student Wellness Center will be open daily unless otherwise noted.

### ***Entry to Closed Buildings and Student Use of Authorized Building Keys***

Authorized Entry of Closed Buildings and Facilities--Only students issued an outside door key or students accompanied by faculty or staff members *for the duration of their stay* may enter closed buildings or facilities.

When buildings are closed to general use, varsity athletes working out on athletic equipment or practicing on indoor courts must be accompanied by coaches or by teaching assistants who have been issued authorized outside door keys. Coaches and teaching assistants *must remain with the athletes for the duration of their stay in the building*. When varsity athletes are accompanied by teaching assistants, no extraneous persons may be in attendance or participate in the activities, and both the athletes and the teaching assistants must be in possession of their student I.D. cards.

### ***Restrictions upon Students Holding Authorized Outside Door Keys***

1. Students issued an authorized outside door key will be prohibited from using *recreational facilities*, such as basketball courts and exercise equipment, *or computer labs or meeting rooms* for their *own private purposes* or that of their friends and acquaintances *when buildings are closed to general use*.
2. Students issued authorized outside door keys for academic buildings are prohibited from working in laboratories and studios unless accompanied by an MSU faculty member for the duration of their stay in the building.

*Disciplinary Action*—The following will be cause for disciplinary action:

1. Students in possession of unauthorized building keys.
2. Students lending their authorized building keys to *unauthorized* persons.
3. Students leaving doors ajar or otherwise enabling unauthorized persons to enter buildings or facilities closed to general use.
4. Unauthorized entry or occupation of university buildings.

## ***Class Attendance Policy***

Students are expected to attend all meetings of the classes in which they are enrolled. Although in general students are graded on intellectual effort and performance rather than attendance, absences may lower the student's grade where class attendance and class participation are deemed essential by the faculty member. In those classes where attendance is considered as part of the grade, the instructor should so inform students of the specifics in writing at the beginning of the semester in a syllabus or separate attendance policy statement. An instructor who has an attendance policy must keep records on a daily basis. The instructor must give the student a verbal or written warning prior to being dropped from the class. Instructor records will stand as evidence of absences. A student with excessive absences may be dropped from a course by the instructor. Any individual faculty member or college has the authority to establish an attendance policy, providing the policy is in accordance with the General University Policies.

### *Authorized Absences*

Absences due to required participation in university-sponsored activities must be approved by the college dean or Athletic Director and the Provost. Students with written approval must present a signed letter or memo to each instructor at least two class days prior to the date of the absence. Only prior notification can guarantee lack of penalty for these absences. It is the responsibility of the student to arrange with the instructor to make up all work missed during an authorized absence.

Academically-related activities (class field trips, attendance at conferences, etc.) which result in absences require the cooperation of individual faculty members. Even though such activities are educational in nature, they do not qualify as university-sponsored activities. Faculty members who organize such activities should assist their students in contacting and informing relevant faculty of the planned activity. Excused absences for such activities may be given at the discretion of the faculty member whose class is missed.

### *Procedures for Authorized Absences*

The Provost will approve one copy of a request which includes the names of all students involved. The faculty sponsor or coach upon receipt of the approval, will make copies for each student.

1. Faculty sponsors or coaches should draft a memorandum or letter to the Provost. This memorandum should include information concerning the nature of the event, the date(s) on which students would be absent from class, and the names and identification numbers of the students involved.
2. Upon approval of the Provost, a copy of the memorandum should be given to each student listed.
3. Students should be directed to communicate with their instructor(s) at least two class days prior to the date of the planned absence. Make-up assignments will occur at the convenience of the professor.

Assistance with notification of professors with regard to absences are available from the following. Note - excused absences may be given at the discretion of the faculty member whose class is missed:

1. Office of Student Rights and Responsibilities - For personal emergencies such as hospitalization or family emergency, or a prolonged absence, a student should notify the Office of Student Rights and Responsibilities.
2. Vinson Health Center - When a student's illness warrants verification, the student may seek medical treatment through the Vinson Health Center, after which the Office of Student Rights and Responsibilities and/or faculty members will be notified by the Vinson Health Center.

## *Religious Holy Days*

State law requires that an institution of higher education shall allow a student who is absent from classes for the observance of a religious holy day to take an examination or complete an assignment scheduled for that day within a reasonable time after the absence. However, not later than the 15th day after the first day of the semester, the student must notify the instructor of each observance the student has scheduled on that date and that the student will be absent for a religious holy day.

Examinations and in-class assignments must be completed within a reasonable time after the date of observance. It is the responsibility of the student to make up the work on or before the date arranged with the instructor, but in no case later than the day of the final examination for that class.

## ***Commencement Decorum/Attire***

Commencement is a solemn occasion marking a special time in a student's career. Those students who wish to present themselves for graduation at commencement will be expected to behave in a manner befitting the occasion. Guests will also be expected to maintain decorum commensurate with this type of event. In light of the formality of commencement, all graduates should be prepared to cooperate with the university's policy on appropriate attire. Specific attire for graduates is described as follows:

All graduates will be expected to wear a black academic gown and a mortar board.

### **MEN**

Dress shirt (tie optional)  
Dark trousers  
Dress shoes and socks

### **WOMEN**

Dress, skirt or dark slacks and blouse  
Dress shoes

Casual wear (i.e., blue jeans, Hawaiian print shirts, fluorescent colors, etc.) is not appropriate attire for this occasion. Cords for Honor bachelor's candidates (cum laude, magna cum laude, summa cum laude) will be distributed to students during line up. Cords, stoles, and medallions to indicate membership in registered student organizations are permissible so long as each recognition item for an organization has been approved by the Dean of Students prior to Commencement. The decoration of personal mortar boards in a manner befitting the occasion is permitted. Mortar board decorations must adhere "flat" to the top (square portion) of the mortar board only. Decorations are not to be placed anywhere beneath the top of the mortar board, neither attached to the cap portion supporting it, nor dangling from any part of the mortar board.

## ***Family Educational Rights and Privacy Act of 1974***

Midwestern State University maintains educational records for each student who is or has been officially enrolled.

### **Areas in which student records are maintained:**

- A. Academic Records - Registrar's Office
- B. Admissions Records - Admissions Office, Dr. Billie Doris McAda Graduate School, and Office of International Services
- C. Financial Records - Business Office
- D. Financial Aid Records - Financial Aid Office
- E. Graduate Studies Records - Dr. Billie Doris McAda Graduate School
- F. Placement Records - Career Management Center
- G. Progress Records - Faculty Offices and Academic Advising Offices
- H. Disciplinary Records - Office of Student Rights and Responsibilities
- I. Housing Records - Residence Life and Housing
- J. Athletics Records - Athletics Office
- K. Occasional Records - University staff person who maintains minutes of faculty or committee meetings or copies of correspondence

## **Directory Information.**

This is information which may be released to the general public without the written consent of the student. A student may request that the Directory Information be withheld from the public by making a written request to the Office of the Registrar during the first 12 class days of a fall or spring semester or the first 4 class days of a summer term. This request will remain in effect the remainder of the academic year, and the request must be renewed each fall. The following items have been designated as Directory Information:

- A. Name
- B. Date and Place of Birth
- C. Current and Permanent Address
- D. Telephone Listing
- E. Major and Minor Fields of Study
- F. Student Enrollment Status (full-time/part-time)
- G. Classification
- H. Participation in Officially Recognized Activities and Sports
- I. Weight and Height of Members of Athletic Teams
- J. Dates of Attendance
- K. Degrees and Awards Received
- L. All Previous Educational Agencies or Institutions Attended
- M. Photographs

## **Review of Record.**

Students who desire to review their records may do so upon written request of the appropriate record custodian. The Review Request Form must identify as precisely as possible the records to be reviewed.

## **Challenge to Accuracy of Record-keeping.**

Students who desire to challenge the accuracy of their records shall follow the procedure outlined below:

**Informal Review.** The procedure outlined for Review of Record shall be followed. The review official will summarize action taken on the Review Request form. This form should be signed and dated by the review official and maintained with the student's record. If the Informal Review does not clarify the accuracy of record-keeping, the student may request a Formal Review.

**Formal Review.** The Provost will chair and appoint a committee to hear challenges concerning records of offices reporting to him or her. The Vice President for Student Affairs and the Vice President for Enrollment Management will each chair and appoint a committee to hear challenges concerning records in their respective areas. The student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised in the original request to amend the student's education records. The student may be assisted by one or more individuals, including an attorney.

The Provost or the appropriate Vice President will prepare a written decision based solely on the evidence presented at the hearing for their respective areas. The decision will include a summary of the evidence presented and the reasons for the decision. If the University's decision is that the challenged information is not inaccurate, misleading, or in violation of the student's right of privacy, the student will be notified that he has a right to place in the record a statement commenting on the challenged information and/or a statement setting forth reasons for disagreeing with the decision.

The statement will be maintained as part of the student's education records as long as the contested portion is maintained. If MSU discloses the contested portion of the record, it must also disclose the student's statement. If MSU decides that the information is inaccurate, misleading, or in violation of the student's rights of privacy, it will amend the record and notify the student, in writing, that the record has been amended.

Students have a right to consent to disclosures of personally identifiable information (PII) contained in their education records, except to the extent that FERPA authorizes disclosure without consent. The following exceptions permit disclosure without consent:

- a. Disclosure without consent is permitted 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, collection agent, or enrollment or loan and degree verification service); a person serving on the Board of Regents; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.
- b. The Higher Education Amendments of 1998 allow disclosure of the final results of student disciplinary proceedings involving students found to have committed a disciplinary offense that would constitute a “crime of violence” (or a nonforcible sex offense) under federal law, specifically the name of the student found to have committed the offense, the violation committed, and any sanction imposed.
- c. The 1998 FERPA amendments also allow institutions of higher education to disclose to a parent or legal guardian of a student under the age of 21 years information regarding the student’s violation of any federal, state, or local law, or any institutional rule or policy related to the use or possession of alcohol or a controlled substance.
- d. Generally, schools must have written permission from the parent or eligible student in order to release any information from a student’s education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):
  - School officials with legitimate educational interest;
  - Other schools to which a student is transferring (seeks or intends to enroll);
  - Specified officials for audit or evaluation purposes;
  - Appropriate parties in connection with financial aid to a student;
  - Organizations conducting certain studies for or on behalf of the school;
  - Accrediting organizations;
  - To comply with a judicial order or lawfully issued subpoena;
  - Appropriate officials in cases of health and safety emergencies; and
  - State and local authorities, within a juvenile justice system, pursuant to specific State law.

Students have a right to consent to disclosure of personally identifiable information (PII) contained in their education records, except to the extent that FERPA authorizes disclosures without consent. Certain exceptions permit disclosure without consent. As of January 3, 2012, the U.S. Department of Education’s FERPA regulations expand the circumstances under which a student’s education records and personally identifiable information contained in such records may be accessed without the student’s consent. Students needing more details regarding these exceptions may contact the Office of the Registrar.

Students have the right to file a complaint with the U.S. Department of Education concerning alleged failures by Midwestern State University to comply with the requirements of FERPA.

FERPA allows the Texas Higher Education Coordinating Board (the State of Texas educational governing entity), with student consent, to disclose to higher education institutions the number of credit hours taken previously.

Students who desire to grant access to parents or third parties can access a release form at <http://www.msutexas.edu/student-life/dean> or in the Office of Student Affairs, Clark Student Center, Room 121.

## ***Instructor Drop***

An instructor may drop a student any time during the semester for excessive absences, for consistently failing to meet class assignments, for an indifferent attitude, or for disruptive conduct. The instructor must give the student a verbal or written warning prior to dropping the student from the class. An instructor's drop of a student takes precedence over the student initiated course drop of a later date. The instructor will assign a grade of either WF or F through the first 9 weeks of a long semester, the first 4 1/2 weeks of an 8 week part-of-term, the first 6 weeks of a 10 week summer term, or the 12th class day of a 4 or 5 week summer term consisting of 20 days. After these periods the grade will be an F. The date the instructor drop form is received in the Office of the Registrar is the official drop date.

A student dropped from a class by a faculty member for disruptive behavior has the right of appeal to the Student Conduct Committee through the Office of Student Rights and Responsibilities (CSC 108).

## ***Intellectual Property Rights General Statement***

Policy 3.139 of the Midwestern State University Policy and Procedures Manual states the following in regard to intellectual property rights:

### **A. Introduction**

The public interest is best served by creating an intellectual environment whereby creative efforts and innovations can be encouraged and rewarded, while retaining for the university and its learning communities reasonable access to, and use of, the intellectual property, for the creation of which the university has provided assistance. The university supports the development, production, and dissemination of intellectual property of its faculty.

### **B. Relevant Definitions**

#### **1. Copyright**

Copyright shall be understood to mean that bundle of rights that protect original works of authorship fixed in any tangible medium of expression, now known or later developed, from which they can be perceived, reproduced, or otherwise communicated, either directly or with the aid of a machine or device.

#### **2. Creators**

Creators are defined as faculty, staff, and other persons employed by Midwestern State University, whether full or part-time; visiting faculty and researchers; and any other person, including students, who create or discover applicable intellectual property using University resources.

#### **3. Patent**

Patent shall be understood to mean that bundle of rights that protect inventions or discoveries which constitute any new and useful process, machine, manufacture, or composition of living or non-living matter, or any new and useful improvement thereof; new and ornamental designs for any useful article and plant patents being for the asexual reproduction of a distinct variety of plant, including cultivated sprouts, mutants, hybrids, and new found seedlings, other than a tuber propagated plant or plant found in an uncultivated state.

#### **4. Tangible Media**

Tangible media include, but are not limited to books, periodicals, manuscripts, phone records, films, tapes, and disks.

#### **5. Technology**

Technology includes discoveries, innovations, inventions or trade secrets.

#### **6. University**

University shall refer to Midwestern State University.

7. University Resources

University resources are defined as all tangible resources provided by Midwestern State University to Creators, including office, lab and studio space and equipment; computer hardware, software, and support; secretarial service; research; teaching and lab assistants; supplies; utilities; funding for research and teaching activities; travel, and other funding and reimbursement. University resources do not include salary, insurance, or retirement plan contributions paid to, or for the benefit of, Creators.

8. Works of Authorship

Works of authorship (including computer programs) include, but are not limited to the following: literary works; musical works, including any accompanying words; dramatic works, including any accompanying music; pantomimes and choreographic works; pictorial, graphic, and sculptural works (photographs, prints, diagrams, models, and technical drawings); motion pictures and other audiovisual works; sound recordings; and architectural works.

C. Intellectual Property Ownership

1. Intellectual property, whether technology or works of authorship, created, made or originated by a faculty member shall be the sole and exclusive property of the Creator except as he/she may voluntarily choose to transfer in full, or in part. Although the previous statement applies to the patent and copyright areas, a tradition exists in academe of the arrangement of agreements between faculty inventors and the university which detail a means of sharing income from commercial application of patented inventions.

2. In the instance that the Creator maintains ownership of the technology or work of authorship, the Creator shall be responsible for all costs related to the filing of patents and copyrights.

3. The university shall own copyright in the following three (3) circumstances:

a. The university expressly contracts with a Creator to create a specified work. The contract shall state that the university shall own the work.

b. The Creator has voluntarily transferred the copyright, in whole or in part, to the university. Such transfer shall be in the form of a written document signed by the Creator.

c. The University has contributed to a “joint work” under the Copyright Act. The university can exercise joint ownership under this clause when it has contributed services and facilities to the production of the work that go beyond what is traditionally provided to faculty members generally in the preparation of their course materials. Such arrangement is to be agreed to in writing, in advance, and in full conformance with other provisions of this agreement.

4. In the instance that the university maintains ownership of the technology or work of authorship, the university shall be responsible for all costs related to the filing of patents and copyrights.

5. Disclosure

If a university employed student, staff or faculty member (Creator) conceives or practices any technology or work of authorship using in any part of the conception or practice any university resources, that person must disclose such technology or work of authorship to the Provost as soon as practicable after the date of first conception or discovery. Certain research agreements may require disclosure, and in such a case, a person shall disclose technology in accordance with the agreement. Licensing of this technology or work of authorship shall be the responsibility of the Creator or the university, depending on the ownership of the intellectual property (see above for ownership issues). Disputes regarding licensing shall be referred to the Intellectual Property Policy and Rights Committee (see C).

6. Use of Intellectual Property

Material created for ordinary teaching use in the classroom and in academic programs, such as syllabi, assignments, and tests, shall remain the property of the Creator, but the university shall be permitted to use such material for internal instructional, educational, and administrative purposes, including satisfying requests of accreditation agencies for faculty-authored syllabi and course descriptions. In an agreement transferring copyright for such works to a publisher, Creators should provide rights for the university to use such works for internal instructional, educational, and administrative purposes.



7. Textbook Adoption

Any commercially printed workbook, textbook, or material used by students and authored or co-authored by Midwestern State University faculty members must be approved by the Academic Council. The College Dean will show in writing that the adoption is realistically priced and has been properly evaluated. A review of any adoption will be made by the College Council concerned every three (3) years. All subsequent adoptions of this work will be approved by the Academic Council.

8. License for Use of Material Made Available for the Use of the University

- a. Many faculty, staff, and students create technology or works of authorship which is/are the subject of intellectual property protection and which they voluntarily make available for the use of the University (during the Creator's tenure at the university) without expectation of further compensation. When the Creator leaves the university, regardless of the reason for the departure, the university should contract with the Creator for continued use of the work if such is desired.
- b. The university shall retain a non-exclusive, royalty-free license to use such material made available for the use of the university, provided that significant contributions of the Creator(s) are acknowledged. The university shall not exploit the work outside of the university or for profit.

9. Licenses for Non-Commercial Research and Teaching Within the University

Many faculty, staff, and students experience costs and practical inconvenience in obtaining permission to use material that is the subject of intellectual property protection for research and teaching. Individuals are therefore encouraged to seek from publishers and other persons to whom Creators assign rights in their intellectual property, a non-exclusive, royalty-free license for their own non-commercial research and teaching and, where possible, for anyone within the university to use that intellectual property for non-commercial research and teaching.

10. Distribution of Any Funds Generated

- a. Funds received by the Creator from the sale of intellectual property, whether technology or works of authorship owned by the Creator, shall be allocated and expended as determined solely by the Creator.
- b. Funds received by the university from the sale of intellectual property owned by the university shall be allocated and expended as determined solely by the university.
- c. Funds received by the Creator and the University from the sale of intellectual property owned jointly by the Creator and the university shall be allocated and expended in accordance with a specific agreement between said Creator and the university.

11. Business Participation

The university does not discourage persons subject to this policy from participating in the commercial development and/or exploitation of intellectual property, whether technology or works of authorship. A person shall not engage in business participation if such participation would violate state or federal law or regulation. If not in violation of regulations involved in the funding of research, the Creator(s) may participate in the equity of a business related to the production and/or distribution of the technology or work of authorship. If not in violation of regulations involved in the funding of research, the Creator(s) may participate in the management of a business related to the development of the Creator's technology or work of authorship.

#### D. Resolution of Emerging Issues and Disputes

1. The Intellectual Property Policy and Rights Committee will be composed of six (6) faculty members (each elected by one college) and three (3) administration members (appointed by the President). The Committee members shall elect a chair from among themselves each year. The chair shall be a full, voting member of the Committee. At the time of the initial appointment or election, each member shall be designated as serving a one, two, or three-year term so that the term of two (2) faculty committee members and one (1) administration member's term will expire each year and their replacements elected/appointed each year. After the establishment of the committee, subsequent members shall serve a three-year term, commencing on September 1, and terminating on August 31. Committee members may serve two (2) consecutive three-year terms.
2. The Committee shall monitor and review technological and legislative changes affecting intellectual property rights policy and shall report to relevant faculty and administrative bodies when such changes affect existing policies.
3. The Committee shall serve as a forum for the receipt and discussion of proposals to change existing institutional policy and/or to provide recommendations for contract negotiations.
4. Disputes over ownership, and its attendant rights, of intellectual property will be decided by the Intellectual Property Policy and Rights Committee.
5. The Committee shall make an initial determination of whether the University or any other party has rights to the invention or other creation, and, if so, the basis and extent of those rights. The Committee shall also make a determination on resolving competing faculty claims to ownership when the parties cannot reach an agreement on their own. The Committee will convey their determinations to the President for his/her final disposition.
6. If the Creators disagree with the determination of the Committee or the President, they may appeal to binding arbitration.

#### E. Implementation

1. This policy shall not apply to existing written agreements: between the University and/or Creator(s) and any external organization or individual, concerning the development, legal protection, or commercialization of specific intellectual property, and entered into prior to the date on which this Policy is adopted by the Board of Regents.
2. If an existing written agreement is renewed, revised, or amended after the date on which this policy is adopted by the Board of Regents, reasonable attempts shall be made to conform such agreement with the requirements of this policy as of the date on which it is renewed, revised, or amended.
3. The university shall inform all persons subject to this policy of its terms as soon as efficiently possible after its adoption and at regular intervals thereafter.

### ***Learning Communities***

MSU's First-year Experience program is designed to help our new students acclimate to college, and Learning Community courses are a key component of this programming. At MSU, two faculty collaborate to link two first-year courses and create Integrative assignments. The same group of students register for both courses, giving them opportunities to connect with their teachers, meet new people, and engage in an intense learning experience. While every Learning Community pair will be unique based on the different instructors and course content, they will all work to achieve enhanced learning, critical thinking, and a sense of community. These courses are intended for any student new to MSU, regardless of semester credit hours; they should not be taken by returning or continuing students who should choose among the many other options available to them.

## ***Tutoring and Academic Support Programs***

The Office of Tutoring and Academic Support Programs (TASP) provides opportunities for students to maximize their academic potential at MSU through Academic Programs such as the MSU walk-in tutoring and writing center, first year seminars, and advising for undecided students and student athletes.

Tutoring Assistance: TASP offers a walk-in tutoring center housing tutors from various content areas. Please visit the website for the most updated tutoring schedule and other important information: <http://msutexas.edu/academics/tasp/>

Academic Advising: TASP coordinates the Academic Advising of all students Undecided (UNDC) in their Majors, Student-Athletes, and other designated special populations, including Students Admitted by Review. TASP and the tutoring center are located in McCullough Hall.

MWSU 1233: College Connections is a course to assist new students in their transition to the college environment, and is recommended for all beginning MSU students. The curriculum is designed to build academic knowledge and study skills for success in college, provide major and career exploration opportunities, and promote student engagement for an exceptional first year experience. Limited to new students.

MWSU 1003: Skills for Success is designed for students who would benefit from an intensive program of academic assistance for developing learning strategies and study tools and is required of students who are on first-year probation.

Supplemental Instruction (SI): SI is an academic enrichment program that targets historically difficult academic courses and offers free peer-assisted study sessions to all enrolled students in a designated section of selected courses.

Academic Referral Program: Faculty may refer a student to TASP when a need to improve academic performance is identified. Students are notified and asked to contact TASP for an appointment to discuss assistance and services.

Study Hours: TASP offers a few quiet spaces for all students to study behind the tutoring center in McCullough Hall. There is a sign-in sheet for student athletes that will be sent to the Athletics Coordinator weekly.

## ***Undeclared (Exploratory) Majors***

Students who come to MSU without having decided upon a major will be assigned an Academic Advisor in the Office of Tutoring and Academic Support Programs. Undeclared students are encouraged to declare a major field of study as soon as possible. The TASP Academic Advisor will discuss degree plan options and may recommend enrollment in MWSU 1233 to assist students with major and career exploration. Undeclared students should also take core courses which will count toward any degree.



# SECTION IV



## Business Office & Financial Aid

### *Business Office*

#### **REGULAR HOURS**

Teller Windows: 8:15 a.m. to 4:30 p.m.

Business Office: 8:00 a.m. to 5:00 p.m.

#### **SUMMER HOURS**

Teller Windows: 7:15 a.m. to 5:30 p.m.

Business Office: 7:00 a.m. to 6:00 p.m.

The Business Office is located in Room 103 of the Hardin Administration Building on the northeast corner of the campus. After-hours drop boxes are located next to the Business Office Teller windows and the west entry doors of the Hardin Building for making payments.

Business Office website: <http://www.msutexas.edu/busoffice/index>

Business Office email: [bus.office@msutexas.edu](mailto:bus.office@msutexas.edu)

Telephone Number: 940-397-4101

Midwestern State University is excited to offer **online payments and e-refunds!** To access our payment/refund website please visit [www.msutexas.edu/onlinepayments](http://www.msutexas.edu/onlinepayments). *Payments are fast, easy, and secure. This website is available 24 hours a day, 7 days a week for your convenience.*

### *Student Financial Responsibility Statement*

When registering for classes, you acknowledge and agree to all terms and conditions set forth by Midwestern State University including liability for all tuition, fees, room, board, and other related charges. Failure to pay your student financial obligation in full by the due date for the semester allows Midwestern State University to exercise its right to pursue other legal action for collection. This includes, but is not limited to, placing your past due account with a collection agency and/or other third party such as an attorney. In addition to paying your past due account, you will be obligated to pay all reasonable costs and expenses of collection, including, without limitation, reasonable court costs and attorneys' fees and/or collection agency fees and charges. Midwestern State University may also disclose to credit bureau organizations that you have defaulted on your student financial obligation to Midwestern State University. Failure to attend classes does not absolve you from financial liability. In all cases, it is your responsibility to drop classes by the published drop/add date or you will be held liable for those classes.

Midwestern State University implemented a new Student Financial Responsibility Agreement (SFRA) beginning with Spring 2016 registration. It is mandatory that all registered students agree to the SFRA each semester before registering for classes. Please login to your student portal, select the WebWorld/Banner link, select the Student tab, then click on the Student Financial Responsibility Agreement and follow the prompts. Select the accept button.

If you would like to preview the entire SFRA, go to <http://msutexas.edu/busoffice/responsibility-agreement>. If you have any questions, please call the Business Office at 940-397-4101.

### *Fixed Rate Designated Tuition Plan*

The Board of Regents approved a Fixed Rate Designated Tuition Plan effective for Fall 2014. The fixed rate designated tuition plan is designed to provide students and parents with more predictability when paying for college and to encourage more timely graduation within the four years of fixed designated tuition.

### *Release of Information*

In accordance with FERPA Guidelines and the Gramm Leach Bliley Act, financial information is not a matter of public record. Students must submit to the Dean of Students Office, CSC Room 121, a signed Release of Information document stating to whom we can release this information. Once a Release of Information document has been supplied to the Dean of Students Office, it will remain in effect until the student retracts permission in writing.

### *Title IV Authorization*

MSU is required to request permission from all Title IV aid recipients to apply federal student aid to minor prior-year charges AND/OR “allowable charges” other than tuition, fees, and room and board. Allowable charges include: parking decal, student health insurance, expenses that exceed the university’s medical allowance, and parking tickets. Title IV federal student aid includes Pell Grant, SEOG Grant, LEAP/SLEAP Grants, College Work Study, Direct Subsidized Loan, Direct Unsubsidized Loan, Perkins Loan and Direct PLUS Loan.

### *Student Property Deposit*

The Board of Regents has authorized the collection of a \$10 student property deposit as required by Section 54.502 of the Education Code. The purpose of the deposit is to protect the institution against losses damages, and breakage in libraries and laboratories. The deposit shall be returned at the student’s request on the withdrawal or graduation of a student, less any losses, damages, or breakage caused by the student.

Any general property deposit for which a refund has not been requested for a period of four years from the date of the student’s last attendance shall be forfeited and become a part of the student deposit fund. Forfeited deposits, investment earnings, and additional donations will be used for general scholarships.

### *Student Orientation Fee*

The Board of Regents of Midwestern State University is authorized to charge and collect fees from every new undergraduate student (and every new transfer student) who enrolls at the university beginning Fall 2015. The amount to be charged and collected will be \$75 the student’s first term.

### *Payment Information*

MSU accepts the following forms of payment: Cash, Check, Cashier’s Check, Money Order at the Business Office window. MasterCard, Discover, VISA, and American Express may be used **online only**. A 2.85% convenience fee, approved by the Board of Regents, will be assessed on all credit card payments for tuition/fees made online at [www.msutexas.edu/onlinepayments](http://www.msutexas.edu/onlinepayments). You may avoid the convenience fee by using the Electronic Funds Transfer payment option. Students who do not meet the payment due date are subject to having their classes voided and will be no longer be considered an enrolled student.

### *Installment Plan*

An installment contract is available **online only at** [www.msutexas.edu/onlinepayments](http://www.msutexas.edu/onlinepayments) for payment of tuition, fees, housing and meal plans. The installment contract is available for the Fall, Spring, Summer I, and Summer II semesters and allows you to pay your bill in three (two in summer) separate payments. A non-refundable fee in the amount of \$22.50 is assessed for the use of this payment option.

### *Emergency Tuition and Fee Loan*

You must print a paper copy of the contract at <http://www.msutexas.edu/busoffice/paymentplans>, sign, and bring it to the Business Office before the loan will be applied to your student account. A non-refundable fee in the amount of \$22.50 and 1% interest is assessed for the use of this payment option.

### *Returned Check/ACH Policy*

If a student has a check returned or returned ACH by his or her bank for insufficient funds or account closed, a letter will be emailed to the student, giving the student ten days to pay the check/ACH and charge due. If the amount is not paid within ten days, the checks will be turned over to the District Attorney's office and ACH's will be turned over to a collection agency for collection. Also, a hold will be placed on the student's records. If the check was given in payment of tuition and fees and/or installment payment, the student will be withdrawn from the University for non-payment.

All returned checks must be paid by cash, cashier check, money order at the Business Office window, or MasterCard, Discover, VISA, and American Express online. There is a \$30.00 Return Check Fee assessed for each returned check. If a student has two or more returned checks within a year, the student cannot write checks on campus for a period of one year.

### *Third Party Payments*

Students receiving tuition assistance (i.e., Texas Tomorrow Fund, Texas Promise Plan, Military, or assistance from their employers) must provide the signed and approved form to the Business Office as payment for tuition and fees prior to the payment deadline. MSU will bill the agency directly for the approved amount of tuition and fees. Any remaining balance **not** covered by the third party agency **is the responsibility of the student**.

### *Mobile App is Here!*

Mobile App is the easy way to access your student account, anytime, anywhere! Just go to [www.msutexas.edu/onlinepayments](http://www.msutexas.edu/onlinepayments) from your Android or Apple mobile device, or scan the QR code to make a payment, or even sign up for E-Refunds. It is simple, safe, and secure.

### *E-Refunds....Sign up Today!*

**Direct Deposit** is secure – the easy way to receive your refund. No more waiting for a paper check in the mail! Go to [www.msutexas.edu/onlinepayments](http://www.msutexas.edu/onlinepayments) to sign up today!

**Select** E-Refund tab – Set up Account – Enter your routing & account number – Check the refund option – Save your payment/refund method

## ***Financial Aid***

The mission of the MSU Financial Aid Office (MSU-FAO) is to remove the financial barriers which could potentially prevent a student from pursuing higher education. Financial aid consists of grants, scholarships, long-term and short-term loans, and part-time employment. Aid is awarded to cover existing differences between the cost of attending MSU and the resources available to the student/spouse or the student/parents. Each aid application is handled on an individual basis to determine a suitable award which may be one type of aid or a combination ("package") of aid.

Financial aid applicants must be accepted for admission to the University and submit all required paperwork to the MSU-FAO before any aid commitment can be made. Summer guest students and students concurrently enrolled while still attending high school are not eligible to receive financial aid.

Additionally, Midwestern State University is required to provide a list of consumer information to all enrolled MSU students and the appropriate MSU offices to contact to obtain this information. Student consumer information can be found at <http://www.msutexas.edu/finaid/additional-consumer-resources>.

For FINANCIAL AID PURPOSES, a student's enrollment status is defined below and financial aid awards will be determined based on this enrollment status.

NOTE: These financial aid enrollment statuses may differ from academic enrollment status.

### *Undergraduate, 2nd Baccalaureate or Teacher Certification:*

Full-time = 12 hours or more

Three-quarter-time = 9-11 hours

Half-time = 6-8 hours

Less-than-half-time = 1-5 hours

### *Graduate:*

Full-time = 6 hours or more

Three-quarter-time = 4-5 hours

Half-time = 3 hours

Less-than-half-time = N/A

### *Application Procedures*

For determination of financial aid eligibility, the Free Application for Federal Student Aid (FAFSA) must be filed YEARLY as early as October 1 for the upcoming academic year. Students will complete the FAFSA application on-line at [www.fafsa.ed.gov](http://www.fafsa.ed.gov) and electronically submit the application. After the application has been processed, the student may be required to provide additional forms which may be needed to determine financial aid eligibility. After the information is confirmed and eligibility determined, the student will receive notification of the award(s) he/she may be eligible to receive for the upcoming award year. MSU's award year consists of Fall semester, Spring semester, and Summer terms, respectively.

MSU students are encouraged to follow the progress of his/her financial aid application via MSU's Portal (or myMSUTexas) at <https://my.msutexas.edu/web/mycampus/home>. Once on the myMSUTexas page, click on "Login to MSU Portal" then enter User Name and Password, and then under "Take me to," click on Banner WebWorld OR once on the myMSUTexas page, click on WebWorld and enter User ID (Mustang ID) and PIN (initially set as date of birth - mmddyy). Once you have provided this information, you may begin your search.

### *Priority Dates*

Priority dates benefit the student by allowing adequate processing time for federal and state programs. Awards are made based on the availability of funds and as time permits. For maximum consideration of available funds, the application forms should be completed and the results in the Financial Aid office by the following dates:

March 1 – Fall only    March 1 – Fall and Spring    October 1 – Spring only    March 1 – Summer term(s)

### *Cost of Attendance*

A student's cost of attendance (COA) is an average of a student's educational expenses for a specific period of enrollment. The COA is the cornerstone of establishing a student's financial need, as it sets a limit on the total aid that a student may receive. A student's COA will include an average allowance for: tuition/fees, room/board, books/supplies, transportation and personal/miscellaneous expenses. The MSU-FAO annually determines the COA based on current university costs. Visit <http://www.msutexas.edu/finaid/msu-coa> for more information.

### *Satisfactory Academic Progress*

The Higher Education Act of 1965, as amended, mandates institutions of higher education to establish policies to monitor the academic progress of students who apply for and/or receive federal financial aid. Midwestern State University (MSU) makes these minimum qualitative and quantitative standards applicable to all federal, state, and institutional financial aid programs for the purpose of maintaining a consistent policy for all financial aid applicants. These minimum standards include:

1. Cumulative Grade Point Average (GPA) must be 2.00 for the Undergraduate program and 2.00 for the 2nd Baccalaureate program and 3.00 for the Graduate Program and 2.50 for the Teacher Certification program.
2. Maximum Time Frame for Degree/Certificate Completion is no more than 150% of the number of credit hours required for graduation in the program of study, unless otherwise specified by program requirements.



3. Successful Credit Hour Completion Rate must be 67% of all attempted course work.

NOTE: Though this policy establishes the minimum standards for all financial aid programs at MSU, individual aid programs may have unique qualitative and quantitative standards specific to the program as mandated by law or the program's governing entity. Such programs include, but are not limited to, the TEXAS Grant programs, Mustangs Guarantee Program, the Texas B-On-Time Loan program and the TEACH program. Information concerning the minimum standards of these specific programs can be obtained from the MSU Financial Aid Office. Satisfactory progress requirements are monitored for ALL enrollment periods, *including those for which financial aid was not received*. A student's financial aid eligibility will be determined in accordance with the number of credit hours that pertain to the current degree program. A student who fails to meet satisfactory progress at the end of a semester will be placed on Financial Aid 'Warning'; if a student fails to meet satisfactory progress at the end of a subsequent semester, the student will be placed on Financial Aid 'Suspension' and lose eligibility for future financial aid. An appeal, which must be made in writing and accompanied by supporting documentation, may be made to the Financial Aid Office *Appeal Review Committee* if a student feels extraordinary circumstances have affected his/her ability to meet satisfactory progress. If the appeal is approved by the Committee, the student will be placed on Financial Aid 'Probation' and will regain eligibility for financial aid. If the appeal is denied by the Committee and the student feels the decision of the Director to be inappropriate, the student may request to have the appeal presented before the Financial Aid Advisory Appeals Committee (FAAAC); this additional appeal to the FAAAC must be initiated within 90 days from the date of the initial denial. The student may obtain information regarding the FAAAC from the MSU Financial Aid Office.

A copy of the complete and current Satisfactory Academic Progress Rules can be obtained at <http://www.msutexas.edu/finaid/sap>. These rules are subject to change in accordance with federal, state and institutional policy.

### ***Refund and Repayment Policy Withdrawal Process***

Any student who desires to withdraw from the University must report to the Office of Student Rights and Responsibilities, located in the Clark Student Center, room 108. Following an exit interview with the Office of Student Rights and Responsibilities, the student will be issued a copy of the Official Withdrawal Request form and the Office of Student Rights and Responsibilities will forward a copy of the withdrawal form to the necessary university offices (Business Office, Financial Aid Office, and Registrar's Office). A student who has received a prior student loan(s) will be required to visit with the Financial Aid Office, if possible, to complete an online Exit Interview session. A student who is not able to report to campus may have the withdrawal request processed via phone or email but still will be required to complete an online Exit interview session with the Financial Aid Office. Upon receipt of the withdrawal form in the Financial Aid Office, the appropriate federal and/or state refund calculation will be performed to determine if the student must repay all or part of the aid awarded, as detailed below. Refer to the information below regarding the FEDERAL "RETURN OF TITLE IV AID" POLICY to determine if you will be required to repay any financial aid monies as a result of withdrawal from the University.

A student who withdraws or is administratively withdrawn from Midwestern State University (MSU) may be eligible to receive a refund to all or a portion of the tuition, fees and room/board charges that were paid to MSU for the semester. HOWEVER, if the student received financial aid (federal/state/institutional grants, loans and/or scholarships), all or a portion of the refund may be returned to the financial aid programs. As described below, two formulas (federal and state) exists in determining the amount of the refund. (Examples of each refund calculation will be made available upon request.)

*Federal “Return of Title IV Aid” Policy*

The federal refund formula is applicable to any student receiving Title IV aid, which includes the Federal Pell Grant, Federal Supplemental Educational Opportunity Grant, TEACH Grant, Federal Perkins Loan, Federal Direct Loan (Subsidized and/or Unsubsidized) and Federal Direct PLUS Loans (parent or graduate); TEACH Grant, Federal Supplemental Educational Opportunity Grant, Federal Perkins Loan, Federal Direct Loans (Subsidized and/or Unsubsidized) and Federal Direct PLUS Loans (parent or graduate); this refund calculation excludes Federal Work-Study. The federal refund formula provides a return of Title IV aid if the student withdraws, is administratively withdrawn, or voluntarily stops attending all classes before completing more than 60% of the semester. If any refund remains after the required return of the Title IV aid, the refund will then be used to repay other state/institutional grants and/or scholarships, as detailed in the State Refund Policy. If any financial aid funds are released to the student prior to the student’s withdrawal via a refund check as a result of a credit balance on the student’s account, the student may then be required to repay all or a portion of the financial aid funds that had been previously released to the student. A student not receiving Title IV aid will have his/her refund calculated using only the State Refund Policy, as below. Additional details about these refund policies are available at <http://www.msutexas.edu/finaid/withdrawal-policy>.

*State Refund Policy*

As stated in the current catalog, a student who withdraws from the University will receive a prorated refund of tuition, fees and room/board charges, in accordance with the following schedule:

*Fall/Spring Semesters*

- |                                   |      |
|-----------------------------------|------|
| 1. Prior to 1st class day         | 100% |
| 2. During the first 5 class days  | 80%  |
| 3. During the second 5 class days | 70%  |
| 4. During the third 5 class days  | 50%  |
| 5. During the fourth 5 class days | 25%  |
| 6. After the fourth 5 class days  | 0%   |

*Summer Term(s)*

- |                                   |      |
|-----------------------------------|------|
| 1. Prior to 1st class day         | 100% |
| 2. During the 1st, 2nd or 3rd day | 80%  |
| 3. During the 4th, 5th or 6th day | 50%  |
| 4. After the 6th day              | 0%   |

*Petitioning for a Full (100%) Refund*

To petition for a 100% refund after the first day of classes, students must meet the following requirements:

1. The reason for withdrawing was beyond the student’s control (medical, family emergency, etc.);
2. Provide a written statement explaining why the student feels he/she deserves a full refund;
3. Provide supporting documentation to validate the reason for withdrawal (i.e. medical records with date of admittance and release).

Once a student has provided the Dean of Students Office with above information/documentation, the information will be provided to the Vice President of Administration and Finance to make the final decision on whether or not the refund petition will be approved.

*Distribution of Funds*

If a student is entitled to receive a refund in accordance with the Federal and/or State Refund Policy, as described above, the refund must be applied to the appropriate program in the following order:

- |  |   |
|--|---|
| 1. Federal Direct Unsubsidized Loan    | 6. Federal Pell Grant                                 |
| 2. Federal Direct Subsidized Loan      | 7. Federal Supplemental Educational Opportunity Grant |
| 3. Federal Perkins Loan                | 8. TEACH Grant  |
| 4. Federal Direct PLUS Loan (Graduate) | 9. Other Title IV Aid)                                |
| 5. Federal Direct PLUS Loan (Parent)   | 10. Other State/Institutional Aid                     |

## ***Types of Financial Aid***

### ***Grants (do not require repayment)***

**Federal Pell Grant:** Need must be established by filing the FAFSA. Awarded only to undergraduate students who have not earned a bachelor's degree or professional degree (such as pharmacy or dentistry), Pell Grants provide a foundation of financial aid to which other aid may be added.

**Teacher Education Assistance for College and Higher Education (TEACH) Grant:** Not need based but FAFSA application is required; awarded to eligible students majoring in designated MSU Education programs. Students must commit to a 4-year service obligation within 8 years of program completion and be a full-time teacher in a high-need field at a low-income school; failure to complete the service obligation will require repayment of the TEACH Grant under the auspices of the Federal Direct Unsubsidized Loan program. Additional information is available at <http://www.msutexas.edu/finaid/teach-grant>.

**Federal Supplemental Educational Opportunity Grant (FSEOG):** Need must be established by filing the FAFSA. Awarded to eligible undergraduate students who have a maximum need and are eligible for funds in addition to the Federal Pell Grant.

**Toward Excellence, Access, & Success Grant (TEXAS):** Need must be established by filing the FAFSA. A state grant program available to Texas residents who graduated from a Texas high school no earlier than Fall 1998 and completed the recommended or advanced high school curriculum or its equivalent. Additional information is available at <http://www.collegeforalltexans.com>.

**Mustangs Guarantee Tuition Program:** Need must be established by filing the FAFSA. Available to beginning freshmen or undergraduate transfer students new to MSU who have not already received a baccalaureate degree; students must be accepted for admission to MSU in a Summer, Fall or Spring term and be Texas residents, Pell Grant eligible, and whose family's combined annual Adjusted Gross Income (AGI) is \$50,000 or less. Student must have a complete financial aid file on/before **May 31** (*for new or transfer students to the FALL semester*) or **December 15** (*for new or transfer students to the SPRING semester*). The Mustangs Guarantee Program will cover the remaining balance of any tuition and mandatory fees (for up to 15 credit hours each semester for up to four academic years – summer terms not included) that are NOT covered by other grants, scholarships (all sources), exemptions, benefits, and/or waiver programs received by the student. Additional information is available at <http://www.msutexas.edu/finaid/m-guarantee>.

**Top 10% Scholarship:** Need must be established by filing the FAFSA; funding is provided for renewal awards only. Provided by the Texas Higher Education Coordinating Board, the Top 10% Scholarship encourages students who graduate in the top 10 percent of their high school class to attend a Texas public institution of higher education. Qualifying students who submit the Free Application for Federal Student Aid (FAFSA) or Texas Application for State Financial Aid (TASFA) by March 15 and have financial need are entitled to receive a scholarship if they enroll full time in a Texas public college or university. Students who submit their FAFSA after March 15 will be awarded on a first-come, first-served basis until available funds have been spent. Additional details are available at <http://www.collegeforalltexans.com>.

**Texas Public Educational Grant (TPEG) for Resident and Non-Resident:** Need must be established by filing the FAFSA. Available to eligible students in addition to, or in place of, the Federal Pell Grant.

**Texas Public Educational Grant (TPEG) for International Students:** No longer available at MSU.

**Other Federal, State and Institutional Grant/Scholarships:** Need must be established by filing the FAFSA. Available to eligible students in accordance with program and institutional requirements; may be received in addition to, or in place of, the Federal Pell Grant. These grants include:

- FDR Grant/Scholarship
- 5th Year Accounting Grant/Scholarship
- Boren Grant/Scholarship
- DAR Grant/Scholarship
- Student Property Deposit Grant
- MSU Gold Grant

### *Loans (require repayment)*

**Federal Direct Subsidized Loan:** Need must be established by filing the FAFSA prior to processing the loan's Master Promissory Note (MPN). The loan funds are obtained and disbursed through the FAO in cooperation with the federal government who serves as the lending institution. Student must be enrolled at least half-time to receive the loan. Repayment of principal and interest begins after the student ceases to be enrolled on at least a half-time basis and a six-month "grace period" has expired. NOTE: Graduate degree-seeking students are not eligible to receive the Subsidized Loan. Additional information regarding this loan program, including the MAXIMUM TIMEFRAME to receive this loan during your college career, is available at <https://studentaid.ed.gov/sa/types/loans>.

**Federal Direct Unsubsidized Loan:** Not need based but eligibility must be determined by filing the FAFSA prior to processing the loan's Master Promissory Note (MPN). The loan funds are obtained and disbursed through the FAO in cooperation with the federal government who serves as the lending institution. Student must be enrolled at least half-time to receive the loan. Student is encouraged to repay accrued interest during enrollment period(s); otherwise, repayment of accrued interest and principal begins after the student ceases to be enrolled on at least a half-time basis and a six-month "grace period" has expired. Additional information regarding this loan program is available at <https://studentaid.ed.gov/sa/types/loans>.

**Federal Direct PLUS Loan:** Not need based but eligibility must be determined by filing the FAFSA prior to processing the loan's Master Promissory Note (MPN). Available to the parent of an enrolled, dependent student, graduate and professional students are eligible to apply as well. The loan funds are obtained and disbursed through the FAO in cooperation with the federal government who serves as the lending institution. Student must be enrolled at least half-time to receive the loan. Repayment of interest begins within 60 days from the date the loan funds are fully disbursed each year; principal repayment can be deferred under certain conditions. Additional information regarding this loan program is available at <https://studentaid.ed.gov/sa/types/loans>.

**TEXAS B-On-Time Loan:** Need must be established by filing the FAFSA and awarded to renewal students only who have had BOT previously. Provides eligible Texas students with no-interest loans; if the student meets specified goals, the entire loan can be forgiven upon graduation. Student must be a Texas resident, enrolled full-time and has graduated under the recommended high school program from a public or accredited private high school in Texas OR have graduated in the 2002-03 academic year or later from a high school operated by the U.S. Department of Defense OR have earned an associate's degree from an eligible institution no earlier than May 1, 2005. Additional information is available at <http://www.hhloans.com>.

**College Access Loan (CAL):** Not need based but eligibility must be determined by filing the FAFSA. Student must be a Texas resident and enrolled at least half-time. The CAL, in addition to other financial aid, may not exceed the Cost of Attendance (COA) as determined by the University. Interest rate is determined by the Texas Higher Education Coordinating Board. Additional information is available at <http://www.hhloans.com>.

**Alternative Private Loan:** Not need based. Offered as an alternative loan program when the student/parent is no longer eligible to receive the above-mentioned loans. Eligibility criteria varies among lenders; contact the MSU-FAO for complete details, or visit <http://www.msutexas.edu/finaid/alt-loans>.

### *MSU Payment Plans (require repayment)*

**Emergency Tuition and Fee Loan:** A short-term loan which is administered by the MSU Business Office and allows the student to defer up to 100% of required tuition and fee expenses only (excludes on-campus room and board expenses and Property Deposit fee). A \$22.50 loan origination fee and a 1% service charge are added to this loan. Repayment is due as scheduled during the semester or summer term(s) in which it is borrowed, or upon official withdrawal from the university. After completing the ETFL Contract ONLINE at <http://www.msutexas.edu/busoffice/paymentplans>, you will be able to print and sign a promissory note **which must be delivered to the MSU BUSINESS OFFICE**.

**Installment Plan:** A short-term payment plan which is administered by the MSU Business Office and can be used to defer payment of tuition and fees and/or on-campus room and board. Repayment is due as scheduled during the semester or terms in which it is borrowed or upon official withdrawal from the university. A \$22.50 service charge is added to this payment. The Installment Plan contract can be accessed and submitted on-line at <http://www.msutexas.edu/busoffice/paymentplans>. Students who do not meet the required first payment by the fourth class day of the semester will be invalidated from their classes. Students invalidated for non-payment and who are registered in their classes will be assessed a \$100.00 reinstatement fee and a \$25.00 late registration fee.

**Book Loan:** Book Loans are available to students whose financial aid refund check is not over \$1000 - OR - the student is not receiving financial aid but needs additional assistance with purchasing books. Repayment is due as scheduled during the semester or summer terms(s) in which it is borrowed or upon official withdrawal from the university. Book Loan forms must be printed and completed (available at <http://www.msutexas.edu/finaid/bookvoucher/>) and a copy of the completed form taken to the MSU Bookstore (Clark Student Center) for additional processing. Faxed copies will NOT be accepted unless you are a Distance Education student. (NOTE: DISTANCE EDUCATION STUDENTS -if you selected Financial Aid as the payment option for your textbooks but your refund check less than \$1000 and, thereby, you want to use the Book Loan Voucher, you MUST print and complete the form (available at <http://www.msutexas.edu/finaid/bookvoucher/>) to secure your textbook purchases. Remember to fax your completed Book Loan Voucher form to the MSU Bookstore at 940-397-4683 at which time your textbook purchase will be completed; you will receive an email confirmation from the MSU Bookstore that your textbooks have been processed and are ready to ship or ready for pick up.)

## ***Part-time Employment***

**College Work-Study:** Need must be established by filing the FAFSA. Federal and state programs offer up to 20 hours per week of on-campus/off-campus employment. Early applicants have the maximum opportunity to receive college work-study funds as part of an overall financial aid package. Additional information regarding work study jobs is available at <http://www.msutexas.edu/finaid/cwsjobs.asp>.

**Off-Campus/On-Campus Employment:** Not need based. Interested students should contact the MSU Career Management Center at (940) 397-4473, located in the Clark Student Center (Room 108), for additional information. Additionally the Career Management Center offers the Mustangs HIRE job search system (<http://www.msutexas.edu/career/mustangs-hire/>).

## ***Academic and/or Athletic Scholarships***

**Academic Scholarships:** University scholarships are available in recognition of a student's academic achievement, special abilities as indicated by the applicant's academic transcript, entrance exam scores, participation in extracurricular activities, and other criteria as defined by specific scholarship programs. Students should seek information about scholarship applications and deadline dates through the MSU Admissions Office at <http://msutexas.edu/admissions/scholarships>, academic departments at <http://msutexas.edu/academics/> or the Office of Donor Services at <http://msutexas.edu/donorservices/scholarship-apps>. Scholarship recipients may be held responsible for repayment of all scholarship funds awarded if the student's academic and/or enrollment status changes during the term in which the scholarship is received. Note: scholarships offered by the MSU Admissions Office have a March 1 deadline date.

**Athletic Scholarships:** generally awarded based on the student's athletic ability and academic standards set by NCAA and MSU. Information regarding athletic scholarships can be obtained from the Head Coach of the particular sport at <http://msumustangs.com>.

**Community and service organizations** also offer scholarships, but students should apply early and know the deadlines! With a little work, a student can obtain scholarships to help fund his/her college education. Many websites are available to help students search for scholarships (available at <http://www.msutexas.edu/finaid/scholarships>).

## ***Tuition Rebate for Certain Undergraduates (Sec. 54.0065 Tex. Ed. Code)***

A qualified student is eligible for a rebate of up to \$1000 of the undergraduate tuition the student has paid if the student:

1. Is awarded a baccalaureate degree from a general academic teaching Institution;
2. Has attempted no more than three hours in excess of the minimum number of semester credit hours required to complete the degree, including repeats, drops or withdrawals, transfer credits, and course credit earned exclusively by examination in excess of nine semester hours; excluding ROTC hours and credit earned prior to graduating from high school;
3. Has been classified as a resident of the state of Texas at all times while pursuing this degree; and
4. Has graduate within a consecutive four year time period.

## ***Tuition for Repeated Courses***

Following action by the 78th Texas Legislature, universities no longer receive formula funding for semester credit hours or contact hours attempted by a student who has enrolled in any course(s), other than non-degree-credit developmental course(s), containing the same content for three or more times since the Fall Semester 2002. The Texas Higher Coordinating Board has exempted the following types of course work from this provision: thesis and dissertation courses; courses that involve different or more advanced content each time they are taken, including but not limited to, individual music lessons, theatre practicum, music performance, ensembles, certain physical education and exercise physiology courses, and studio art; independent study courses; and special topics and seminar courses. Students are assessed an additional tuition charge of \$150 per semester credit hour for courses taken at MSU for three or more times beginning with the Fall Semester 2002.

## ***Excess Hours Beyond Degree Requirements***

The Texas Legislature established that universities will not receive funding for students entering higher education in Fall 1999 or later who exceed 45 semester hours above the degree requirements. For students entering Fall 2006, this limit is 30 hours above the degree requirements. Effective Spring 2013, as determined by the Board of Regents, MSU assesses an additional tuition charge of \$150 per semester credit hour for excess semester credit hours in which students enroll above these limits.

## ***Vocational Rehabilitation***

The Department of Assistive and Rehabilitative Services (D.A.R.S.) offers assistance for tuition and non-refundable fees to students who have certain disabling conditions, provided that their vocational objectives have been approved by a D.A.R.S. counselor. Examples of such conditions are orthopedic deformities, emotional disorders, diabetes, epilepsy, heart conditions, etc. Other services are also available to assist disabled students to become employable. Application for tuition assistance and other services should be made at:

Department of Assistive and Rehabilitative Services  
Wichita Falls District Office  
925 Lamar Suite 1700  
Wichita Falls, Texas 76301  
(940) 235-1710

# SECTION V



## University Policies and Procedures

### ***Acquired Immune Deficiency Syndrome and Human Immunodeficiency Virus (AIDS/HIV) Infection***

Midwestern State University recognizes Human Immunodeficiency Virus (HIV) as a serious public health threat and is committed to encouraging an informed and educated response to questions raised by students. Guidelines have been developed to address the medical, educational, legal, administrative, and ethical issues involved.

The Vinson Health Center offers testing and/or referral for students requesting confidential HIV tests. All testing conducted by the university will include counseling before and after the test. Unless otherwise authorized or required by law, no HIV test will be performed without informed consent of the person to be tested. HIV test results will be reported in compliance with all applicable statutory requirements, including the Communicable Disease Prevention and Control Act, Texas Health and Safety Code, 81.001.

The complete guidelines, which comply with The Human Immunodeficiency Virus Service Act, Senate Bill No. 959, 71st Legislature, are available at <https://www.cdc.gov/hiv/>.

### ***Address Changes***

Students whose names, home addresses, local college addresses, email addresses, or other pertinent information changes after initial registration at MSU are requested to notify the Office of the Registrar, the MSU Business Office, Financial Aid office, MSU Admissions or Dr. Billie Doris McAda Graduate School, and Moffett Library. Student employees should also notify Human Resources and the Payroll office. International Services should be notified if an international student has an address change. Students may change their addresses online through the myMSUTexas portal. All notices, information, and official correspondence are addressed to the last address on record with the university or MSU issued student email address. Failure by the student to have the current correct address or email address on record with the university shall not be construed to invalidate any notices or correspondence.

Under Texas law, students are responsible for reporting changes in legal residence. This notification is submitted to MSU Admissions or Dr. Billie Doris McAda Graduate School.

### ***Campus Crime Reporting***

All criminal incidents as well as all traffic accidents should be reported to the University Police immediately. Midwestern State University's Annual Security and Fire Safety Report includes statistics for the previous three years concerning reported crimes that occurred on campus; in certain off-campus buildings or property owned or controlled by Midwestern State University; and on public property within, or immediately adjacent to and accessible from, the campus. The police department also maintains a daily log of criminal activity. The Annual Security and Fire Safety Report also includes institutional policies concerning campus security, alcohol and drug use, crime prevention, the reporting of crimes, sexual assault, and other matters. You can obtain a copy of this report by contacting Campus Police or by accessing the following website at <http://msutexas.edu/police/awareness.php>.

### ***Notification of Penalty for False Alarm or Report***

It is an offense under the Texas Penal Code, Sec 42.06 to make, initiate, communicate, or circulate a report about a present, past or future bombing, fire, offense or other emergency knowing that it is false or baseless and the report would ordinarily:

1. cause action by an official or volunteer agency organized to deal with emergencies, or
2. place a person in fear of imminent serious bodily injury, or
3. prevent or interrupt the occupation of a building, room, place of assembly, place to which the public has access, or aircraft, automobile, or other mode of conveyance.

Offenses under this section are considered a Class A misdemeanor. However, when a false report is of an emergency involving a public or private institution of higher education or involving a public primary or secondary school, public communications, public transportation, public water, gas, or power supply or other public service, the offense is considered a state jail felony.

## ***Computer and Network Services***

This policy applies to all users of the university's telecommunications, computer and network services. The university provides telephone, computer and network resources for use by students, faculty, staff and other persons affiliated with the university. Access to and proper use of information resources are essential to the pursuit and achievement of excellence at Midwestern State University. The university encourages appropriate use of technology to enhance productivity through the efficient exchange of information in the furtherance of education, research, and public service. [This policy has been edited for this publication and only the information relating to students is included. For the complete text of this policy, see *Midwestern State University Policies and Procedures Manual*, policy number 4.181.]

### ***Electronic Network Access***

Users of the university electronic network facilities and services will indemnify and hold harmless the university against any and all actions or claims of infringement of intellectual property rights arising from the use of a network based service or facility provided by the university. Network access is provided by password control. All passwords are managed and controlled by Information Systems. The following policies are established for network access:

1. Use of facilities and services in such a way as could be deemed foul, threatening, inappropriate, harassing, or abusive including but not limited to racial and sexual slurs, is prohibited.
2. All accounts are for the sole use of the student, faculty or staff of the university. Information Systems will not release account information to any other individual.
3. Network access shall not be used for any non-university related activity. Use of network access should be consistent with the instructional, research, public service and administrative purposes and goals of the university.
4. A network access account may be requested by a currently enrolled student, employed faculty/staff member or emeriti faculty/administrator.
5. Student access will be deactivated upon the student's withdrawal from the university or non-enrollment.
6. Faculty and staff network access accounts will be deactivated upon termination of employment.
7. Unauthorized access to the network is strictly prohibited and could result in disciplinary action up to and including legal criminal action. Network account information is for the sole use of the original requester.
8. Electronic mail is subject to search at any time, with or without notice, as the university administration deems necessary.
9. Use of university electronic mail accounts to send unsolicited commercial mail is prohibited.

### ***Copyright and Computer Software***

Midwestern State University and its students, faculty, and staff must maintain legal and ethical standards regarding the use of computer software. The unauthorized duplication of computer software, data or computer manuals, unless appropriate written consent is obtained, is grounds for disciplinary action and referral to the appropriate law enforcement or investigative agency.



1. In strict compliance with Public Law 96-517, Section 10(b), which, in amending Section 117 of Title 17 U.S. Code to allow for the making of computer software back-up copies, states in part "...it is not an infringement for the owner of a copy of a computer program to make or authorize the making of another copy or adaptation of that computer program provided:
  - a. "That such a new copy or adaptation is created as an essential step in utilization of the computer program in conjunction with a machine and that it is used in no other manner;" or,
  - b. "That such a new copy and adaptation is for archival purposes only and that all archival copies are destroyed in the event that continued possession of the computer program should cease to be rightful."
  - c. Where appropriate written consent (from the holder of such copyright) is obtained.
  - d. Where the software is in the public domain and that can be proven.
2. Under PL 101-650, phonograph records, computer programs, tapes, CDs or videos may not be rented, leased, or lent for direct or indirect commercial advantage. However, the nonprofit lease or lending of computer software (bearing the warning notice prescribed by the Register of Copyrights) to this institution's staff, faculty and students for their nonprofit use is exempt from these restrictions.
3. Also exempt (from PL 101-650's restrictions) is the lawful transfer of possession of a lawfully made copy of a computer program between nonprofit educational institutions and between such institutions and the individuals comprising their staff, faculties, and student bodies.
4. Illegal copies of software may not be used on this university's computers.
5. Determination made under section 2 and 3 above are to be made by Midwestern State University and not the individual. Any indication of a violation of Section 4 will be promptly and thoroughly investigated.
6. Unauthorized distribution of copyrighted material, including peer-to-peer file sharing, is prohibited under this policy. This includes illegally downloading and/or sharing music and video files.
  - a. Violations will result in disciplinary proceedings against the student. Sanctions given will be commensurate with the violation, and may include termination of computer privileges.
  - b. Individuals violating this policy may face legal action, which could include fines and/or imprisonment.

### *Computer Security and Privacy*

All faculty and staff employees and students shall be responsible for complying with the Computer Security and Privacy policies. These policies are as follows:

1. The university president shall appoint an administrator responsible for developing and maintaining university regulations and procedures regarding security and privacy of computer data, software, and hardware.
2. Any student's or faculty/staff employee's use of university computing facilities is a privilege that shall be revoked for violation of this policy, regardless of the need for computer use in performing assigned duties or class work. Specific causes for revocations are as follows:
  - a. Student, faculty or staff who intentionally gain access to a computer or file that is protected from general access by the public.
  - b. Gaining unauthorized access to privacy protected information that may reside on the university mainframe.
  - c. Purposely placing or injecting a virus into the university computer systems or networks.
  - d. Removing university computer assets from campus without prior approval.
  - e. Connecting personally owned computers to the wired campus network or installing personally owned software on campus owned systems.
  - f. Public domain (shareware) will not be downloaded from public access bulletin board systems to any user computer connected to the campus network. All software loaded on university computers will first be approved by Information Systems and certified virus free.
  - g. User departments will identify to Information Systems computer workstations used to store confidential or sensitive information or to run critical applications. All campus systems must run campus standard virus protection software.

3. Some jobs or activities of the university involve access to resources critical to computer security and privacy. The university may require faculty/staff employees or students involved in these jobs or activities to disclose personal histories, participate in special training, and/or sign special agreements concerning computer use.
4. All students and faculty/staff employees shall cooperate with official state and federal law enforcement authorities in aiding the investigation and prosecution of any suspected infraction of security and privacy involving either university personnel or university computing facilities.

## ***Disability Grievance Procedures***

It is the policy of Midwestern State University that no otherwise qualified person, on the basis of disability, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any education program, activity, or employment of the university. Any student/employee seeking accommodations on the basis of disability must register with the Office of Disability Support Services and must provide all required documentation of disability.

### **A. Direct Informal Resolution**

Any student or employee with a grievance related to discrimination or lack of reasonable accommodation on the basis of a disability is encouraged to resolve the problem directly with the individual involved in the area where the problem exists. This process is intended to promote dialogue and understanding, as well as personal development through self-advocacy and open communication. If the matter remains unresolved, an informal grievance may be initiated through the Office of Disability Support Services.

### **B. Informal Grievance Procedure**

The Informal Grievance Procedure should be initiated within a reasonable time following an alleged incident of discrimination on the basis of disability. Generally, a reporting party should submit an informal grievance through the Office of Disability Support Services within ninety (90) days following an incident. However, it is important to understand the longer an individual waits to submit a grievance, the harder it can become for the ADA Coordinator or other university officials to obtain information, conduct a thorough investigation, make a determination, and address any reasonable resolutions or remedies in response to the alleged discrimination.

A student or employee initiates the Informal Grievance Procedure by contacting the ADA Coordinator in the Office of Disability Support Services. If the ADA Coordinator is the subject of the grievance, the reporting party initiates the Informal Grievance Procedure by contacting the Vice President for Student Affairs, who will assign a university official to investigate the complaint in lieu of the ADA Coordinator. A reporting party is not required to submit a grievance in writing when initiating an Informal Grievance, but the ADA Coordinator may ask the individual to do so or submit other written evidence, if necessary, to help facilitate the process of neutral fact-finding relevant to the grievance.

The ADA Coordinator will attempt to facilitate a satisfactory resolution to the informal grievance in a reasonable amount of time, with the goal of both the reporting and responding parties receiving written notification of outcome and any resolution(s) within ten (10) university working days after notice of the informal grievance was provided to the ADA Coordinator by the reporting party. If the grievance is effectively resolved through the Informal Grievance Procedure, the process ends.

C. Formal Grievance Procedure

If the reporting student or employee is not satisfied with the result of the Informal Grievance Procedure, he or she may appeal the decision by filing a formal notice of grievance, in writing, to the ADA Coordinator. The formal notice of grievance should state the nature of the discrimination, by whom and on what date(s), the name(s) of any other witnesses or participants, why the outcome of the Informal Grievance Procedure is believed to be inadequate, the remedy or resolution the reporting student or employee seeks, and any other information directly relevant to the grievance. The notice must be signed by the reporting student or employee, and submitted to the ADA Coordinator within thirty (30) days after distribution of the written notification of outcome following the Informal Grievance Procedure (above).

A formal grievance hearing will be scheduled within fifteen (15) university working days following receipt of the formal notice of grievance. The case shall be heard by the MSU 504/ADA Grievance Committee. The responsibility of presenting the grievance rests with the student or employee who submitted the formal notice of grievance.

The Committee, by majority vote, shall determine using a preponderance of the evidence standard, whether or not an incident of discrimination or lack of reasonable accommodation on the basis of disability, has occurred.

1. If the determination is that an incident of discrimination has not occurred, the ADA Coordinator will notify, in writing, the reporting and responding parties of the Committee's decision and rationale within five (5) university working days.
2. If the determination is that an incident of discrimination has occurred, the 504/ADA Grievance Committee shall determine, in consultation with the ADA Coordinator, appropriate remedy or resolution to the discrimination. The ADA Coordinator will notify, in writing, the reporting and responding parties of the Committee's decision, rationale, and resulting remedies or resolution(s) within five (5) university working days. The decision of the 504/ADA Grievance Committee is final.

The availability and use of this grievance procedures does not prevent a person from filing a complaint of discrimination on the basis of disability with the U.S. Department of Health and Human Services, Office for Civil Rights..

ADA Coordinator  
Debra Higginbotham  
Director, Disability Support Services  
Clark Student Center, Room 168  
(940) 397-4140

**[debra.higginbotham@msutexas.edu](mailto:debra.higginbotham@msutexas.edu)**

## ***Disaster Policy***

The purpose of these regulations is to acquaint all employees and students with the university's policies associated with disasters and related traumatic events.

- A. **TORNADO:** A tornado is a violent local storm with whirling winds of tremendous speed. It appears as a rotating funnel-shaped cloud which extends toward the ground from the base of a thundercloud. The peak time for tornadoes is from March through June, but they can occur any time of the year.
1. **TORNADO WATCH:** Means that weather conditions are favorable for tornadoes to develop. Go about normal daily activities, but be alert to the weather.
  2. **TORNADO WARNING:** Means a tornado has actually been sighted or indicated on radar. Take refuge in a place of safety immediately. The National Weather Service issues weather warnings to the public over radio and television stations. The city of Wichita Falls will sound warning sirens. Procedures to be followed at Midwestern State University if a tornado warning is sounded are as follows:
    - a. Under no circumstances should students, faculty, or staff attempt to leave campus while the warning is in effect.
    - b. Faculty should not dismiss classes. Students should be directed to an interior hallway on the lowest floor of the building. Persons should lie on the floor as close to the wall as possible. Auditoriums, gymnasiums, or other free-span rooms should be avoided.
    - c. If the building in which you are located is not steel-framed or reinforced concrete construction, and time permits, you should move as quickly as possible to the nearest reinforced structure. Otherwise, move to a small room in the interior part of the building and, if possible, seek shelter under heavy furniture. Stay away from windows.
    - d. Because there is the danger that high pressure steam lines may burst, university basements and utility tunnels (including those labeled fallout shelters) should be avoided.
    - e. Tornado drill procedures and tornado warning procedures for university housing are outlined in the current *Residence Life Handbook*.
- B. **FIRE:** In case of fire, notify the fire department first, then call the University Police Department, and sound alarm for the building to begin evacuation. Procedures to be followed at Midwestern State University in case of fire are as follows:
1. The person discovering the fire will notify the Wichita Falls Fire Department (phone number 9-911) and then call the University Police Department (extension 4239).
  2. The person discovering a fire will immediately give a vocal alarm in the building and make an attempt to extinguish the fire before it spreads.
  3. The building in which the fire is located will be evacuated under the supervision of the first faculty or staff member on the scene, and personnel will be moved a minimum of 300 feet from the location of the fire.
  4. Fire drill procedures and fire evacuation procedures for university housing are outlined in the current *Residence Life Handbook*.

## ***General Student Complaints***

### ***Purpose***

The purpose of this policy is to establish a process by which students may address general issues that do not fall under formal grievance policies. In an effort to expedite resolution to complaints, students will be requested to first follow the Informal Complaint Process. If resolution does not occur via the Informal Complaint Process, the student may follow the Formal Complaint Process.

### ***Informal Complaint Process***

The informal complaint process promotes dialogue and understanding, and provides a framework to expedite resolution. It additionally promotes student development through self-advocacy and open communication. Prior to filing a formal complaint, the student must use the following informal procedure. The Informal Complaint Process is initiated in the Office of Student Rights and Responsibilities.

- The student should discuss with the Director of Student Rights and Responsibilities, or designee, the nature of the complaint in order to determine the most appropriate and expeditious manner of addressing said complaint. The Director of Student Rights and Responsibilities, or designee, and the student determine the faculty or staff member best equipped to address the complaint. The comfort of the student in addressing the complaint with any member of the faculty or staff is considered.
- The Director of Student Rights and Responsibilities, or designee, will assist the student in contacting the faculty or staff best equipped to handle a complaint. The student should discuss the complaint thoroughly with the determined faculty or staff as soon as practical. Both parties should openly discuss the issue and attempt to explore a mutually satisfactory outcome.
- The Director of Student Rights and Responsibilities maintains a log of Informal Complaints registered with his/her office. This log includes the student's name, contact information, nature of complaint, and complaint referral, if necessary.
- Within five days of logging the complaint, the Director of Student Rights and Responsibilities, or designee, will follow-up with all parties in order to determine the disposition of the complaint. The disposition will be included in the complaint log.
- If the complaint is resolved, the process ends.
- If the complaint is not resolved, the student may initiate a Formal Complaint Process.

### *Formal Complaint Process*

A formal written complaint may be issued if the Informal Complaint Process does not produce resolution. The student is encouraged to contact the Office of Student Rights and Responsibilities prior to submitting a formal complaint so that they can be well-informed of the formal complaint process. The student must use the following formal complaint procedure:

- The student must submit in writing to the appropriate Dean, Director, Chair, or Supervisor, as determined in consultation with the Director of Student Rights and Responsibilities, an outline of what occurred, any witnesses to the alleged event, and the desired outcome of the complaint.
- The appropriate Dean, Director, Chair, or Supervisor, with guidance from the Director of Student Rights and Responsibilities, interviews all affected parties and witnesses.
- Within seven business days of receiving the written complaint, the Dean, Director, Chair, or Supervisor issues a written decision regarding the complaint.
- If the complaint is resolved the process ends.
- If the complaint is not resolved, the affected student may appeal the decision to the appropriate Vice President. The Director of Student Rights and Responsibilities will assist the student in making this determination. The appeal must be in writing, no later than seven business days after receipt of the final disposition of the formal appeal.
- The Vice President will consider the appeal and issue a final decision to the student in writing. A copy of the final resolution will be sent to the student and the Director of Student Rights and Responsibilities.

### ***Off-Campus Speakers***

The Board of Regents of Midwestern State University respects the rights of the faculty and the student body of Midwestern State University to have full freedom in the discussion and presentation of all information and issues. This includes the right to invite off-campus speakers whose ideas and views differ from those of the board, its individual members, or the president of Midwestern State University. It is the policy of this board that the facilities of this institution, which were paid for by the taxpayers of Texas from their earnings in our society based on law and order, be not made available to any person or persons who by reason of their prior expression or past actions would likely use the invitation to advocate lawlessness and disregard for the laws of this country, change in the laws of this country other than by means provided for within the Constitution and the laws of the United States and the various states, and the violent overthrow of our government.

## ***Official Out-Of-Town University Trips***

When an official out-of-town trip is sponsored by a university college or department, the faculty or administrator involved will be responsible for all arrangements and supervision. When registered student organizations plan an official out-of-town trip, all arrangements must be cleared through the Office of Student Leadership and Involvement.

To ensure that student safety is a priority, this policy for student travel is intended to assist students in safe travel for university-sanctioned trips. This policy pertains to students or registered student organizations that travel over 25 miles to a university-sanctioned event.

### ***Definition of University-Sanctioned Travel***

University-sanctioned travel occurs when travel meets one or more of the following conditions:

1. A university department or registered student organization plans the travel and/or recognizes for professional or educational purposes.
2. The university or registered student organization requires travel.
3. University or registered student organization funds are used.
4. Travel is undertaken in a university-owned or leased vehicle.

### ***Travel Procedures***

The designated advisor(s) (faculty or staff) must accompany each student travel group. Any exception must be approved by the Dean of Students prior to such travel. The following procedures must be followed prior to travel:

1. Pick up Student/Group Travel Form in the Dean of Students office or Office of Student Leadership and Involvement.
2. Complete Student/Group Travel Form.
3. Submit Travel Form at least 10 days prior to date of travel to the Dean of Students office or Office of Student Leadership and Involvement.
4. Receive approval of the travel request.

For questions or more information about the Student Travel Policy, please contact the Dean of Students office in room 121 of the Clark Student Center.

## ***Posters, Handbills, and Other Printed Materials***

- A. All material posted by University affiliated departments, organizations, and individuals must be approved and stamped by the CSC office, where compliance with size restrictions, sponsorship, and master calendar is verified. All material posted must carry the name of the respective sponsor (i.e. an academic program, administrative department, or a registered campus organization).

General university bulletin boards are available for posting. Use of departmental or special area boards is permitted only with the permission of the related office. Posters for campus bulletin boards must not exceed 14 inches by 22 inches (one-half of a standard poster sheet). Posting on glass, painted surfaces, trees, buildings, or any other unauthorized place is not permitted. Information pertaining to authorized posting areas and posting regulations is available in the CSC office. Exceptions to stated policies must have prior approval of the Dean of Students or Director of the Clark Student Center.

- B. Publicity materials may be approved two weeks prior to the event by authorized student center personnel.
- C. The distribution of handbills, heralds, or similar printed information is limited to official university departments and registered student organizations. All materials must carry the name of the sponsoring unit (i.e. an academic program, administrative department or registered campus organization).
- D. No handbills may be placed on cars parked on university property.
- E. Advertising by off-campus groups or individuals must be of special benefit to MSU students and is limited to one item posted on the CSC bulletin board designated for off-campus advertising.

## ***Racial Harassment Policy***

Midwestern State University has a tradition of providing a caring and nurturing environment in which students and employees can pursue excellence. Politeness and friendliness are virtues which members of the university community seek to demonstrate in their day-to-day interactions. Rude and/or hostile behavior, on the other hand, not only violates the university's tradition of friendliness, but undermines rational discourse and interferes with the educational process.

Therefore, it is the policy of Midwestern State University that all employees, students, and authorized users of university facilities be able to enjoy a campus environment free from all forms of discrimination, including racial or ethnic harassment.

### ***Definition***

For the purpose of university policy, the term racial harassment refers to any severe, pervasive, and objectionably offensive behavior, verbal or physical, on the basis of race, or ethnic/national origin, that:

1. Involves a stated or implicit threat to the victim's academic or employment status and/or
2. Has the purpose or result of interfering with an individual's academic or work performance and/or
3. Creates an intimidating or offensive academic, work, or campus environment.

The university regards such behavior as a violation of the standards of conduct required of all persons associated with the institution. The prohibition against racial harassment applies to all interactions occurring on campus, in university facilities, in conjunction with university-related activities, or within the context of registered student organizations.

Not every act perceived to be offensive to an individual or a group necessarily will be considered as harassment and/or a violation of the university's standards of conduct. In determining whether an act constitutes racial or ethnic harassment of a severe, pervasive, and objectionably offensive nature, the totality of the circumstances that pertain to any given incident in its context must be carefully reviewed and due consideration must be given to the protection of individual rights, freedom of speech, academic freedom, and advocacy.

### ***Complaint Procedure***

Any university employee, student, or other member of the university community who believes he or she has been a victim of racial or ethnic harassment while working at the university or in class or other campus setting (whether by subordinates, peers, superiors, or other persons) should bring this matter to the immediate attention of any of the following: his or her supervisor, the Director of Human Resources, department head, college dean or the Dean of Students.

Any official receiving a complaint should notify the Equal Employment Opportunity (EEO) Coordinator to make certain that follow-up action is coordinated. The EEO Coordinator will serve as a clearinghouse for all related actions.

If satisfaction is not adequate at initial levels, any affected individual should feel free to bring the matter to the attention of the vice presidents or the president. Confidential assistance also is available through the counseling center.

Action will be taken to examine impartially and resolve promptly any complaint. Complaints that cannot be resolved by informal means, through the help of the officials and services listed above, may be resolved through the university's formal student, staff, or faculty grievance procedures. (See *MSU Policies and Procedures Manual* or *MSU Student Handbook* for details on how to initiate grievance procedures.)

Upon request to any of the above officials, a special committee or procedure may be established by the President of the University to consider a complaint and possible resolution. Any such committee will consist of no less than three members and no more than five and may include faculty members, administrators, staff members, and students in a mix suitable to deal with the complaint.

Confidentiality of all parties will be respected to the greatest extent possible, and employees, students, and others will not be subjected to retaliation of any kind for reporting incidents of racial harassment.

EEO Coordinator. Dawn Fisher

Director, Human Resources (940) 397-4221

[dawn.fisher@msutexas.edu](mailto:dawn.fisher@msutexas.edu)

## ***Reserving University Facilities***

Requests for all non-classroom facilities are made through the Clark Student Center. Requests can be submitted online through the Clark Student Center website or MustangsLink, or in person at the Clark Student Center office. Classroom space is reserved through the Office of the Registrar. Registered student organizations and departments using classroom facilities should be aware of classes taking place in the buildings and must keep noise and potentially disruptive activities to a minimum while classes are in session.

## ***Student Event Guidelines***

### ***Registration***

1. All activities and events of registered student organizations must be registered and approved through MustangsLink. Event registration is available online through each registered student organization's MustangsLink portal.
2. Event registration must occur for all registered student organization activities, whether held on or off campus.
3. By registering events through MustangsLink, events can be added to the University Master Calendar and Student Life calendar. Registering events is not the same as requesting or reserving university facilities. In order to reserve a room, please refer to the above section on Reserving University Facilities.
4. The deadline for registering a social event is four days prior to the event, except for those activities approved as alcoholic beverage functions and/or requiring the services of a police officer. Those functions must be registered ten days prior to the event.
5. Cancellation of functions and facilities is equally important and should be made through the Clark Student Center. The Clark Student Center reserves the right to change room assignments or setups in order to accommodate the greatest number of customers.
6. Registered student organization events where alcohol will be served, held off campus, open to the public, and/or involving efforts to raise funds require approval of the organization's faculty/staff advisor prior to event registration and approval. Information as to duties and responsibilities of faculty/staff advisors regarding registration of alcohol functions is available in the Clark Student Center office

### ***Dress and Conduct***

1. Those attending student activities are requested to use good judgment about their dress, exercising good taste at all times.
2. Conduct at student activities shall be the responsibility of the sponsoring individual, group, department, or organization. If property damage should occur during the activity, the person or department/organization responsible for the damage will be assessed for the repair or replacement of the damaged item. When the person or persons responsible for the damage cannot be identified, the sponsoring department/organization will be assessed for the damages.

### ***Raffles***

The Charitable Raffle Enabling Act states that an institution of higher education shall allow the sale of tickets to a raffle by a registered student organization at any facility of the institution, subject to reasonable time, place, and manner restrictions.

### ***Corporate or Business Co-Sponsorship of Activities***

All corporate or business co-sponsors of a university or student organization event must enter into a contract with the university, the terms of which must be set by and/or approved by the university Administrative Council. This policy applies to sponsorship or co-sponsorship only and shall not be interpreted to include paid advertising.



### *Faculty/Staff Advisors and Campus Police*

1. Faculty/Staff advisors must be listed on the student organization roster which is on file with the Office of Student Leadership and Involvement through MustangsLink. At events where faculty/staff advisors are necessary, it is important that the advisor be present at all times during the social event. Extending an invitation to advisors well in advance of the event is a mark of thoughtfulness and courtesy.
2. Normally the faculty/staff advisor is a faculty member, an administrator, or a full-time staff member at the university; however, in special and unusual circumstances, a graduate assistant at the university can be approved by the Director of Student Leadership and Involvement to serve in this capacity.
3. Faculty/staff advisors are required to attend organization events at which alcohol will be served. A faculty/staff advisor must be present at all times during the entire event.
4. One police officer is required at all programs that have been approved as an alcohol event except when the function is an on-campus, invitation-only function involving one student organization. Exceptions to this requirement can be requested when completing the alcohol registration process by submitting an event safety and security plan, which must address how the behavior of attendees will be monitored and appropriately managed to reflect the values and expectations of the University. The event safety and security plan must be approved by the Dean of Students or designee in order for the event to occur.
5. When MSU officers are required for events, the cost per hour for each officer will be determined by the University Police Department. The University Police Department must be notified at least ten days prior to the function to schedule any officers.

### *Expenses (Building Use)*

Midwestern State University is allocated funds by the State of Texas for its operations as related to its primary mission of education. Student-sponsored groups and organizations are required to fund the costs, utilities, custodial help, etc., incurred above university educational costs, for activities which the groups or organizations sponsor.

1. Generally, an approved (internal) group or organization will not be charged the utility costs for the use of a facility if it is used within normal hours of operations. Scheduling for any event or activity is required, even though no charges are assessed, through the Clark Student Center office.
2. Normal room custodial support will be provided within regular building hours at no additional cost. Extra costs, i.e., special cleanup, when incurred, will be billed to the using group.
3. For events outside normal hours of operation, internal groups and organizations will be charged for actual costs for each hour or fraction thereof that the facility is required beyond the normal hours. Additional charges will be added whenever additional custodial support is required, i.e., setup or cleanup.
4. Charges to internal groups will be determined by the Clark Student Center office from the approved rates. The chart of charges is on file in the Clark Student Center office. The CSC office will identify the appropriate student group to be billed and provide this information to the University Business Office to initiate billing.

### *General*

1. Sponsoring organizations are invited to discuss plans for student activities with the staff in the Clark Student Center office or Office of Student Leadership and Involvement.
2. Attendance at events sponsored by Midwestern State University students is restricted to MSU students, faculty, staff, and guests of the sponsoring organization unless other groups are approved by the Clark Student Center office or Dean of Students.

# ***Student Traffic Review Board***

## **PURPOSE**

A Student Traffic Review Board composed of students shall be appointed to review appeals from students who wish to contest a ticket received for violation of the university traffic and vehicle regulations. The board shall have the authority to render judgments with reference to the *MSU Traffic and Parking Regulations*. The Student Traffic Review Board exists to assist those students with violations due to unusual or extenuating circumstances. The decision of the board is final.

## **COMPOSITION**

The Student Traffic Review Board shall be appointed by the Student Government Association president and approved by the Student Senate. The board shall consist of a chairman and four members. The chairman of the board shall be the Student Government Association Vice President. All members of the board will have a cumulative grade point average of 2.00 or above and will not have a record of previous disciplinary suspension from the university. Three members of the board will be present to constitute a quorum and review a case. The chairman shall have the same voting rights as other members. A staff designee appointed by the Dean of Students shall serve as an ex-officio voting member and advisor to the board.

## **PROCEDURE AND DISPOSITION**

- A. Request for Review. A student wishing to contest a ticket may appeal using the Rydin online parking management system. For each violation, an appeal must be submitted within seventeen (17) calendar days after the citation was issued. Should the person charged not pay a violation fee or request a review of the citation within the allotted time period, the review process will be forfeited and a \$2.00 late fee will be assessed.
- B. Conduct of Review. All Student Traffic Review Board meetings shall be closed to the public. The chairman (or designee) shall preside and conduct the business of the review. The board may request further information from the university police officer or the student with regard to the citation in question.
- C. Review Procedure. The Student Traffic Review Board will meet regularly during the academic year. It shall make the findings and determinations in an executive session (only members of the board and advisor present). The board shall promptly consider each case on its merits, make its findings and determinations, and submit them to the Dean of Students. Results of the appeal will be communicated to the student electronically using the Rydin system within seven days. If the student is found not in violation, a waiver shall be made of the penalty fee assessed.

Students who amass unpaid citations will be subject to transcript and registration holds on file with the Business Office, and may be referred to the student conduct process.

## ***Tobacco Policy***

Smoking or other tobacco use, tobacco advertising, tobacco sales, and free distribution of tobacco products are prohibited on the Midwestern State University campus.

Midwestern State University seeks to provide a safe, healthy, pleasant environment for its faculty, staff, and students. To this end, the use of tobacco products, including smoke and smokeless tobacco, and the advertising, sale, free distribution, and discarding of tobacco products shall be prohibited in all indoor and outdoor facilities and in all university vehicles. The policy extends to faculty, staff, students, vendors, guests, and visitors.

### ***Specifications***

1. "Use of tobacco products" shall include
  - a. Possession of a lighted tobacco product
  - b. Use of smokeless tobacco products
  - c. Use of e-cigarettes and other tobacco derived products
2. "Indoor and outdoor facilities and university vehicles" shall include
  - a. All buildings and facilities owned or leased by Midwestern State University, including residential homes
  - b. All outdoor areas owned or leased by Midwestern State University, including the grounds of the Main Campus and the South Campus and the grounds of residential homes owned by the university
  - c. All university-owned or leased vehicles, including cars, pick-up trucks, vans, box trucks, and carts
  - d. All private vehicles parked on property owned or leased by Midwestern State University
3. Exceptions: None

### ***Enforcement***

1. It is the responsibility of all members of the campus community and campus visitors to observe the provisions of this policy.
2. It is the responsibility of all students, faculty, staff, and campus visitors to uphold the honor of the university by affirming its commitment to this policy.
3. Courtesy and consideration will be exercised when informing violators of this policy. No person will be retaliated against for informing others of the policy or asking others to comply with the policy.
4. A complaint against a violator who fails to comply with the policy after being asked by another to do so, may be referred to a provost and vice president for academic affairs, vice president, associate vice president, dean, or director. Appropriate disciplinary action may be applied to a violator against whom multiple complaints have been received.



# SECTION VI



## Code of Student Conduct

Midwestern State University students are responsible for knowing the information, policies and procedures outlined in this handbook. The university reserves the right to make changes to this code as necessary and once those changes are posted online, they are in effect. Students are encouraged to check online for the most current versions of all university policies and procedures.

The *Midwestern State University Student Code of Conduct* is based upon the Model Code of the National Center for Higher Education Risk Management (NCHEM) authored by Brett A. Sokolow, Esq. Rights of use has been granted by NCHEM to Midwestern State University. No other use is permitted without the expressed permission of NCHEM.

### Section 1: Introduction

#### Philosophy

The Midwestern State University community is committed to fostering a campus environment that is conducive to academic inquiry, a productive campus life and thoughtful study. The student conduct program within the Office of Student Rights and Responsibilities is committed to an educational and developmental process that balances the needs of individual students with the needs of the Midwestern State University community.

A community exists on the basis of shared values and principles. At Midwestern State University, student members of the community are expected to uphold and abide by certain standards of conduct that form the basis of the *Student Code of Conduct*. These standards are embodied within a set of core values that include integrity, social justice, respect, community, and responsibility. When members of the community fail to exemplify these values, campus conduct proceedings are used to assert and uphold the *Student Code of Conduct*. Midwestern State University takes great pride in that it treats all students with the dignity and respect they deserve. The aspect of community is paramount and is reflected throughout the entire university community.

Ultimately, each member of the Midwestern State University community is expected to assume responsibility for his/her conduct and to assume reasonable responsibility for the behavior of others. On occasion, this will involve kind and courteous admonition done when one member observes another in inappropriate conduct. At other times, it will involve cooperation when the authorities are investigating instances of alleged misconduct.

The student conduct process at Midwestern State University is not intended to punish students; rather, it exists to protect the interests of the community and to challenge those whose behavior is not in accordance with university policies. Sanctions are intended to challenge students' moral and ethical decision-making and to help bring their behavior into accord with community expectations.

Students should be aware that the student conduct process is quite different from criminal and civil court proceedings. Procedures and rights in student conduct procedures are conducted with fairness to all, but do not include the same protections afforded by the courts. Fair process, within these procedures, assures written notice and a hearing before an objective decision-maker. No student will be found in violation of university policy without information showing that it is more likely than not that a policy violation occurred and any sanctions will be proportionate to the severity of the violation and to the cumulative conduct history of the student.

## Section 2: Jurisdiction over Student Conduct

Students at Midwestern State University are annually given a copy of the *Student Code of Conduct* in the form of a link on the Midwestern State University website; the *Student Code of Conduct* is contained in the Student Handbook, hard copies are available from the Office of Student Rights and Responsibilities, at the Clark Student Center Information Desk or in the residence hall offices. Students are charged with the responsibility of having read the provisions of the *Student Code of Conduct*. The *Student Code of Conduct* and the student conduct process apply to the conduct of individual students and registered student organizations. Because the *Student Code of Conduct* is based on shared values, it sets a range of expectations for Midwestern State University students no matter where or when their conduct may take place; therefore, the *Student Code of Conduct* applies to behaviors that take place on the campus, at university-sponsored events and may also apply off-campus when the administration determines in its discretion that the off-campus conduct affects a substantial university interest.

The *Student Code of Conduct* may be applied to conduct that takes place from the time a person is admitted as a student to Midwestern State University and continues until the student withdraws or graduates, including periods during semester breaks and between semesters. Further, the *Student Code of Conduct* applies to guests of community members whose host(s) may be held accountable for the misconduct of their guests.

Visitors to and guests of Midwestern State University are also protected by the *Student Code of Conduct* and may initiate grievances for violations of the *Student Code of Conduct* committed against them by student members of the Midwestern State University community.

There is no time limit on reporting violations of the *Student Code of Conduct* as long as the offending student remains enrolled at Midwestern State University; however, the longer someone waits to report an offense, the harder it becomes for Midwestern State University officials to obtain information and witness statements and to make a determination regarding alleged violations. Though anonymous complaints are permitted, doing so limits the university's ability to investigate and respond to a complaint. Those who are aware of misconduct are encouraged to report it as quickly as possible to the Office of Student Rights and Responsibilities and/or Campus Police.

Midwestern State University email is the university's primary means of communication with students. **Students are responsible for all communication delivered to their Midwestern State University email address.**

## Section 3: Violations of the Law

Alleged violations of federal, state and local laws are incorporated as offenses under the *Student Code of Conduct*. When a student is accused, arrested, charged, or indicted for any crime, the university may elect to take action for violation of the *Student Code of Conduct*.

When an offense occurs over which the university has jurisdiction, the university conduct process will usually go forward notwithstanding any criminal complaint that may arise from the same incident. The university may pursue investigation and resolution of campus conduct complaints, regardless of whether the student participates, and the university may impose sanctions that need to be satisfied for a student to be considered in good standing.

When it has reasonable cause to separate a student from the community, the university may suspend a student for a reasonable time pending the scheduling of a campus hearing for violation of the *Student Code of Conduct*. The university reserves the right to exercise its authority of interim suspension upon notification that a student is facing criminal investigation and/or complaint. The university will permit a student who receives an interim suspension to request a meeting with the Vice President for Student Affairs to show cause as to why an interim suspension is not merited. Regardless of the outcome of this meeting, the university may still proceed with the scheduling of a campus hearing.

When criminal charges are pending, the university may be delayed or prevented from conducting its own investigation and moving forward with a campus hearing. When this happens, the university will delay its hearing until such time as it can conduct an internal investigation or obtain sufficient information from law enforcement upon which to proceed.

## Section 4: Special Provisions

### A. Attempted Violations

In most instances, Midwestern State University will treat attempts to commit any of the violations listed in the *Student Code of Conduct* as if those attempts had been completed.

### B. Misconduct Online

Students are cautioned that behavior conducted online, such as harassment or bullying via email or social media, can subject them to university conduct action. Students must also be aware that entries on sites such as Google+, Facebook, LinkedIn, YouTube, Instagram, Snapchat, and Twitter and other similar online postings are in the public sphere and are not private. These postings can subject a student to allegations of conduct violations if evidence of policy violations is posted online. The university does not regularly search for this information but may take action if and when such information is brought to the attention of university officials.

### C. University as the Reporting Party

Midwestern State University reserves the right to initiate a complaint, to serve as the reporting party and to initiate conduct proceedings without a formal complaint by the victim of the alleged misconduct.

### D. False Reports

Midwestern State University will not tolerate intentional false reporting of incidents. It is a violation of the *Student Code of Conduct* to make an intentionally false report of any policy violation and it may also violate state criminal statutes and civil defamation laws.

### E. Group Violations

A student group or organization and its officers and membership may be held collectively and individually responsible when violations of this code by the organization or its members take place at organization-sponsored events, have received the consent or encouragement of the organization or of the organization's leaders or officers, or was known or reasonably should have been known to the membership or its officers. Hearings for student groups or organizations follow the same general student conduct procedures. In any such action, individual determinations as to responsibility will be made and sanctions may be assigned collectively and individually and will be proportionate to the involvement of each individual.

### F. Safe Harbor / Amnesty

The Midwestern State University community encourages the reporting of conduct code violations and crimes by victims. Sometimes, victims are hesitant to report to university officials because they fear that they themselves may be accused of policy violations, such as underage drinking, at the time of the incident. It is in the best interest of this community that as many victims as possible choose to report to university officials. To encourage reporting, Midwestern State University pursues a policy of offering victims of conduct code violations amnesty from minor policy violations related to the incident.

If any Midwestern State University student brings their own use, addiction or dependency to the attention of university officials outside the threat of drug tests or conduct sanctions and seeks assistance, a conduct complaint will not be pursued. A written action plan may be used to track cooperation with the Safe Harbor / Amnesty program by the student. Failure to follow the action plan can nullify the Safe Harbor / Amnesty protection and campus conduct processes can be initiated. Per Texas Senate Bill 966, offenses involving the consumption or possession of alcohol by a student under the legal drinking age of 21 do not apply if the student reports a sexual assault of the minor or another person to university officials.

Per Texas Senate Bill 969, amnesty for a violation of the MSU Code of Student Conduct will be provided to students who in good faith report an incident of sexual misconduct. MSU will take no disciplinary action against an enrolled student who in good faith reports to the institution being the victim of, or a witness to, an incident of sexual harassment, sexual assault, dating violence, domestic violence, or stalking for a violation by the student of the MSU Code of Student Conduct occurring at or near the time of the incident, regardless of the location at which the incident occurred, or the outcome of MSU's disciplinary process regarding the incident, if any. Amnesty does not apply to an

enrolled student who reports the student's own commission or assistance in the commission of sexual harassment, sexual assault, dating violence, domestic violence or stalking.

G. Bystander Intervention

The welfare and safety of students in our community is of paramount importance. At times, students on and off-campus may need assistance. Midwestern State University encourages students to offer help and assistance to others in need. Sometimes, students are hesitant to offer assistance to others or intervene for fear that they may get themselves in trouble. For example, a student who has been drinking underage might hesitate to help take a sexual misconduct victim to Campus Police. Midwestern State University pursues a policy of amnesty for minor violations when students offer help to others in need.

H. Parental Notification

Midwestern State University reserves the right to notify the parents/guardians of dependent students regarding alcohol and other drug violations. The university may also notify parents/guardians of non-dependent students who are under the age of 21 of alcohol and/or other drug violations. Midwestern State University will attempt to contact the parents/guardians of a student to inform them of situations in which there is a health and/or safety risk. Midwestern State University also reserves the right to designate which university employees have a legitimate need to know about individual conduct complaints pursuant to the Family Educational Rights and Privacy Act (FERPA) and will share information accordingly.

I. Notification of Outcomes

The outcome of a campus hearing is part of the education record of the accused student/responding party and is protected from release under the Federal Education Rights and Privacy Act (FERPA), except under certain conditions. In accordance with FERPA, when a student is accused of a policy violation that would constitute a "crime of violence" or forcible or nonforcible sex offense, the university will inform the alleged victim/reporting party in writing of the final results of a hearing regardless of whether the university concludes that a violation was committed. Such release of information may only include the alleged student's/responding party's name, the violation committed and the sanctions assigned (if applicable). In cases of sex offenses, the rationale for the outcome will also be shared with the reporting party.

In cases where the university concludes that a student violated a policy that would constitute a "crime of violence" or nonforcible sex offense, the university may also release the above information publicly and/or to any third party. FERPA defines "crimes of violence" to include:

- a) Arson
- b) Assault offenses
- c) Burglary
- d) Criminal Homicide—manslaughter by negligence
- e) Criminal Homicide—murder and non-negligent manslaughter
- f) Destruction/damage/vandalism of property
- g) Kidnapping/abduction
- h) Robbery
- i) Forcible sex acts

Students who bring any Title IX-related complaints against any member of the campus community will be informed in writing of the outcome of the complaint and any sanctions or responsive actions implemented.

J. Defenses

It is increasingly common for individuals accused of policy violations to defend their actions with explanations such as, but not limited to, prescription drug interactions, self-defense, mental illness and/or disability. The university's policy on defenses is that providing an explanation for a policy defense is equivalent to the admission of engaging in a policy violation. While explanations will not excuse an individual's commission of a policy violation, Midwestern State University will take the legitimacy of an individual's explanation into consideration in the determination of appropriate sanctioning.



## Section 5: Student Code of Conduct: The Rules

### A. Definitions

- a) The term “the university” refers to Midwestern State University.
- b) The term “student” includes all persons who have accepted admission to, enrolled at, are taking courses at, and/or have a continuing relationship with the university, including those who attend full- or part-time at the undergraduate, graduate, or non-matriculated level.
- c) The term “faculty member” refers to any person employed by the university to conduct instructional activities.
- d) The term “university official” includes any person employed by the university who is designated as an official or who holds administrative or professional supervisory responsibilities.
- e) The term “member of the university community” refers to any person employed by, volunteering for or attending the university as a student, faculty member, administrator, staff member, intern, or volunteer.
- f) The term “university property” includes all land, buildings, facilities, and other property in the possession of, owned or controlled, whether leased or rented, by the university.
- g) The term “organization” refers to any number of persons who have complied with the formal requirements for university registration, or who are members of university sponsored groups or registered student organizations.
- h) The terms “Student Conduct Committee” or “SCC” refers to a body responsible for assisting in the interpretation and implementation of the *Student Code of Conduct*. Members are responsible for hearing complaints and ensuring that students receive the procedural fairness rights granted them.
- i) The term “Administrative Hearing Officer” refers to any persons authorized by the Director of Student Rights and Responsibilities or a delegated representative to determine whether a student has violated the *Student Code of Conduct* and to impose sanctions. The Student Conduct Committee constitutes an Administrative Hearing Officer.
- j) The term “Appeals Panel” refers to any person or persons authorized by the Dean of Students to consider a review or appeal of the decisions of an Administrative Hearing Officer, the SCC, and the Director of Student Rights and Responsibilities.
- k) The term “policy” is defined as the written rules of the university found in, but not limited to: the *Student Code of Conduct*, the Student Handbook, University Catalog, and Residence Life Handbook.
- l) The term “working day” refers to a regular university business day. This does not include Saturday, Sunday or holidays as set forth by the MSU Board of Regents. In the fall and spring semesters, this would be Monday through Friday and during the summer I and II terms, Monday through Thursday.

### B. Core Values and Behavioral Expectations

The university considers the behavior described in the following sections as inappropriate for the Midwestern State University community and in opposition to the core values set forth in this document. These expectations and rules apply to all students, whether undergraduate, graduate, or non-matriculated. The university encourages community members to report to university officials all incidents that involve the following actions. Any student found to have committed or to have attempted to commit the following misconduct is subject to the sanctions outlined in Section 8: Conduct Procedures.

- a) *Integrity*: Midwestern State students exemplify honesty, honor and a respect for the truth in all of their dealings. Behavior that violates this value includes, but is not limited to:
  1. Knowingly furnishing false, falsified or forged information such as falsification or misuse of documents, accounts, records, identification or financial instruments;
  2. Acts of academic dishonesty as outlined in the *Academic Dishonesty Policy in Appendix E*.
  3. Unauthorized possession, duplication or use of means of access to any university building (i.e. keys, cards, etc.);

4. Action or inaction by someone in collusion with another or others to violate these rules;
  5. Violations of positions of trust within the community; or
  6. Tampering with the election of any registered student organization.
- b) *Community*: Midwestern State students honor and value their community. Behavior that violates this value includes, but is not limited to:
1. Misuse of access privileges to university premises or unauthorized entry to or use of buildings, including trespassing;
  2. Misuse or unauthorized use of university or organizational names, logos or images;
  3. Knowingly taking possession of stolen property;
  4. Intentional and unauthorized taking of university property or the personal property of a member of the university community;
  5. Intentional and unauthorized destruction of, or damage to, university property or to the personal property of a member of the university community;
  6. Violating the Midwestern State University Computer and Network Services Policy, found in the Student Handbook. Examples of actions which violate these policies include, but are not limited to:
    - Use of computing facilities to send harassing or abusive messages;
    - Use of computing facilities to send anonymous or forged network news articles or email messages;
    - Use of computing facilities to interfere with the work of other community members;
    - Unauthorized access to a file or personal or group account;
    - Use of computing facilities to interfere with normal operation of the university computer system; or
    - Copying or transmitting copyrighted material when you are not legally authorized to do so.
  7. Unauthorized transfer of a file;
  8. Unauthorized use of another individual's identification and password;
  9. Gambling in any form by the use of cards, dominoes, billiards, dice, pool, table tennis, snooker, or any other means specifically defined by state law, shall be prohibited on university grounds or property and in approved student housing;
  10. Possession, use, or distribution of explosives (including fireworks and ammunition), guns (including air, BB, paintball, and pellet guns), or other weapons or objects that could be construed as weapons such as arrows, axes, machetes, nun chucks, throwing stars, or knives with a blade of longer than five and one-half (5 ½) inches;
    - A person appropriately licensed to carry a handgun may possess a concealed handgun and/or ammunition in accordance with state law and Midwestern State University policy.
  11. Use of alarmed doors for entry into or exit from a Midwestern State University building not during an emergency.
  12. Failing to report a lost Midwestern State University identification card.
  13. Violation of local, state, federal or campus fire policies including, but not limited to:
    - Failure to evacuate a university-controlled building during a fire alarm;
    - Improper use of university fire safety equipment; or
    - Tampering with or improperly engaging a fire alarm or fire detection/control equipment while on university property. Such action may result in a \$4,000 fine in addition to university sanctions;
    - Intentionally or recklessly causing a fire which damages university or personal property or which caused injury to any member of the community.

- c) *Social Justice*: Midwestern State students exemplify just and equitable treatment of all members of the community in their dealings and interactions. Behavior that violates this value includes, but is not limited to:
1. Substantial disruption of university operations including obstruction of teaching, research, administration, other university activities, or other authorized non-university activities which occur on campus;
  2. Obstruction of freedom of movement by community members or visitors;
  3. Abuse or interference of, or failure to comply in, university processes including *Student Code of Conduct* investigations and hearings; or
  4. Abuse of the campus conduct system including but not limited to:
    - Failure to appropriately respond to a letter of notice, or summons letter;
    - Failure to attend meetings scheduled for *Student Code of Conduct* administration purposes;
    - Falsification, distortion or misrepresentation of information;
    - Failure to provide, destroying or hiding information during an investigation of an alleged policy violation;
    - Attempting to discourage an individual's proper participation in, or use of, the campus conduct system;
    - Harassment (verbal or physical) and/or intimidation of a member of a campus conduct body prior to, during, and/or following a campus conduct proceeding;
    - Failure to comply with the sanction(s) imposed by the campus conduct system; or
    - Influencing, or attempting to influence, another person to commit an abuse of the campus conduct system.
- d) *Respect*: Midwestern State students show positive regard for each other, for property and for the community. Behavior that violates this value includes, but is not limited to:
1. Threatening, or causing, physical harm, written or verbal abuse or other conduct that threatens or endangers the health or safety of any person.
  2. Discrimination, defined as any distinction, preference, advantage for or detriment to an individual compared to others that is based upon an individual's actual or perceived sex, gender, gender identity, race, color, age, creed, national or ethnic origin, physical or mental disability, veteran status, pregnancy status, religion or sexual orientation that is sufficiently serious that it interferes with or limits a student's ability to participate in or benefit from the university's educational program or activities.
  3. Intimidation, defined as implied threats or acts that cause an unreasonable fear of harm in another.
  4. Discriminatory Harassment, defined as detrimental action based on an individual's actual or perceived sex, gender, gender identity, race, color, age, creed, national or ethnic origin, physical or mental disability, veteran status, pregnancy status, religion, sexual orientation or other protected status that is unwelcome and unreasonably interferes with or limits a student's ability to participate in or benefit from the university's educational program or activities.
  5. Retaliatory Harassment, defined as any intentional, adverse action taken by an accused individual or allied third party, absent legitimate non-discriminatory purposes, that harms an individual as reprisal for filing or participating in a civil rights grievance proceeding.
  6. Bullying, or cyber bullying, defined as repeated and/or severe, pervasive, and objectionably offensive behavior likely to intimidate or intentionally hurt, control or diminish another person, physically or mentally that includes, but is not limited to: creating web pages with a negative focus; posting insults or lewd photos on social networking sites; or spreading rumors with malicious intent;

7. Hazing is a criminal violation under Texas law. A person may be found guilty of criminal conduct for hazing, encouraging hazing, permitting hazing, or having knowledge of the planning of hazing incidents and failing to report in writing his/her knowledge to the Director of Student Rights and Responsibilities or campus police. Both failing to report hazing and hazing that does not result in serious bodily injury are Class B misdemeanors. Hazing that results in serious bodily injury is a Class A misdemeanor. Hazing resulting in a death is a state jail felony. An organization found guilty of hazing may be fined \$5,000 to \$10,000 or, for incidents causing personal injury or property damage, an amount double the loss or expenses incurred because of the hazing incident. It is not a defense to prosecution that the person hazed consented to the hazing activity. Any person reporting a specific hazing incident to the appropriate institutional official is immune from civil and criminal liability unless the report is in bad faith or malicious. This state law does not limit or affect an educational institution's right to enforce its own penalties against hazing. The Education Code defines hazing as "any intentional, knowing, or reckless act occurring on or off the campus of an educational institution, by one person or acting with others, directed against a student, that endangers the mental or physical health or safety of a student for the purpose of pledging, being initiated into, affiliating with, holding office in, or maintaining membership in an organization." The statute contains a list of conduct that constitutes hazing;
  8. Violence between those in a continuing relationship of an intimate or romantic nature with one another;
  9. Violence committed by a current or former spouse or intimate partner of the victim, a person with whom the victim shares a child in common, a person who is cohabitating or had cohabitated with the victim as a spouse or intimate partner, or a person similarly situated to a spouse, adult or youth victim protected by domestic or family violence laws;
  10. Stalking as defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or suffer substantial emotional distress;
  11. Sexual misconduct including sexual harassment, non-consensual sexual contact, non-consensual sexual intercourse, or sexual exploitation (See Section 12: Sexual Misconduct Policy for further information);
  12. Inappropriate conduct which is disorderly, disruptive, obscene or indecent while on campus or at functions sponsored, or participated in, by the university;
  13. Failure to comply with the directives of university officials or law enforcement officers during the performance of their duties and/or failure to identify oneself to these persons when requested to do so;
  14. Smoking or use of tobacco or tobacco-derived products in any area of campus;
- e) *Responsibility*: Midwestern State students are given, and accept, a high level of responsibility as role models. Behavior that violates this value includes, but is not limited to:
1. Use, possession or distribution of alcoholic beverages except as expressly permitted by law and the university's Alcohol Policy (See Section 10 of this document for further information);
  2. Use, possession or distribution of narcotics or other controlled substances or drug paraphernalia, except as expressly permitted by law;
  3. Abuse, misuse, sale, or distribution of prescription or over-the-counter medications;
  4. Assisting in, inciting or condoning the violation of university policies or local, state or federal laws;
  5. Allegations of violation of local, state or federal laws which affect the substantial interests of the university community whether the violation occurs on or off-campus;
  6. Intentional failure of any organized group to exercise preventative measures relative to violations of the *Student Code of Conduct* by its members;

7. Knowingly condoning or remaining in the presence of a clear violation of these rules without:
  - Leaving the area where the violation was occurring; or
  - Intervening or confronting the violation in an effort to stop it; or
  - Contacting the appropriate staff members to address the violation.
8. Violation of other published university policies or rules, including all Housing policies;

## **Section 6: Student Conduct Authority**

The Vice President for Student Affairs is vested with the authority of chief conduct officer by the Board of Regents. The chief conduct officer appoints a Director of Student Rights and Responsibilities to oversee and manage the student conduct process. The chief conduct officer, Dean of Students, and Director of Student Rights and Responsibilities may appoint administrative hearing and appeals officers as deemed necessary to efficiently and effectively supervise the student conduct process.

The Director of Student Rights and Responsibilities or designee will assume responsibility for the investigation of an allegation of misconduct to determine if the complaint has merit. No complaint will be forwarded for a hearing unless there is reasonable cause to believe a policy has been violated. Reasonable cause is defined as some credible information to support each element of the offense, even if that information is merely a credible witness or a victim's statement. A complaint wholly unsupported by any information will not be forwarded for a hearing.

If a minor allegation can be addressed by mutual consent of the parties involved, on a basis acceptable to the parties involved and the Director of Student Rights and Responsibilities or designated administrative hearing officer, such disposition will be final and there will be no subsequent proceedings.

The Director of Student Rights and Responsibilities has discretion to refer a complaint for mediation. Any unsuccessful mediation can be forwarded for formal processing and hearing; however, at no time will complaints of physical sexual misconduct or violence be mediated as the sole institutional response. The Director of Student Rights and Responsibilities may also suggest that complaints that do not involve a violation of the *Student Code of Conduct* be referred for mediation.

If the complaint cannot be addressed in a manner mutually acceptable, or for incidents that are not minor, the Director of Student Conduct will refer the complaint to the Administrative Hearing Officer or the Student Conduct Committee (SCC). The decision of where to refer the complaint is at the sole discretion of the Director of Student Rights and Responsibilities, who may take into consideration the preferences of the parties to the complaint.

### **Assembly of the Student Conduct Committee (SCC)**

The Director of Student Rights and Responsibilities will be responsible for assembling the SCC according to the following guidelines:

The membership of the Student Conduct Committee is comprised of a pool of students, faculty, and staff/administrative members appointed and trained annually by the Director of Student Rights and Responsibilities.

To serve in the SCC pool, students must:

1. Be in academic good standing at the university and have completed 15 hours of academic credit with a cumulative GPA of at least 2.0.
  2. Be in conduct good standing throughout the term in which they serve. Conduct good standing is defined as having no record of misconduct during the semester(s) in which a student wishes to serve on the SCC. A history of misconduct could disqualify a student for service.
- a) The Vice President for Student Affairs will have final authority to approve all those serving on the SCC.
  - b) The non-voting advisor to the SCC is the Director of Student Rights and Responsibilities with responsibility for training the SCC, conducting preliminary investigations, and ensuring a fair process for the reporting party and accused student/responding party.
  - c) In the event of a resignation from the SCC, the Director of Student Rights and Responsibilities will solicit a replacement from the group from which the representative came.

- d) Decisions made, and sanctions imposed, by the SCC or an Administrative Hearing Officer will be final and implemented, pending the normal review appeal process. At the discretion of the Director of Student Rights and Responsibilities, implementation of sanctions may be stayed pending review.

For each complaint directed to the SCC, the hearing panel will be chosen from the available pool, and is usually comprised of one student, one faculty member, and one staff member or administrator. Availability may determine a different composition for the hearing panel, and in complaints involving discrimination, sexual misconduct, crimes of violence or other sensitive issues, the Director of Student Conduct will usually use three administrative/staff members or faculty for the hearing panel. One of the staff members or administrators trained as a civil rights investigator serves as the chair of the panel and assures university procedures are followed throughout the hearing.

#### Administrative Hearing Officers

Administrative Hearing Officers are a pool of annually trained administrators or staff members selected by the Director of Student Conduct and approved by the Dean of Students.

#### Appeals Panels

Three-member appeals panels are drawn from the SCC member pool, with the only requirement being that they did not serve on the hearing panel for the initial hearing. Appeals Panels only review appeals submitted by the Director of Student Rights and Responsibilities or Dean of Students.

#### Interpretation and Revision

The Director of Student Rights and Responsibilities will develop procedural rules for the administration of hearings that are consistent with provisions of the *Student Code of Conduct*. Material deviation from these rules will, generally, only be made as necessary and will include notice to the parties involved. The Director of Student Rights and Responsibilities may vary procedures with notice upon determining that changes to law or regulation require policy or procedural alterations not reflected in this *Code*.

The Director of Student Rights and Responsibilities may make minor modifications to procedure that do not materially jeopardize the fairness owed to any party.

Any question of interpretation of the *Student Code of Conduct* will be referred to the Director of Student Rights and Responsibilities whose interpretation is final.

The *Student Code of Conduct* will be reviewed and updated annually under the direction of the Dean of Students.

### **Section 7: Conduct Procedures for Sexual Misconduct**

All persons involved in the intake through the resolution of complaints are trained annually on the issues related to domestic violence, dating violence, sexual assault, and stalking and instructed on how to conduct effective investigations and administer a conduct process that protects the safety of victims, promotes accountability and respects the rights of all parties to a complaint. In proceedings under this policy, the standard of proof used to determine whether a violation of this policy has occurred is a preponderance of evidence, which means it is more likely than not the sexual misconduct or other form(s) of prohibited conduct occurred.

The University reserves the right to act as the complainant and bring reports forward against a student consistent with the jurisdiction detailed in the Code of Student Conduct.

### Initial Assessment

- Upon receiving a report (either verbally or in writing), the Title IX Coordinator will conduct an initial assessment of the available information, the complainant's immediate and ongoing safety and well-being; the incident of conduct at issue; any risk of harm to the parties, any other individuals, or the broader campus community; the existence of severe and persistent or pervasive conduct, including evidence of a pattern, use of a weapon or other predatory conduct; and the necessity for any interim measures or accommodations.
- The Title IX Coordinator (or designee) will provide the complainant with a Notice of Complainant's Rights and Options and initiate remedial actions, interim measures or accommodations on behalf of the complainant, as necessary.
- The Title IX Coordinator will consider the interest of the complainant and the complainant's expressed preference for matter of resolution or the initiation of an investigation to determine if disciplinary action is warranted.
- If the complainant is reluctant to pursue the complaint, the Title IX coordinator will document the complainant's reluctance and determine whether the complaint should still be pursued and whether sufficient independent evidence could support the complaint without the participation of the complainant. A reluctant complainant will be notified if a complaint is investigated without the complainant's participation. If a reluctant complainant initially does not wish to pursue or participate in an investigation, the complainant may later change his/her mind and contact the Title IX Coordinator to request an investigation be initiated under the policy at the time of initial complaint.
- Upon initial assessment by the Title IX Coordinator, if the report and/or intake do not support a possible violation of policy, the report will be closed with no further action. The Title IX Coordinator (or designee) will notify the complainant when this occurs.

### Mediation as an Option

- In consideration of the interest of the complainant and the complainant's expressed preference for manner of resolution, a case may be addressed through mediation.
- Mediation may only be utilized for lower level cases that are neither criminally or civilly actionable and do not involve non-consensual sexual intercourse or non-consensual sexual contact.
- Mediation is a process where an impartial third party facilitates communication and negotiation between the parties to the complaint and promotes voluntary decision making. The goals include providing the opportunity for the complainant and respondent to define and clarify issues, understand different perspectives, identify interests, explore and assess possible solutions and reach mutually satisfactory agreements, when desired.
- If both parties explicitly agree to the outcome(s) of mediation, the process, ends. A written copy (e.g. email or mail) of the mediation outcome(s) will be provided by the mediator to the complainant, respondent and Title IX Coordinator.
- If the complainant and or respondent do not fully agree to the outcome(s) of a mediation and there appears to be possible violation of policy, the Title IX coordinator will initiate an investigation to determine if disciplinary action is warranted.

### Informal Resolution by Respondent's Acceptance of Responsibility

- At the onset or during the process of an investigation, it is possible a respondent may accept responsibility for a violation of University policy. Should this occur, the Title IX Coordinator will present the Deputy Title IX Coordinator for Students with the respondent's acceptance of responsibility. Together, they will determine any appropriate sanction(s).
- The respondent's acceptance of responsibility and any sanction(s) determined shall be simultaneously conveyed to the complainant and respondent in writing (e.g. email or mail). (Private information may also be disclosed to appropriate University personnel if deemed necessary by the Title IX Coordinator including, but not limited to, a Department Chair, Athletics, Housing, Registrar, Student Affairs, etc.)

### Investigation

- If the report and/or intake appear upon initial assessment to be possible violation of policy and is not otherwise resolved through mediation or informal resolution (above), the Title IX Coordinator (or designee) will assign the case for investigation to determine if there is reasonable cause to charge the accused individual with a violation of University policy, and to determine what specific policy violation(s) should be alleged as part of the complaint. (Private information may also be disclosed to appropriate University personnel if deemed necessary by the Title IX Coordinator or designee including, but no limited to, a Deputy Title IX Coordinator, a Department Chair, Athletics, Student Affairs, etc.)
- The University will notify the complainant and respondent in writing (e.g. email or mail) when an investigation is opened.
- The University, through a trained investigator(s), will conduct an adequate, reliable and impartial investigation into the facts of the case and will interview the complainant, respondent, witnesses and/or others who may have relevant information, and collect any other evidence deemed relevant to the case including electronic or other records or communications between the parties or witnesses (via voice-mail, text message, email and social media sites), photographs or video (including those stored on computers and smartphones), medical records (subject to the consent of the applicable party) and any other relevant evidence or witnesses.
- Absent consent of the applicable party, medical and/or counseling records are privileged and confidential documents that will never be required to be disclosed during the investigation of a report under this policy. However, a party may choose to share medical and/or counseling records as part of an investigation.
- The sexual history of a complainant or respondent will never be used to prove character or reputation. Evidence related to the prior sexual history of either of the parties is generally not relevant to the determination of a policy violation and will be considered only in limited circumstances. For example, if the existence of consent is at issue, the sexual history between the parties may be relevant to help understand the manner and nature of communications between the parties and the context of the relationship, which may have bearing on whether consent was sought and given during the incident in question. However, even in the context of a relationship, consent to one sexual act does not, by itself, constitute consent on a subsequent occasion. In addition, prior sexual history may be relevant to explain the presence of a physical injury or to help resolve another question raised by the report. The investigator(s) will determine the relevance of such information.
- Prior or subsequent conduct of a respondent may be considered in determining pattern, knowledge, intent, motive, or absence of mistake. For example, evidence of a pattern of sexual misconduct or other forms of prohibited conduct by a respondent may be deemed relevant to the determination of responsibility for the sexual misconduct or other forms of prohibited conduct under investigation. The determination of relevance of pattern evidence will be based on an assessment of whether the previous or subsequent conduct was substantially like the conduct under investigation or indicates a pattern of similar misconduct. The investigator(s) will determine the relevance of such information.



- The University will provide the complainant and respondent timely and equal access to information that will be used during any informal and formal investigation process.
- The University will provide the complainant and respondent equal opportunity to participate in an investigation process and present evidence and /or witnesses.
- No party (i.e. the complainant and respondent) will be given the opportunity to cross-examine or directly question the other party. A complainant or respondent may submit written questions to the Title IX Coordinator for consideration in an investigation. Upon review, those questions deemed appropriate will be forwarded to the assigned Title IX Investigator(s) for inclusion in the investigation.
- At the initial conclusion of the investigation, the investigator(s) will deliver a report to the Title IX Coordinator, including a recommendation as to whether, using the preponderance of the evidence standard, sexual misconduct or other forms of prohibited conduct occurred.
- The Title IX Coordinator will review the investigator's report and, if necessary, direct the investigator(s) to conduct further investigation.
- At the conclusion of the investigation, the Title IX Coordinator will provide written notification to both parties that the investigation is complete and a summary of the fact-finding information related to the case.
- The complainant and respondent may offer any additional comment or evidence to the Title IX Coordinator at this time. The complainant and respondent will have at least three business days from when the notification the Investigation is complete was sent in order to provide additional comment or evidence to the Title IX Coordinator.

## Findings

- Upon receipt of the investigation report and any additional Information from the complainant and/or respondent, or no comments, the Title IX Coordinator will review the investigation report and all related documents and additional comments from the parties and make a determination using the preponderance of the evidence of whether or not the respondent is responsible for a violation of University policy. This review and determination of responsibility by the Title IX Coordinator is not open to the public and neither the complainant, respondent nor witnesses are permitted to be present.
- If a respondent is found responsible for a violation of University policy, the Title IX Coordinator will present the Deputy Title IX Coordinator for Students with the determination. Together, they will determine any appropriate sanction(s).
- The Title IX Coordinator, together with the Deputy Title IX Coordinator for Students, will communicate decisions regarding responsibility and any sanction(s) to students.
- The outcome of the investigation, the rationale for the findings, and any sanction(s) determined shall be simultaneously conveyed to the complainant and respondent in writing (e.g. email or mail). (Private information may also be disclosed to appropriate University personnel if deemed necessary by the Title IX Coordinator including, but not limited to, a Department Chair, Athletics, Housing, Registrar, Student Affairs, etc.)

## Appeals

- The complainant and the respondent have the right to appeal determinations regarding responsibility and/or sanctions to the Vice President for Student Affairs. Appeals must be submitted in writing to the Vice President for Student Affairs within five (5) business days from when the notice of outcome was sent. Appellate opportunity is equitable, that is both parties have the right to appeal. Appeals are considered only on the basis of extraordinary need or circumstance due to one or more of the following considerations:
  1. The discovery of new information/evidence that was unavailable at the time of the investigation and could substantially change the outcome of the investigation (evidence that was not discovered during the investigation, rather than evidence that was not shared and the party now wants shared).
  2. Procedural error that resulted in an unfair outcome of the investigation.
  3. Bias on the part of the investigator(s) or Title IX Coordinator, which deprived the process of impartiality.
  4. Sanction(s) inconsistent with the finding(s).
- The written appeal must contain the specific consideration(s) which form the basis of the appeal and include any supporting information and/or evidence deemed relevant by the appealing party.
- When an appeal is received, the Vice President for Student Affairs will inform the Title IX Coordinator. The Title IX Coordinator will notify the complainant and respondent in writing (e.g. email or mail) that an appeal was received.
- The decision to modify determinations regarding responsibility and/or sanctions rests solely with the Vice President for Student Affairs. As part of the decision-making process for an appeal, the Vice President may utilize the services of external investigators and/or consultants, or other methods deemed appropriate to ensure a fair, reliable, and impartial decision. (Private Information may be disclosed to appropriate personnel as deemed necessary by the Vice President for Student Affairs.)
- The outcome of the appeal shall be simultaneously conveyed to the complainant and respondent in writing (e.g. email or mail) by the Vice President for Student Affairs, or their designee.

## ADVISORS

A complainant and respondent each have the right to be advised by one advisor of their choice, at their own expense, at any stage of the process and to be accompanied by that advisor at any meeting or hearing in which the complainant or the respondent is required to be present.

An advisor may only consult and advise his or her advisee. An advisor may not speak for the advisee at any meeting nor may the advisor direct questions to any investigator, party, or witness in the process. Should the advisor become disruptive during any meeting, the Coordinator or investigator may ask the advisor to leave.

No advisor will be given the opportunity to cross-examine or to directly question the other party to a complaint. The advisor, on behalf of the complainant or respondent, may submit written questions to the Title IX Coordinator for consideration in the investigation. Upon review, those questions deemed appropriate will be forwarded to the Title IX investigator for inclusion in the investigation.

An advisor can be anyone of the party's choosing and the University will not limit or restrict who that person can be. An attorney can fill this role of advisor; however, the sexual misconduct investigation process is not comparable to a criminal or civil court proceeding, and therefore, the role of an attorney as an advisor is different in the University's process than it is in a court of law. The University's process is strictly administrative in nature and is not a legal proceeding. An attorney advisor may lend support to the party in preparing their case and attend meetings. An attorney advisor may lend support to the party in preparing their case and attend meetings. An attorney advisor may attend all meetings in which their party is present. An attorney advisor may advise and assist their party throughout the process of providing evidence to the investigators.

The complainant and respondent are the University's primary points of contact for communication during the Investigation and resolution of sexual misconduct complaints; in a legal proceeding, communications often occur only between attorneys and without a client's participation. The University's communication during a sexual misconduct investigation process is focused on, and directed to, the complainant and respondent, regardless of legal representation.

MSU will not unnecessarily delay a meeting due to the availability of an advisor.

## TIMELINE

The investigation, resolution, and any appeal under this policy will be conducted in a thorough and timely manner designed to provide all parties with resolution. A typical investigation will not exceed 60 days, although this timeframe may be extended if additional time is necessary to ensure the integrity and completeness of the investigation, to comply with a request by external law enforcement for delay to gather evidence for a criminal investigation, to accommodate the availability of witnesses and/or investigators, to account for complexities of a case, including the number of witnesses, volume of Information provided by the parties, timeliness of communication between the parties/witnesses and investigators, or for other legitimate reasons. The Title IX Coordinator will notify the parties in writing of timeframe extensions and their reason(s). The complainant and respondent will be notified throughout the process by the Title IX Coordinator (or designee) in regards to major timeframes of the process, which include the start of an investigation and alleged policy violation, any delay in the investigation, the conclusion of an investigation and summary of fact-finding Information, the outcome of an investigation with any determination of responsibility and assigned sanctions, and the outcome of any related appeals.

## COORDINATION WITH LAW ENFORCEMENT

The Title IX Coordinator (or designee) will contact any law enforcement agency that is conducting its own investigation into the same report/complaint to inform that agency that a University investigation is also in progress; to ascertain the status of the criminal investigation; and to determine the extent to which any evidence collected by law enforcement may be available to the University in its investigation. At the request of law enforcement, the Coordinator may delay the University investigation temporarily while an external law enforcement agency is gathering evidence. The Coordinator will advise the resuming of the University investigation when notified that law enforcement has completed the evidence-gathering stage of its criminal investigation.

## OBLIGATION TO PROVIDE TRUTHFUL INFORMATION

Submitting or providing false or misleading information in bad faith or with a view to personal gain or intentional harm to another in connection with an Incident of sexual misconduct or other forms of prohibited conduct is prohibited and subject to disciplinary action under University policies. This provision does not apply to reports made or information provided in good faith, even if the facts alleged in the report are not later substantiated.

## SANCTIONS

Sexual misconduct is a serious offense and such violations are subject to any combination of conduct sanctions. Students found responsible for non-consensual sexual intercourse face a recommended sanction of university suspension or university expulsion. Refer to the Code of Student Conduct, Section 8: Conduct Procedures, for a full list of conduct sanctions available at the University.

## RECORDKEEPING

The University will retain all student records related to reports of sexual misconduct or other forms of prohibited conduct in the Office of Student Rights and Responsibilities for a period of seven years, regardless of case outcome. The University will destroy all case records after the applicable record retention period.

## Section 8: Conduct Procedures

Part of the education process is learning how to live in harmony with community members and within a system of standards established for and by the community. Students are accountable to students and others in the community for these standards through the procedures outlined below. This system is not a legal process but, rather, an administrative hearing system. Principles of fairness govern all such bodies. All students who violate these standards will be held accountable for their behavior through a process that assures the rights of both the reporting party and the accused student/responding party.

### A. Complaints

Any member of the university community, visitor or guest may file a complaint against any student for misconduct through the Office of Student Rights and Responsibilities.

Complaints will be presented to the Director of Student Rights and Responsibilities (or designee) and/or to the Title IX Coordinator, when appropriate. Additionally, these administrators may act on notice of a potential violation whether a formal complaint is made or not. All complaints can be submitted by a victim or a third party, and should be submitted as soon as possible after the offending event occurs. The university has the right to pursue a complaint or notice of misconduct on its own behalf and to serve as reporting party in the subsequent campus conduct process.

The Director of Student Rights and Responsibilities (or designee) will assume responsibility for the investigation of the alleged violation as described below in the section on investigations.

### B. Notice of Hearing

Once a determination is made that reasonable cause exists for the Director of Student Rights and Responsibilities (or designee) to refer a complaint for a hearing, notice will be given to the accused student/responding party. Notice will be in writing and may be delivered by one or more of the following methods: in person by the Director of Student Rights and Responsibilities (or designee); mailed to the local or permanent address of the student as indicated in official university records; or emailed to the student's university-issued email account. Once mailed, emailed and/or received in-person, such notice will be presumptively delivered. The letter of notice, or summons letter will:

- Include the alleged violation and notification of where to locate the *Student Code of Conduct* and university procedures for resolution of the complaint; and
- Direct the accused student/responding party to contact the Director of Student Rights and Responsibilities (or designated administrative hearing officer) within a specified period of time to respond to the complaint. This time period will, generally, be no less than two (2) business days from the date of delivery of the summons letter.

A meeting with the Director of Student Rights and Responsibilities (or designated administrative hearing officer) may be arranged to explain the nature of the complaint and the conduct process. At this meeting, the accused student/responding party may indicate, either verbally or in writing, to the Director of Student Rights and Responsibilities (or designated administrative hearing officer), whether s/he admits or denies the allegations of the complaint.

### C. Interim Suspension

Interim suspension, under the *Student Code of Conduct*, may be imposed by the Vice President for Student Affairs or designee when necessary to protect the health and safety of a student or of the community; preserve university property; pursue an investigation and/or hearing; prevent disruption of, or interference with, the normal operations of the university. Interim suspension will be used for short periods of time, pending a hearing for a *Student Code of Conduct* violation by either the Director of Student Rights and Responsibilities or Student Conduct Committee or completion of criminal investigation.

During an interim suspension, a student will be denied access to university housing and/or the university campus/facilities/events. As determined appropriate by the Vice President for Student Affairs, this restriction includes classes and/or all other university activities or privileges for which the student might otherwise be eligible. At the discretion of the Director of Student Rights and Responsibilities and with the approval of, and in collaboration with, the appropriate Dean(s),

alternative coursework options may be pursued to ensure as minimal an impact as possible on the accused student/responding party.

D. Hearing Options & Preparation

The following sections describe Midwestern State University's conduct hearing processes. Except in a complaint involving failure to comply with the summons of the Director of Student Rights and Responsibilities (or designee), no student may be found to have violated the *Student Code of Conduct* solely as a result of the student's failure to appear for a hearing. In all such instances, conduct hearings will proceed as scheduled and the information in support of the complaint will be presented to, and considered by, the Director of Student Rights and Responsibilities, Administrative Hearing Officer or SCC presiding over the hearing.

When the accused student/responding party admits to violating the *Student Code of Conduct*, or in instances where the accused student/responding party is facing a complaint for which the consequences do not include suspension or expulsion from the university, the Director of Student Rights and Responsibilities (or designated administrative hearing officer) may invoke informal resolution procedures to determine and administer appropriate sanctions without a formal hearing. This process is also *known as an administrative hearing*. In administrative hearings, complaints will be heard and final determinations will be made by the Director of Student Rights and Responsibilities or Administrative Hearing Officer.

When the accused student/responding party denies violating the *Student Code of Conduct* and chooses not to utilize informal resolution procedures or in instances when the accused student/responding party is facing a complaint for which the consequences may include suspension or expulsion from the university, a *formal hearing* will be conducted as befits the gravity of the alleged offense and the serious nature of the consequences. This process is known as a Student Conduct Committee (SCC) hearing. At the discretion of the Director of Student Rights and Responsibilities (or designee), a request by one or more of the parties to the complaint for an administrative hearing may be considered. Students who deny a violation for which an SCC hearing will be held will be given a minimum of seven (7) days to prepare for a formal hearing. Preparation for a formal hearing is summarized in the following guidelines:

- a) Notice of the time, date and location of the hearing will be in writing and may be delivered by one or more of the following methods: in person by the Director of Student Rights and Responsibilities (or designee); mailed to the local or permanent address of the student as indicated in official university records; or emailed to the student's university-issued email account. Once mailed, emailed and/or received in-person, such notice will be presumptively delivered.
- b) If there is an alleged victim of the conduct in question, the alleged victim may serve as the reporting party or may elect to have the university serve as the reporting party. Where there is no alleged victim, the university will serve as the reporting party.
- c) If an accused student/responding party fails to respond to notice from the Director of Student Rights and Responsibilities (or designated administrative hearing officer), the Director of Student Rights and Responsibilities (or designated administrative hearing officer) may initiate a complaint against the student for failure to comply with the directives of a university official and give notice of this offense. Unless the student responds to this notice within two (2) business days by answering the original notice, an administrative hearing may be scheduled and held on the student's behalf and the student may be administratively withdrawn from attending classes or a disciplinary hold placed on the student's university account, deeming them ineligible to register for courses until such time as the student responds to the initial complaint.
- d) At least three (3) business days before any scheduled formal hearing, the following will occur:
  1. The accused student/responding party will deliver to the Director of Student Rights and Responsibilities (or designee) a written response to the complaint;
  2. The accused student/responding party and reporting party will deliver to the Director of Student Rights and Responsibilities (or designee) a written list of all witnesses he/she wants the university to call at the hearing;

3. The accused student/responding party and reporting party will deliver to the Director of Student Rights and Responsibilities (or designee) all physical evidence he/she intends to use or needs to have present at the hearing and will indicate who has possession or custody of such evidence, if known;
  4. The reporting party and the accused student/responding party will notify the Director of Student Rights and Responsibilities (or designee) of the names of any advisors who may be accompanying the parties at the hearing.
- e) The Director of Student Rights and Responsibilities (or designee) will ensure that the hearing information and any other available written documentation is shared with the reporting party and the accused student/responding party at least two (2) business days before any scheduled hearing. In addition, the parties will be given a list of the names of all the members of SCC or hearing officers for the complaint in advance. Should either party object to any SCC or hearing officer, he/she must raise all objections, in writing, to the Director of Student Rights and Responsibilities immediately. Hearing officers will only be unseated if the Director of Student Rights and Responsibilities concludes their bias precludes an impartial hearing of the complaint. Additionally, any SCC or hearing officer who feels he/she cannot make an objective determination must recuse him/herself from the proceedings.

#### E. Student Conduct Committee Hearing Procedures

When a student faces potential suspension or expulsion from the university or at the discretion of the Director of Student Rights and Responsibilities, the process (i.e. the conducting of an SCC hearing) afforded is more rigorous and formal as befits the gravity of the alleged offense and the serious nature of the consequences.

The reporting party and the accused student/responding party have the right to be present at the hearing; however, they do not have the right to be present during deliberations. If a student cannot attend the hearing, it is that student's responsibility to notify the Director of Student Rights and Responsibilities no later than three (3) business days prior to the scheduled hearing to arrange for another date, time and location.

- a) Except in cases of grave or unforeseen circumstances, if the accused student/responding party fails to give the requisite minimum three (3) business days notice, or if the accused student/responding party fails to appear, the hearing will proceed as scheduled. If the reporting party fails to appear, the complaint may be dropped unless the university chooses to pursue the allegation on its own behalf, as determined by the Director of Student Rights and Responsibilities.

The Student Conduct Committee will conduct SCC hearings according to the following guidelines:

- a) Hearings will be closed to the public.
- b) Admission to the hearing of persons other than the parties involved will be at the discretion of the Student Conduct Committee (SCC) Chair and Director of Student Rights and Responsibilities.
- c) In hearings involving more than one accused student/responding party, the standard procedure will be to hear the complaints jointly; however, the Director of Student Rights and Responsibilities may permit the hearing pertinent to each responding party to be conducted separately. In joint hearings, separate determinations of responsibility will be made for each responding party.
- d) The reporting party and responding party have the right to an advisor of his/her own choosing. Except in cases of sexual misconduct, sexual harassment, and other forms of discrimination, advisors may be chosen *only* from within the current Midwestern State University community, unless leave is granted by the Director of Student Rights and Responsibilities for an advisor from outside the community. In the rare instance where civil or criminal court proceedings are currently involving a student party to the complaint or at the discretion of the Director of Student Rights and Responsibilities, legal counsel may be permitted to serve as an advisor. The advisor may not make a presentation or represent the reporting party or responding party during the hearing.

- e) The reporting party, the accused student/responding party, the SCC and the Director of Student Rights and Responsibilities (or designee) will have the privilege of presenting witnesses and questioning all parties (directly or through the SCC Chairperson, at the discretion of the SCC Chairperson). Unduly repetitive witnesses can be limited at the discretion of the SCC Chairperson.
- f) Pertinent records, exhibits and written statements may be accepted as information for consideration by the SCC. Formal rules of evidence are not observed. The SCC Chairperson and Director of Student Rights and Responsibilities may limit the number of character witnesses presented or may accept written affidavits of character instead.
- g) All procedural questions are subject to the final decision of the Director of Student Rights and Responsibilities.
- h) After an SCC hearing, the hearing panel will deliberate and determine, by majority vote, whether it is more likely than not that the accused student/responding party has violated the *Student Code of Conduct*. Once a finding is determined, if the finding is that of a policy violation, the SCC will determine an appropriate sanction(s). The Director of Student Rights and Responsibilities (or designee) is responsible for informing the SCC of applicable precedent and any previous conduct violations or other relevant pattern information about the accused student/responding party. Within 2-3 business days, the SCC Chairperson will prepare a written deliberation report and deliver it to the Director of Student Rights and Responsibilities, detailing the finding and rationale for the decision. This report should conclude with any assigned sanctions. Notification will be made to the student/responding party in writing and may be delivered by one or more of the following methods: in person by the Director of Student Rights and Responsibilities (or designee); mailed to the local or permanent address of the student as indicated in official university records; or emailed to the student's university-issued email account. Once mailed, emailed and/or received in-person, such notice will be presumptively delivered.
- i) There will be a single verbatim record, such as an audio recording, for all SCC hearings. Deliberations will not be recorded. The record will be the property of the university and maintained according to the university's record retention policy.

#### F. Conduct Sanctions

One or more of the following sanctions may be imposed upon any student for any single violation of the *Student Code of Conduct*:

- a) *Warning*: A written notice will be sent to the student(s) who violated university policies and/or rules. It specifies that inappropriate and unacceptable actions have occurred and that more severe conduct action will result should the student be involved in other violations while the student is enrolled at the university.
- b) *Restitution*: Compensation for damage caused to the university or any person's property or injuries to a person as a result of the conduct. This is not a fine but, rather, a repayment for property destroyed, damaged, consumed, or stolen, or personal medical expenses.
- c) *Fines*: Reasonable fines may be imposed.
- d) *Community/University Service Requirements*: For a student or organization to complete a specific supervised university service.
- e) *Loss of Privileges*: The student will be denied specified privileges for a designated period of time.
- f) *Confiscation of Prohibited Property*: Items whose presence is in violation of university policy will be confiscated and will become the property of the university. Prohibited items may be returned to the owner at the discretion of the Director of Student Rights and Responsibilities and/or Campus Police.
- g) *Behavioral Requirement*: This includes required activities such as, but not limited to, seeking personal counseling or substance abuse screening, writing a letter of apology, writing a research or reflection essay, etc.
- h) *Educational Program*: Requirement to attend, present and/or participate in a program related to the violation. It may also be a requirement to sponsor or assist with a program for others on campus to aid them in learning about a specific topic or issue related to the violation for which the student or organization was found responsible. Audience may be restricted.

- i) *Restriction of Visitation Privileges:* May be levied on residential or non-resident student. The parameters of the restriction will be specified.
- j) *University Housing Probation:* The student is put on official notice that, should further violations of housing or university policies occur during a specified probationary period, the student may immediately be removed from university housing.
- k) *University Housing Reassignment:* The student is reassigned to another university housing facility. Housing personnel will decide on the reassignment details.
- l) *University Housing Suspension:* The student is removed from university housing for a specified period of time after which the student is eligible to return. Conditions for re-admission to university housing may be specified. Under this sanction, a student is required to vacate university housing within 24 hours of notification of the action, though this deadline may be extended upon application to, and at the discretion of, the Director of Residence Life and Housing. This sanction may be enforced with a trespass action if deemed necessary. Prior to reapplication for university housing, the student must gain permission from the Director of Residence Life and Housing.
- m) *University Housing Expulsion:* The student's privilege to live in, or visit, any university housing facility is revoked indefinitely. This sanction may be enforced with a trespass action if deemed necessary.
- n) *Eligibility Restriction:* The student is deemed "not in disciplinary good standing" with the university for a specified period of time. Specific limitations or exceptions may be granted by the Director of Student Rights and Responsibilities and terms of this conduct sanction may include, but are not limited to, the following:
  - 1. Ineligibility to hold any office in any registered student organization or hold an elected or appointed office at the university; or
  - 2. Ineligibility to represent the university to anyone outside the university community in any way including: participating in the study abroad program, attending conferences, or representing the university at an official function, event or intercollegiate competition as a participant, player, manager or student coach, etc.
- o) *University Suspension:* The student is separated from the university for a specified period of time, and upon the satisfaction of specific conditions, after which the student is eligible to return. The student is required to vacate university housing and/or campus within 24 hours of notification of the action, though this deadline may be extended upon application to, and at the discretion of, the Director of Residence Life and Housing. This sanction may be enforced with a trespass action as necessary. This sanction may be noted as Conduct Suspension on the student's official academic transcript. Prior to reapplication for university housing, the student must gain permission from the Director of Residence Life and Housing. Prior to reapplication for university admission, the student must contact the Director of Student Rights and Responsibilities.
- p) *University Expulsion:* The student is permanently separated from the university. The student is barred from being on campus and the student's presence at any university-sponsored activity or event is prohibited. This action may be enforced with a trespass action as necessary. This sanction may be noted as Conduct Expulsion on the student's official academic transcript.
- q) *Probation:* The student is placed on an extended warning period, levied for a specified time of which the duration will be determined by the seriousness of the violation. Probation carries a warning such that any further violation of the Code of Student Conduct may result in more serious sanctioning should the student be found responsible for a violation occurring during the probationary period.
- r) *Other Sanctions:* Additional or alternate sanctions may be created and designed as deemed appropriate to the offense with the approval of the Director of Student Rights and Responsibilities or designee.



The following sanctions may be imposed upon groups or organizations found to have violated the *Student Code of Conduct*:

- a) One or more of the sanctions listed above, specifically a) through i) and o) through q); and/or
- b) Deactivation, de-recognition, loss of all privileges (including university registration), for a specified period of time.

G. Final Review (Appeal Procedures)

Accused students/responding parties and/or reporting party may petition for a review of a decision within three (3) business days of issuance of an Administrative Hearing Officer's or SCC's written decision. All requests for review must be in writing and delivered to the appropriate administrator as indicated in the written decision letter. For administrative hearings, petitions will generally be reviewed by the Director of Student Rights and Responsibilities. For SCC hearings, petitions will generally be reviewed by the Dean of Students. Any student who missed his/her initial hearing may not request a review of the initial decision.

If the indicated administrator determines that a complaint may be reviewed, every opportunity will be taken, where possible, to return the complaint to the original administrative hearing officer or hearing panel for reconsideration; however, if this is not possible, the complaint will be reviewed by the Appeals Panel. The original administrative hearing officer or hearing panel may support or change a decision. The Appeals Panel will be deferential to the original decision-maker, making changes to the finding only where there is clear error. Reviews will only be considered for one or more of the following purposes:

- a) To consider new information which was unavailable at the time of the original hearing that could be outcome determinative;
- b) To assess whether a material deviation from written procedures resulted in an unfair outcome of the hearing;
- c) To decide if an assigned sanction(s) is substantially disproportionate to the offense committed;
- d) To determine that the finding does not accord with the information provided in the hearing; or
- e) To assess whether bias on the part of an Administrative Hearing Officer or hearing panel member(s) deprived the process of impartiality.

Except as required to explain the basis of new information unavailable at the time of a hearing, review of a SCC hearing will be limited to the verbatim record of the initial hearing and all supporting documents. Review of an administrative hearing will be limited to the written record of the hearing and all supporting documents. The Dean of Students will serve as the Appeals Panel's non-voting advisor.

H. Failure to Complete Conduct Sanctions

All students, as members of the university community, are expected to comply with conduct sanctions within the time frame specified by the Director of Student Rights and Responsibilities, SCC or Administrative Hearing Officer. Failure to follow through on conduct sanctions by the date specified, whether by refusal, neglect or any other reason, may result in additional sanctions and/or suspension from the university. In such situations, resident students will be required to vacate university housing within 24 hours of notification by the Director of Student Conduct, though this deadline may be extended upon application to, and at the discretion of, the Director of Residence Life and Housing. A suspension will only be lifted when compliance with conduct sanctions is satisfactorily achieved. This determination will be made by the Director of Student Rights and Responsibilities.

I. Disciplinary Records

All conduct records are maintained by the university for seven (7) years from the time of their creation. Other than university suspension and expulsion, conduct sanctions will not be made a part of the student's permanent academic record, but will become a part of the student's private conduct record. Upon application to, and approval of the Director of Student Rights and Responsibilities, private conduct records may be expunged seven (7) years after final disposition of complaints for which sanctions imposed did not include university housing suspension, university housing expulsion, university suspension, and/or university expulsion.

## Section 9: Student Right to Know and Campus Security Act of 1990

The Student Right to Know and Campus Security Act of 1990 is a federal mandate which requires all current students and employees be provided with information on policies and procedures involving campus security, the reporting of criminal action or other emergencies, and the enforcement authority of security personnel. This information must also include descriptions of programs for students and employees about campus security and crime prevention, as well as statistics on the occurrence of specific crimes. Notification of the annual report is made by the Midwestern State University Chief of Police and the full report is posted on the university website by October 1 each year. Hard copies are available from the Campus Police Department on request.

## Section 10: Alcohol and Drug Policy

To comply with the Drug Free Schools and Communities Act of 1989 and subsequent amendments, students and employees of Midwestern State are informed that strictly enforced policies are in place which prohibits the unlawful possession, use or distribution of any illicit drugs, including alcohol, on university property or as part of any university-sponsored activity. Students and employees are also subject to all applicable legal sanctions under local, state and federal law for any offenses involving illicit drugs on University property or at University-sponsored activities.

The university affirms that illegal drug use is unlawful and harmful. The use of illegal drugs and alcohol abuse by students and employees could result in cognitive deficits, loss of productivity and other health risks. These risks include an increased risk of accidents which may result in death or permanent injury. Free, confidential counseling for alcohol and other drug abuse issues is available to students through the Midwestern State University Counseling Center and Vinson Health Center. Other referral resources may include assessment, individual counseling, educational programs, materials, and referral and case management through community agencies, all which might include a fee.

Students exhibiting signs of excessive alcohol consumption will, at a Midwestern State University Campus Police Officer's discretion, be transported via Emergency Medical Services (EMS) at the student's expense for medical attention. Refusal to cooperate with Campus Police and/or EMS personnel may result in the student's emergency contact being notified and having to make alternative arrangements for temporary housing, arrest in order to ensure the student's health and safety are not endangered, and/or a conduct charge for failure to comply with the directives of university officers during the performance of their duties.

### A. Policy on Parental Notification

Midwestern State University is concerned about students who improperly use alcohol and other drugs and the effects such use may have on their health, academic success, interpersonal relationships and, ultimately, their future.

The Midwestern State University alcohol policy expressly forbids possession and/or consumption of alcohol by students, employees or guests who are under the minimum legal drinking age of 21 years. Possession of drug paraphernalia and the use, manufacture, sale, or distribution of illegal drugs, whether on or off campus, by any student is also prohibited. In accordance with the Family Educational Rights and Privacy Act (FERPA), the Director of Student Rights and Responsibilities (or designee) reserves the right to notify the parents/guardians of students under 21 years of age, and the parents/guardians of dependent students, regardless of age, of any incident in which the student is found responsible for violating the Midwestern State University alcohol and drug policy.

### B. Alcohol Policy

Alcoholic beverages are not allowed on campus except under the following conditions:

1. In private residences in Sunwatcher Village and Sundance Court. Consumption is limited to areas inside the residences. (Those residing in university housing should consult the current edition of the *Residence Life Handbook* for specific regulations regarding the use of alcoholic beverages in university housing.)
2. During social functions hosted by the President or the President's spouse.

3. During social functions registered and approved through the Clark Student Center office.
  - a. How to Register  
Persons seeking permission to bring alcohol on campus must file an application in writing to the Clark Student Center office at least ten (10) days prior to the event.
  - b. Criteria for Approval  
Approval will be based upon the following criteria: organization planning, frequency of the event, groups served by the activity, activity focus, and the use and distribution of alcohol.
  - c. Presence of Security or Police  
Depending on the nature of the requested event, a condition for approval may be the presence of uniformed police or security personnel. This will be determined with the requesting persons by the Clark Student Center when reviewing the application.

#### *Guidelines for the Use of Alcohol*

1. State Law regarding the use of alcoholic beverages must be observed. Violations of State law include the following:
  - a. Consumption of alcohol by an under-aged drinker.
  - b. Distribution of alcoholic beverages free of charge at an event in which a cover charge has been assessed.
  - c. Public intoxication.
  - d. Consumption of alcoholic beverages in a public place on Sunday between the hours of 2:15 A.M. and 12:00 noon and Monday through Saturday between the hours of 2:15 A.M. and 7:00 A.M.
2. Beverages at approved student organization events must be distributed by a TABC licensed third party vendor. A copy of the vendor's current license must be on-file with the Clark Student Center office prior to event approval.
3. All student organizations must observe an alcohol-free academic week. No alcohol will be permitted at registered functions taking place Sunday-Thursday.
4. Open containers of alcohol are not allowed in public areas of the campus, including the parking lots, walking paths, and all other open-air spaces on the campus.
5. Selling, distributing, possessing, or consuming alcohol or alcoholic beverages at Midwestern State University athletic events held on property owned or leased by Midwestern State University is prohibited, whether the events are sponsored by Midwestern State or another educational institution or an organization or association outside the university.
6. Inappropriate and imprudent behavior related to the use of alcohol will result in disciplinary action.
7. Officers and advisors/sponsors of university organizations shall be held responsible for (1) possessing full knowledge of university policies related to the use of alcohol on campus and (2) ensuring that university policies are followed.

#### *Code of Conduct Guidelines*

Students who are 21 years of age or older are permitted to possess and consume alcohol in designated university housing rooms. Students who are of legal drinking age may not share or provide alcohol to any students, employees or guests who are under 21 years of age. Those under the minimum legal drinking age of 21 years are not permitted to possess or consume alcohol anywhere on university property or at university-sponsored events. Drinking games, and simulated drinking games (e.g. water pong) are prohibited on campus.

### *Examples of Violations of the University Alcohol Policy*

- Purchasing alcohol by a person under the age of 21.
- Selling or providing alcohol to a person under the age of 21.
- Possessing either full or empty alcohol containers by a person under the age of 21.
- Consuming or appearing to have consumed alcohol by a person under the age of 21.
- Showing physical or mental impairment following or resulting from alcohol use.
- Possessing empty alcohol containers for decorative purposes.
- Using or possessing common sources of alcohol including, but not limited to kegs, party balls, wine boxes, etc.
- Participating in or being present during the occurrence of any drinking game.
- Possessing an open container of alcohol in a common area including, but not limited to bathrooms, hallways, lounges, elevators, lobbies or outdoor spaces.

Failure to comply with the directives of University officials or law enforcement officers during the performance of their duties and/or failure to identify oneself to these persons when requested to do so is considered unacceptable behavior for a Midwestern State student and a violation of the Midwestern State University *Student Code of Conduct*, which may result in conduct sanctions. An example of such inappropriate behavior includes refusing to submit to a breath test when requested by a police officer, whether on or off-campus.

A partial list of Midwestern State University alcohol policy violations and their subsequent sanctions is listed below.

#### a) *Minor in Possession/Consumption of Alcohol or Housing Alcohol Policy Violations:*

1. First Offense—Possible sanctions include, but are not limited to:
  - Participation in an alcohol education activity and/or a Minor in Possession course, at the student's expense and as determined by the Director of Student Rights and Responsibilities (or designee);
  - Authorship of a research/reflection essay;
  - Fine of \$50;
  - Notification of parents/guardians of students under the minimum legal drinking age of 21 years; and/or
  - Other sanctions as determined by the Director of Student Rights and Responsibilities (or designee).
2. Second Offense— Possible sanctions include, but are not limited to:
  - Mandated substance abuse assessment by an approved agency and required compliance with the assessing counselor's evaluation;
  - Observation of one or more sessions of the County Misdemeanor or Felony Drug Court as determined by the Director of Student Rights and Responsibilities (or designee);
  - Authorship of a research/reflection essay;
  - Fine of \$100;
  - Notification of parents/guardians of students under the minimum legal drinking age of 21 years; and/or
  - Other sanctions as determined by the Director of Student Rights and Responsibilities (or designee).
3. Third and Subsequent Offenses— Possible sanctions include, but are not limited to:
  - Suspension or expulsion from university housing and/or the university;
  - Notification of parents/guardians of students under the minimum legal drinking age of 21 years; and/or
  - Other sanctions as determined by the Director of Student Rights and Responsibilities (or designee).

b) *Purchasing, Selling or Providing Alcohol to Minors:*

1. First Offense— Possible sanctions include, but are not limited to:

- Participation in an alcohol education activity at the student's expense and as determined by the Director of Student Rights and Responsibilities (or designee);
- Mandated substance abuse assessment by an approved agency and required compliance with the assessing counselor's evaluation;
- Observation of one or more sessions of the County Misdemeanor or Felony Drug Court as determined by the Director of Student Rights and Responsibilities (or designee);
- Authorship of a research/reflection essay;
- Fine of \$100;
- Notification of parents/guardians of students under the minimum legal drinking age of 21 years;
- Eligibility restrictions;
- Suspension from university housing and/or the university;
- Community service hours to be performed at a specific location as determined by the Director of Student Rights and Responsibilities (or designee); and/or
- Other sanctions as determined by the Director of Student Rights and Responsibilities (or designee).

2. Second and Subsequent Offenses— Possible sanctions include, but are not limited to:

- Expulsion from the university;
- Notification of law enforcement authorities;
- Fine of \$200;
- Notification of parents/guardians of students under the minimum legal drinking age of 21 years; and/or
- Other sanctions as determined by the Director of Student Rights and Responsibilities (or designee).

c) *Driving Under the Influence/Driving While Intoxicated:* Midwestern State University is concerned about students who violate state and local laws regarding consumption of alcohol and the operation of motor vehicles. In accordance with state law, the university abides by the legal definition of intoxicated as "not having the normal use of mental or physical faculties by reason of introduction of alcohol, a controlled substance, a drug, a dangerous drug, a combination of two or more of those substances, or any other substance into the body" or 0.08 Breath or Blood Alcohol Concentration. In addition, students under the legal minimum drinking age of 21 years who are found to have any detectable amount of alcohol in their systems will be considered driving under the influence of alcohol and subject to penalties under that offense.

1. First Offense— Possible sanctions include, but are not limited to:

- Loss of driving and/or parking privileges on campus for a specified period of time;
- Participation in an alcohol education activity and/or a Minor in Possession course, at the student's expense and as determined by the Director of Student Rights and Responsibilities (or designee);
- Observation of one or more sessions of the County Misdemeanor or Felony Drug Court as determined by the Director of Student Rights and Responsibilities (or designee);
- Community services hours to be performed at a specific location as determined by the Director of Student Rights and Responsibilities (or designee);
- Authorship of a research/reflection essay;
- Fine of \$100;
- Notification of parents/guardians of students under the minimum legal drinking age of 21 years;
- Eligibility restrictions; and/or
- Other sanctions as determined by the Director of Student Rights and Responsibilities (or designee).

2. Second and Subsequent Offenses— Possible sanctions include, but are not limited to:
  - Suspension or expulsion from the university;
  - Notification of law enforcement authorities;
  - Fine of \$200
  - Notification of parents/guardians of students under the minimum legal drinking age of 21 years; and/or
  - Other sanctions as determined by the Director of Student Rights and Responsibilities (or designee).

### C. Illegal Drug Policy

The following sections describe MSU's policy regarding the sale, manufacture, distribution, possession and use of illegal drugs on or off university property or at university-sponsored events in accordance with federal, state and local laws. Examples of violations include:

- Misusing over-the-counter drugs.
- Misusing or sharing prescription drugs.
- Possessing, using, being under the influence of, distributing, or manufacturing any form of illegal drug.
- Possessing paraphernalia (i.e., rolling papers, grinder pipes, bongs, etc.) for intended or implied use of any form of illegal drug.
- Possessing paraphernalia that contains or appears to contain illegal drug residue.
- Purchasing or passing illegal drugs from one person to another.
- Using mail services to purchase, pass, or distribute illegal drugs.

This policy provides flexibility for the university in addressing drug-related offenses which occur on or off-campus. Moreover, it permits the university to address its fundamental mission of holistic education and the development of human potential. While recognizing that there is a need to address violations related to the use or possession of controlled substances, the university must address the education and well-being of all its students and employees. In addition to university imposed sanctions, students and employees are subject to all legal sanctions under federal, state and local law for any offenses involving illegal drugs on university property or at university activities.

### *Violations of the University Illegal Drug Policy*

A partial list of Midwestern State University drug policy violations and their subsequent sanctions is listed below.

#### a) *Manufacture, Sale or Distribution of Illegal Drugs:*

1. First Offense—Possible sanctions include, but are not limited to:
  - Suspension or expulsion from university housing or the university;
  - Notification of parents/guardians of students under 21 years of age and older dependent students;
  - Fine of \$200;
  - Notification of law enforcement authorities; and/or
  - Other sanctions as determined by the Director of Student Rights and Responsibilities (or designee).

#### b) *For the Possession or Use of Drug Paraphernalia, Synthetic Substances and/or Illegal Drugs:* Drug paraphernalia (e.g. bongs), illegal drugs, and synthetic substances (e.g. K2, Spice), whose common purpose is to replicate the effects of illegal substances, are prohibited on campus.

1. First Offense—Possible sanctions include, but are not limited to:
  - Suspension or expulsion from university housing;
  - Suspension from the university for a period of not less than the remainder of the semester in which the infraction occurred;
  - Participation in a drug education activity, at the student's expense and as determined by the Director of Student Rights and Responsibilities (or designee);
  - Fine of \$100;

- Mandated substance abuse assessment by an approved agency and required compliance with the assessing counselor's evaluation;
  - Observation of one or more sessions of the County Misdemeanor or Felony Drug Court as determined by the Director of Student Rights and Responsibilities (or designee);
  - Authorship of a research/reflection essay;
  - Notification of parents/guardians of students under 21 years of age and older dependent students;
  - Notification of law enforcement authorities; and/or
  - Other sanctions as determined by the Director of Student Rights and Responsibilities (or designee).
2. Second Offense— Possible sanctions include, but are not limited to:
- Expulsion from the university;
  - Notification of parents/guardians of students under 21 years of age and older dependent students;
  - Fine of \$200;
  - Notification of law enforcement authorities; and/or
  - Other sanctions as determined by the Director of Student Rights and Responsibilities (or designee).

### **Section 11: Sex/Gender Discrimination Policy**

Midwestern State University is committed to complying with all requirements as set forth by Title IX of the Education Amendments of 1972 ("Title IX"). As such, discrimination on the basis of sex or gender will not be tolerated in any of MSU's facilities, education programs or activities. Such discrimination includes, but is not limited to: sexual harassment; sexual violence; sex or gender-based bullying; hazing; stalking; dating violence, domestic violence, and failure to provide equal opportunity in admissions, enrollment, activities, employment or athletics.

The Midwestern State Title IX Coordinator will be informed of, and oversee, all complaints of sex discrimination and is responsible for identifying and addressing any patterns or systemic problems that arise during the review of such complaints. Questions or concerns regarding Midwestern State University and Title IX may be directed to one or more of the following resources:

Midwestern State University Title IX Coordinator

Name: Rachael Fornof, J.D., Director and Coordinator of Title IX

Contact Info: Vinson Health Center, H-136

(940) 397-4213

[rachael.fornof@msutexas.edu](mailto:rachael.fornof@msutexas.edu), [titleix@msutexas.edu](mailto:titleix@msutexas.edu)

Midwestern State University Deputy Title IX Coordinator for Employees

Name: Dawn Fisher, Director of Human Resources

Contact Info: Hardin 210

(940) 397-4221

[dawn.fisher@msutexas.edu](mailto:dawn.fisher@msutexas.edu)

Midwestern State University Deputy Title IX Coordinator for Students

Name: Matthew Park, Associate Vice President for Student Affairs/Dean of Students

Contact Info: Clark Student Center, Room 116

(940) 397-7500

[matthew.park@msutexas.edu](mailto:matthew.park@msutexas.edu)

United States Department of Education Office for Civil Rights

Phone: (800) 421-3481

Email: [ocr@ed.gov](mailto:ocr@ed.gov)

Midwestern State University will make every effort to successfully complete the grievance process for complaints of sex/gender discrimination in a reasonable time. All parties involved are entitled to request and receive periodic status updates on the progress of a complaint and any subsequent appeals.

During the investigation and/or grievance process for complaints of sex/gender discrimination, the university may take a number of interim actions in order to ensure the preservation of a reporting party's school experience and the overall university environment. These actions may include, but are not limited to: issuance of university no contact order to the parties of the complaint; residence hall/apartment room change for one or more involved parties; changes in academic schedules or assignments for one or both parties; and/or interim suspension of the accused student/responding party.

To read more about Title IX of the Education Amendment of 1972, please visit: <http://www.dol.gov/oasam/regs/statutes/titleix.htm>.

To read more about MSU policies, procedures, and resources, please visit [msutexas.edu/titleix](http://msutexas.edu/titleix).

## **Section 12: Sexual Misconduct Policy**

Midwestern State University maintains a policy of zero tolerance for sexual misconduct regardless of the sexual orientation or gender identity of individuals engaging in sexual activity. Members of the university community, guests and visitors have the right to be free from sexual violence. When an allegation of sexual misconduct is brought to the administration, and an accused student/responding party is found to have violated this policy, serious sanctions will be imposed to ensure that such actions are never repeated. All members of the university community are expected to conduct themselves in a manner that does not infringe upon the rights of others. The Midwestern State University sexual misconduct policy has been developed to reaffirm these principles and to provide recourse for those individuals whose rights have been violated. This policy has dual purposes; it serves as a measure to determine, after-the-fact, if behaviors trespassed on community values and as a guide for students on the expectations Midwestern State University has, preventatively, for sexual communication, responsibility and respect.



While the policy below is quite detailed and specific, the expectations of this community can be summarized in this simple paragraph: Consent is clear sexual permission and can only be given by one of legal age. Consent can be given by word or action, but non-verbal consent is more ambiguous than explicitly stating one's wants and limitations. Consent to one form of sexual activity should not, and cannot, be taken as consent to any other sexual activity. Individuals who consent to sex must be able to fully understand what they are doing. Under this policy, "No" always means "No" and "Yes" may not always mean "Yes." For example, when alcohol or other drugs are used, a person will be considered unable to give valid consent if the person is inebriated, blacked out, unconscious, or cannot appreciate the *who, what, where, when, why, or how* of a sexual interaction. In addition, silence—without clear actions demonstrating permission—cannot be assumed to indicate consent.

Finally, there is a difference between seduction and coercion; coercion is defined in this policy as unreasonably pressuring another person for sex. Coercing someone into engaging in sexual activity violates this policy in the same way as physically forcing someone into engaging in sexual activity.

#### A. Violations of the university Sexual Misconduct Policy

Sexual misconduct is a serious offense and such violations are subject to any combination of conduct sanctions. Conduct procedures with individuals found responsible for violation of the nonconsensual sexual intercourse policy face a recommended sanction of university suspension or university expulsion. Refer to the Code of Student Conduct, Section 8: Conduct Procedures, for a full list of conduct sanctions available at the University.

A partial list of Midwestern State University sexual misconduct policy violations is listed below.

- a) *Sexual Harassment*: Gender-based verbal or physical conduct that has the effect of unreasonably interfering with an individual's work or academic performance or creates an intimidating, hostile or offensive working or educational environment. There are two types of sexual harassment:
  1. *Hostile Environment* includes situations in which there is harassing conduct that is sufficiently severe, pervasive/persistent and objectively offensive so that it alters the conditions of education or employment, from both a subjective (the alleged victim's) and objective (a reasonable person's) viewpoint. The determination of whether an environment is "hostile" must be based on all the circumstances. These circumstances could include, but are not limited to:
    - The frequency of the speech or conduct;
    - The nature and severity of the speech or conduct;
    - Whether the conduct was physically threatening;
    - Whether the speech or conduct was humiliating;
    - The effect of the speech or conduct on the alleged victim's mental and/or emotional state;
    - Whether the speech or conduct was directed at more than one person;
    - Whether the speech or conduct arose in the context of other discriminatory conduct;
    - Whether the speech or conduct unreasonably interfered with the alleged victim's educational or work performance;
    - Whether a statement is a mere utterance of an epithet which engenders offense in an employee or a student or offends by mere discourtesy or rudeness; and/or
    - Whether the speech or conduct deserves the protections of academic freedom.
  2. *Quid Pro Quo* sexual harassment exists when there are unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature where submission to, or rejection of, such conduct results in educational or employment action.
- b) *Nonconsensual Sexual Intercourse* (or attempts to commit the same):
  - Any sexual intercourse (anal, oral or vaginal), however slight, with any object, by a person upon another person, without consent and/or by physical force.

- c) *Nonconsensual Sexual Contact* (or attempts to commit the same):
  - Any intentional sexual touching, however slight, with any object, by a person upon another person, without consent and/or by physical force.
- d) *Sexual Exploitation*: Taking nonconsensual or abusive sexual advantage of another for one's own advantage or benefit, or to benefit a person other than the one being exploited. Examples of sexual exploitation include, but are not limited to:
  1. Prostituting another student;
  2. Non-consensual video or audio recording of sexual activity;
  3. Exceeding the boundaries of explicit consent, such as allowing friends to hide in a closet to be witness to one's consensual sexual activity;
  4. Engaging in voyeurism (Peeping Tommmery); and/or
  5. Knowingly transmitting a sexually transmitted disease/infection or HIV to another student.
- e) *Dating Violence*: Violence between those in a continuing relationship of an intimate or romantic nature with one another. The existence of such a relationship shall be determined with consideration of:
  - the length of the relationship;
  - the type of relationship; and
  - the frequency of interaction between the persons involved in the relationship.
- f) *Domestic Violence*: Violence committed by a current or former spouse or intimate partner of the victim, a person with whom the victim shares a child in common, a person who is cohabitating or had cohabitated with the victim as a spouse or intimate partner, or a person similarly situated to a spouse, adult or youth victim protected by domestic or family violence laws.
- g) *Stalking*: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or suffer substantial emotional distress. For the purpose of this definition...
  1. Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
  2. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
- h) *Retaliation*: is defined as any adverse actions (e.g. harassment, intimidation, revocation, limitation, etc.) taken against a person because of the person's participation in an investigation of discrimination or sexual misconduct or their support of someone involved in an investigation of discrimination or sexual misconduct. Retaliatory actions include, but are not limited to, threats or actual violence against the person or their property, adverse educational, organizational or employment consequences, ridicule, intimidation, bullying, or ostracism. The university will impose sanctions on any individual found to be engaging in retaliation. Acts of alleged retaliation should be reported immediately to the Title IX Coordinator, Director of Student Rights Responsibilities or Director of Human Resources, and will be promptly investigated. Midwestern State University is prepared to take appropriate steps to protect individuals who fear they may be subjected to retaliation.

## B. Reporting Sexual Misconduct and Confidentiality

University officials, depending on their roles at the university, have varying reporting responsibilities and abilities to maintain confidentiality. In order to make informed choices, one should be aware of confidentiality and mandatory reporting requirements when consulting campus resources. On campus, some resources may maintain confidentiality, offering options and advice without any obligation to inform an outside agency or individual unless you have requested information to be shared. Other resources exist for you to report crimes and policy violations and these resources will take action when you report victimization to them. Most resources on campus fall in the middle of these two extremes; neither the university nor the law requires them to divulge private information that is shared with them, except in the rare circumstances. The following describes the three reporting options at Midwestern State University:

- a) *Confidential Reporting*: If you would like the details of an incident to be kept confidential, you may speak with on-campus counselors, campus health service providers or victim advocates, off-campus rape crisis resources, or off-campus members of the clergy/chaplain who will maintain confidentiality. Campus counselors in the Counseling Center and medical staff in the Vinson Health Center are available to help you and can be seen on an emergency basis during normal business hours. Through a partnership with First Step, Inc., confidential advocates are also available to students through appointments and on an emergency basis.
- b) *Private Reporting*: You may seek advice from certain resources who are not required to tell anyone else your private, personally identifiable information unless there is cause for fear for your safety, or the safety of others. These resources include employees without supervisory responsibility or remedial authority to address sexual misconduct, such as hall directors, faculty members, advisors to student organizations, academic advisors, admissions officers, student activities personnel, and many others. If you are unsure of someone's duties and ability to maintain your privacy, ask them before you talk to them. They will be able to tell you and can help you make decisions about who can help you best. Some of these resources, such as resident assistants (RAs), are required to share incident reports with their supervisors. If your personally identifiable information is shared, it will be shared with as few people as possible and all efforts will be made to protect your privacy to the greatest extent.
- c) *Formal Reporting Options*: You are encouraged to speak to university officials, such as the Title IX Coordinator, Director of Student Rights and Responsibilities, Dean of Students, Campus Police, Director of Human Resources, Academic Deans, Athletic Head Coaches, and/or Vice Presidents to make formal reports of incidents of sexual misconduct. You have the right, and can expect, to have incidents of sexual misconduct taken seriously by the university when formally reported, and to have those incidents investigated and properly resolved through administrative procedures. Formal reporting still affords some privacy to the reporter, as only a small group of university officials who need to know will be told. Information will be shared as necessary with investigators, witnesses, and the accused student/responding party. The circle of people with this knowledge will be kept as tight as possible to preserve your rights and privacy.

## C. Accommodations and Protective Measures

Victims of sexual misconduct will be made aware of options for available assistance in and how to request changes to academic, living, transportation, and working situations or protective measures. Additionally, information on existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services either within the institution or local community can be requested. MSU will make such accommodations or provide protective measures if requested by a victim and reasonably available, regardless of whether the victim chooses to report the incident to campus or local law enforcement.

- D. Federal Timely Warning Obligations  
Victims of sexual misconduct should be aware that university administrators must issue timely warnings for incidents reported to them that pose a substantial threat of bodily harm or danger to members of the campus community. The university will make every effort to ensure that a victim's name and other personally identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the danger and meet federal guidelines.
- E. University Response to Reports of Sexual Misconduct  
Refer to the *Code of Student Conduct, Section 7: Conduct Procedures for Sexual Misconduct* for the response protocol at Midwestern State University when reports of sexual misconduct are received involving one or more students as the responding party.  
Refer to Appendix D: University and Community Resources for Victims of Sexual Harassment and Assault, for contact information for individuals and/or entities on campus and in the local community to render assistance to persons involved with violations of this Sexual Misconduct Policy.

Appendix A

Alcohol, Illegal Drugs and the Law

In accordance with the Drug Free Schools and Campuses Drug Prevention Program Certification, MSU has adopted and implemented a program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by its students and employees on school premises or as part of any of its activities. MSU recognizes the importance of information about drug and alcohol abuse. Therefore, provided here for the benefit of each student and employee, are standards of conduct and legal and disciplinary sanctions for unlawful possession or distribution of illicit drugs and alcohol abuse.

Drug and alcohol abuse counseling and referral are available at the MSU Counseling Center. Additional information, both on the effects of specific drugs and alcohol and drug counseling resources in Wichita Falls and surrounding areas, is available in the Counseling Center and the Vinson Health Center.

Legal Sanctions

Students or employees found in violation of any university policy or any local state or federal law regarding the use, possession, or distribution of alcohol or other drugs (as defined by the Texas Health and Safety Code, Chapter 481, Texas Controlled Substances Act, and the Texas Alcoholic Beverage Code, Chapter 1) will be subject to legal penalty in addition to any appropriate university personnel or disciplinary action. The most common state law violations and their consequences are:

OFFENSE	TYPE	PENALTY
Alcohol Consumption or Possession (Secs.106.04 and 106.05.)	Misdemeanor 1st Violation 2nd Violation	\$25 to \$200 Not less than \$500 but not more than \$1000
Purchasing for or Furnishing Alcohol to a Minor (Sec. 10606.)	Misdemeanor	\$100 to \$500
Public Intoxication (Texas Penal Code, Sec. 42.02)	Class C Misdemeanor	Up to \$500 fine
Other Drugs Possession	Varies according to placement of the drug on schedules and in possession	Up to \$10,000 fine and 5-99 years in jail

Penalties for drug possession are governed by the Texas Health and Safety Code, Chapter 481, Texas Controlled Substances Act. Specific penalties may vary depending on the type and amount of drug.

## Appendix B

### Information Regarding the Impact of Alcohol and Other Drug Use and Risks of Alcohol Use

The following is a partial list of the adverse effects of alcohol use on the individual and society arranged by source.

*The Truth about Alcohol: Tips for Teens* (U.S. Department of Health & Human Services, 2003)

- a) *Alcohol affects your brain.*  
“Drinking alcohol leads to a loss of coordination, poor judgment, slowed reflexes, distorted vision, memory lapses, and even blackouts.”
- b) *Alcohol affects your body.*  
“Alcohol can damage every organ in your body. It is absorbed directly into your bloodstream and can increase your risk for a variety of life-threatening diseases, including cancer.”
- c) *Alcohol affects your self-control.*  
“Alcohol depresses your central nervous system, lowers your inhibitions, and impairs your judgment. Drinking can lead to risky behaviors, including having unprotected sex. This may expose you to HIV/AIDS and other sexually transmitted diseases or cause unwanted pregnancy.”
- d) *Alcohol can kill you.*  
“Drinking large amounts of alcohol can lead to coma or even death. Also, in 1998, 35% of traffic deaths of 15- to 20-year-olds were alcohol-related.”

*Top Ten Myths about Alcohol* (National Institute on Alcohol Abuse and Alcoholism: National Institutes of Health)

- a) Can you hold your liquor? That is not a good thing. “If you have to drink increasingly larger amounts of alcohol to get a ‘buzz’ or get ‘high,’ you are developing tolerance. This increases your vulnerability to many serious problems, including alcoholism.”
- b) “One in three 18- to 24-year-olds admitted to emergency rooms for serious injuries are intoxicated. And alcohol is also associated with homicides, suicides, and drownings.”

*The Naked Truth: Alcohol and Your Body* (FactsOnTap.org)

- a) “The amount of alcohol it takes to make you pass out is dangerously close to the amount of alcohol it takes to kill you.”
- b) “A hangover is caused partly by the body’s being poisoned by alcohol and partly by the body’s reaction to withdrawal from alcohol.”

*Harmful Interactions: Mixing Alcohol with Medicines*  
(U.S. Department of Health & Human Services)

- a) “Some medicines that you might never have suspected can react with alcohol, including many medications which can be purchased ‘over-the-counter’—that is, without a prescription. Even some herbal remedies can have harmful effects when combined with alcohol.”
- b) “Mixing alcohol with certain medications [both prescription and over-the-counter] can cause nausea and vomiting, headaches, drowsiness, fainting, or loss of coordination. It can also put you at risk for internal bleeding, heart problems, and difficulties in breathing. In addition to these dangers, alcohol can make a medication less effective or even useless, or it may make the medication harmful or toxic to your body.”
- c) “Alcohol and medicines can interact harmfully even if they are not taken at the same time.”
- d) “Medications are safe and effective when used appropriately. Your pharmacist or other health care provider can help you determine which medications interact harmfully with alcohol.”

The following is a partial list of the adverse effects of drug use on the individual and society.

### *Marijuana... It Can Leave You Breathless! (Texas Commission on Alcohol and Drug Abuse)*

- a) Marijuana contains over 400 different chemicals including THC.
- b) "THC, the active ingredient in marijuana, remains in the fat cells of the body from 14 – 30 days."
- c) Marijuana use...
  - 1. Slows reaction time;
  - 2. Impairs thinking;
  - 3. Interferes with coordination;
  - 4. Impairs comprehension skills;
  - 5. Impairs mathematical skills;
  - 6. Impairs reading skills;
  - 7. Impairs verbal skills; and
  - 8. Can lead to psychological dependency.
- d) "Long term, regular use of marijuana can have a permanent, negative effect on attention span, concentration, memory, judgment and logical thought."
- e) "Smoking one marijuana cigarette is as harmful to the lungs as smoking approximately 4 - 5 regular cigarettes. Smoking both greatly increases the risk of developing emphysema, cancer and other lung diseases."
- f) "Regular use of marijuana can affect fertility in males as it can suppress testosterone production."

### *Drugs & Pregnancy... No Way to Start a Life! and Drug Abuse & Pregnancy*

(Texas Commission on Alcohol and Drug Abuse)

- a) The "use of marijuana during pregnancy may result in low birth weight and smaller length and head circumference in babies."
- b) "[B]abies whose mothers smoked marijuana during pregnancy may have vision problems and shorter attention spans. Also, THC, the ingredient in marijuana that causes the 'high,' accumulates in the mother's milk and transfers to nursing infants where it could cause harm to the baby's development."
- c) The "use of cocaine during pregnancy increases the risk of hemorrhage and premature delivery. Chronic use of cocaine causes increased risk of spontaneous abortion."
- d) "Nursing babies of cocaine abusers can also receive doses of cocaine through their mother's milk."
- e) "Mental retardation and abnormal facial features have been seen in babies whose mothers used inhalants or solvents in combination with alcohol while they were pregnant."
- f) "The use of solvents during pregnancy has also been linked to central nervous system defects in newborns."
- g) "Heroin use during pregnancy increases the likelihood of stillbirths and neonatal deaths, and babies born to opiate-addicted mothers experience withdrawal symptoms such as restlessness, tremulousness [tremors], sweating, vomiting, diarrhea, high-pitched crying, frantic fist sucking and seizures."

### *Inhalants... Deadly Fumes! (Texas Commission on Alcohol and Drug Abuse)*

- a) "Products such as spray paint, glues, felt-tip markers, typewriter correction fluid, poppers and RUSH are considered inhalants."
- b) "The immediate effects of sniffing inhalants are disorientation, confusion, feelings of drunkenness, possible hallucinations, incoherence and loss of memory."
- c) "Sniffing inhalants can cause unpredictable or violent behavior in some persons. In other cases, it may cause someone to become withdrawn and isolated."
- d) "Inhalant abuse can cause permanent brain, liver, heart and lung damage."

*Amphetamines... A Dead End Street!* (Texas Commission on Alcohol and Drug Abuse)

- a) "Amphetamines are used to treat some forms of Attention Deficit Disorder (ADD) and narcolepsy."
- b) The term *amphetamines* refers to three related drugs: amphetamine, dextroamphetamine and methamphetamine.
- c) Street names for amphetamines include: speed, white crosses, uppers, and crystal.
- d) Health risks associated with amphetamine use:
  - 1. Brain damage;
  - 2. Skin Disorders;
  - 3. Lung Disease;
  - 4. Delusions;
  - 5. Paranoia;
  - 6. Malnutrition;
  - 7. Ulcers;
  - 8. Heart Disease; and
  - 9. Hallucinations.

## STEROIDS

"Synthetic anabolic steroids are drugs which act like the male hormone, testosterone...Some athletes use steroids to increase their strength, muscle mass, and endurance. While not all athletes use steroids, many weight lifters and body builders do...Also, some non-athletes who want well-defined muscular shape and attractive overall body appearance use steroids."

- a) A partial list of the adverse side-effects experienced by male users includes:
  - 1. Enlarged breasts;
  - 2. Permanent premature hair loss;
  - 3. Shrinkage of the testicles;
  - 4. Risk of heart and blood vessel disease; and
  - 5. Sterility.
- b) A partial list of the adverse side-effects experienced by female users includes:
  - 1. Male-sounding voice;
  - 2. Growth of permanent facial hair;
  - 3. Reduction in breast size;
  - 4. Male-like muscle growth;
  - 5. Increased sex drive; and
  - 6. Permanent sterility.
- c) A partial list of the adverse side-effects shared by male and female users includes:
  - 1. Pimples & skin blemishes;
  - 2. Inability to release body heat through sweating;
  - 3. Abnormal blood clotting;
  - 4. Unusually aggressive behavior;
  - 5. Violent rages;
  - 6. High blood pressure;
  - 7. Liver dysfunction;
  - 8. Depression and frustration;
  - 9. Drug dependency; and
  - 10. Liver cancer.

## Appendix C

### Information Supplementing the University Sexual Misconduct Policy

In addition to the information provided in the university Sexual Misconduct Policy, students should know that rape is a crime and should be reported to civil authorities. Rape is often thought of as a violent attack on a woman by a madman who uses a weapon to threaten his victim, but this description does not apply to the majority of rapes that take place in the United States. “Victims of rape and sexual assault report that in nearly 3 out of 4 incidents, the offender was not a stranger...two thirds of the victims 18 to 29 years old had a prior relationship with the rapist” (Greenfield, 1997). Therefore, university students are more likely to be victimized by someone they know, and perhaps trust, than by someone who is a stranger. Both men and women can be victims. Non-consensual intercourse by a person one knows is defined as *date rape* or *acquaintance rape*, both of which are as serious a crime as stranger rape.

#### FREQUENTLY ASKED QUESTIONS

The following are some of the most commonly asked questions regarding the university’s Sexual Misconduct Policy and procedures.

a) *Does a complaint remain confidential?*

Reports made to licensed counselors, health service providers, victim services advocates and clergy will be kept confidential. Other reports are considered private. The privacy of all parties to a complaint of sexual misconduct will be maintained, except insofar as it interferes with the university’s obligation to fully investigate allegations of sexual misconduct. Where information is shared, it will still be tightly controlled on a need-to-know basis. Dissemination of information and/or written materials to persons not involved in the complaint procedure is not permitted.

In all complaints of sexual misconduct, the reporting party will be informed of the outcome. In some instances, the administration also may choose to make a brief announcement of the nature of the violation and the action taken, to the community, though personally identifying information about the victim will not be shared. Certain university administrators are informed privately (e.g., the President of the University, Title IX Coordinator, Vice President for Student Affairs, Dean of Students, Chief of Police, Director of Student Rights and Responsibilities, Director of the Counseling Center, etc.). The university must statistically report the occurrence on campus of any major violent crimes, including certain sex offenses, in an annual report of campus crime statistics. This statistical report does not include personally identifiable information.

b) *Will my parents/guardians be told?*

No, not unless you tell them. Whether you are the reporting party or the accused student/responding party, the university’s primary relationship is to the student and not to the parent/guardian; however, in the event of major medical, conduct action, or academic jeopardy, students are strongly encouraged to inform their parents. University officials may directly inform parents when requested to do so by a student, or in a life-threatening situation, or if an accused student has signed the permission slip at registration which allows such communication.

c) *Will I have to confront the alleged perpetrator?*

Not directly. Per Section 7, Conduct Procedures for Sexual Misconduct, you and the alleged perpetrator may submit questions to the Title IX coordinator for consideration. If accepted, the questions will be asked by the Title IX investigators assigned to the investigation.

d) *Do I have to name the alleged perpetrator?*

Yes, if you want formal conduct action to be taken against the alleged perpetrator. No, if you choose to respond informally and do not file a formal complaint. One should consult the complete privacy policy described in Section 12: Sexual Misconduct Policy of the *Student Code of Conduct* to better understand the university’s legal obligations regarding information which is shared with various university officials.



e) *What should I do if I am accused of sexual misconduct?*

First, do not contact the alleged victim. You may immediately want to contact someone in the campus community who can act as your advisor. You may also contact the Director of Student Rights and Responsibilities, Director of Human Resources, or Title IX Coordinator who can explain the university's procedures for dealing with sexual misconduct complaints. You may also want to talk to a confidential counselor in the Counseling Center.

f) *What should I do about legal advice?*

Victims of criminal sexual assault need not retain a private attorney to seek prosecution because legal issues will be handled through a representative from the local District Attorney's office. You may want to retain an attorney if you are the accused student/responding party or are considering filing a civil action against the alleged perpetrator.

g) *What should I do about changing university housing rooms?*

If you want to move, or have the accused student moved, you may request a room change through the Residence Life Room Change policy or contacting the Director of Residence Life & Housing. Room changes under these circumstances are considered emergencies. It is the university's policy that in emergency room changes, the student is moved to the first available suitable room. Other accommodations available to you might include:

1. Assistance from university support staff in completing the relocation;
2. Arranging to dissolve a housing contract and pro-rating a refund;
3. Exam, paper or assignment rescheduling;
4. Taking an incomplete in a class;
5. Transferring class sections;
6. Academic withdrawal; and/or
7. Alternative course completion options.

h) *What should I do to preserve evidence of a sexual assault?*

Physical information of a sexual assault must be collected within about 120 hours of the assault for it to be useful in a criminal prosecution. If you believe you have been a victim of a sexual assault, you should go to a hospital emergency room before washing yourself or your clothing. A sexual assault health professional (a specially trained nurse called a SANE) at the hospital is on call and will counsel you. If you go to the hospital, local police will be called but you are not obligated to talk to the police or to prosecute. The exam will help to keep that option open for you should you decide later to exercise it. The hospital staff will collect information, check for injuries and address the possibility of exposure to sexually transmitted infections. If you have changed clothing since the assault, bring the clothing you had on at the time of the assault with you to the hospital in a clean, sanitary container such as a clean paper grocery bag or wrapped in a clean sheet. (Plastic containers do not breathe, and may render forensic information useless.) If you have not changed clothes, bring a change of clothes with you to the hospital, if possible, as they will likely keep the clothes you are wearing as information. You can take a support person with you to the hospital, and they can accompany you through the exam, if you want. Do not disturb the crime scene—leave all sheets, towels, etc. that may bear information for the police to collect.

i) *Will either party's prior use of drugs and/or alcohol be a factor when reporting sexual misconduct?*

No, not unless there is a compelling reason to believe that prior use or abuse is relevant to the present complaint.

j) *Will a student be sanctioned when reporting an act of sexual misconduct if the student has illegally used drugs or alcohol?*

No. The university offers amnesty in such situations. The seriousness of sexual misconduct is a major concern and the university does not want any of the circumstances (e.g., drug or alcohol use) to inhibit the reporting of sexual misconduct.

k) *What should I do if I am uncertain about what happened?*

If you believe that you have experienced non-consensual sexual contact or intercourse, but are unsure of whether it was a violation of the university's sexual misconduct policy, you should contact the Title IX Coordinator, Associate Vice President for Student Affairs, or Director of Human Resources. The university employs licensed counselors in the Counseling Center and the community offers confidential victim advocates from First Step, Inc. These individuals can help you to define and clarify the event(s), and advise you of your options.

### RISK REDUCTION TIPS

Tips like these tend to make victims feel blamed if a sexual assault occurs. It is never the victim's fault, and these tips are offered in the hope that recognizing patterns can help men and women to reduce the risk of victimization. That said, only a rapist or an empowered bystander can intervene to prevent a rape or assault. Generally, an assault by a known offender will follow a four-step pattern:

- a) An individual's personal space is violated in some way. For example, the perpetrator may touch the victim in a way that does not feel comfortable.
- b) If the victim does not express discomfort, the perpetrator may begin to view the victim as an easy target because she/he is not acting assertively.
- c) The perpetrator may take the victim to a location that is secluded and where the victim is vulnerable.
- d) The victim feels trapped or unable to be assertive and is raped or assaulted.

Decisive action early in an encounter may be the key to avoiding rape. An individual who can combine assertiveness and self-defense skills, who is self-confident and definite in his/her interactions with others, is less likely to become a victim of rape. If the individual can assertively defend his/her rights initially, he/she has a better chance of avoiding being raped than does a person who resorts to techniques such as pleading or trying to talk the perpetrator out of it. If you find yourself in an uncomfortable sexual situation, these suggestions may help you to reduce your risk:

- a) Make your limits known before things go too far.
- b) Give clear messages. Say "yes" when you mean yes and "no" when you mean no. Leave no room for misinterpretation. Tell a sexual aggressor "NO" clearly and loudly, like you mean it.
- c) Try to extricate yourself from the physical presence of a sexual aggressor.
- d) Grab someone nearby and ask for help.
- e) Be responsible for your alcohol intake/drug use and realize that alcohol/drugs lower your sexual inhibitions and may make you more vulnerable to someone who views a drunk or high person as a sexual opportunity.
- f) Watch out for your friends and ask that they watch out for you. A real friend will get in your face if you are about to make a mistake. Respect them if they do.
- g) Be aware of any nonverbal messages you may be sending that conflict with what you are saying. Notice your tone of voice, gestures and eye contact.
- h) Be forceful and firm when necessary. Don't be concerned with being polite. Your passivity may be interpreted as permission or approval for this behavior.
- i) Do not acquiesce to something you do not want just to avoid unpleasantness. Do not allow "politeness" to trap you in a dangerous situation. This is not the time to be concerned about hurt feelings.
- j) Trust your feelings or instincts. If a situation does not feel comfortable to you or you feel anxious about the way your date is acting, you need to respond. Leave immediately if necessary.

If you find yourself in the position of being the initiator of sexual behavior, you owe sexual respect to your potential partner. These suggestions may help you to reduce your risk for being accused of sexual misconduct:

- a) Do not make assumptions about:
  - a. Consent;
  - b. Someone's sexual availability;
  - c. Whether a person is attracted to you;
  - d. How far you can go; or
  - e. Whether a person is physically and mentally able to consent to you.
- b) Clearly communicate your intentions to your sexual partner and give him/her a chance to clearly relate his/her intentions to you.
- c) Mixed messages from your partner should be a clear indication that you should step back, defuse the sexual tension, and communicate better. Perhaps you are misreading your partner. Perhaps your partner has not figured out how far he/she wants to go with you yet. You need to respect the timeline with which your partner is comfortable.
- d) Do not take advantage of someone's drunkenness or drugged state, even if he/she did it to him/herself.
- e) Realize that your potential partner could be intimidated by you, or fearful. You may have a power advantage simply because of your gender or size. Do not abuse that power.
- f) Understand that consent to some forms of sexual behavior does not necessarily imply consent to other forms of sexual behavior.
- g) On this campus, silence and passivity cannot be interpreted as an indication of consent. Read your potential partner carefully, paying attention to verbal and non-verbal communication and body language.
- h) Do not force someone to have sex with you, or have sex with a partner who has not clearly consented to you by words or actions unmistakable in their meaning.

## REFERENCES

Greenfield, L.A. (1997). Sex offenses and offenders [Electronic version]. *U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics*. Retrieved July 26, 2010, at <http://bjs.ojp.usdoj.gov/index.cfm?ty=pbdetail&iid=1146>.

## Appendix D

### University and Community Resources for Victims of Sexual Harassment and Assault

#### MIDWESTERN STATE UNIVERSITY CAMPUS RESOURCES

- University Police  
Patrick Coggins, Chief of Police  
(940) 397-4239, [patrick.coggins@msutexas.edu](mailto:patrick.coggins@msutexas.edu)
- Counseling Center  
Dr. Pam Midgett, Director  
(940) 397-4618, [pam.midgett@msutexas.edu](mailto:pam.midgett@msutexas.edu)
- Vinson Health Center  
Dr. Keith Williamson, Medical Director and University Physician  
(940) 397-4231, [keith.williamson@msutexas.edu](mailto:keith.williamson@msutexas.edu)
- Title IX Coordinator  
Rachael Fornof, J.D., Director and Coordinator of Title IX  
(940) 397-4213, [rachael.fornof@msutexas.edu](mailto:rachael.fornof@msutexas.edu)
- Deputy Title IX Coordinator  
Dawn Fisher, Director of Human Resources  
(940) 397-4221, [dawn.fisher@msutexas.edu](mailto:dawn.fisher@msutexas.edu)
- Deputy Title IX Coordinator  
Matthew Park, Associate Vice President for Student Affairs/Dean of Students  
(940) 397-7500, [matthew.park@msutexas.edu](mailto:matthew.park@msutexas.edu)

#### COMMUNITY RESOURCES

First Step, Inc. - First Step provides comprehensive, confidential services to victims of sexual assault and domestic and family violence, including an abuse prevention program. Their services are offered free of charge and include a 24-hour crisis hotline, 24-hour emergency shelter, confidential counseling, legal advocacy, and emergency transportation. The hotline phone number is (800) 658-2683. The regular office phone number is (940) 723-7799. First Step is located at 624 Indiana Avenue, Wichita Falls, TX 76301.

In addition to being available through the above contact information, First Step advocates maintain hours on campus through the Vinson Health Center. Students or employees may request an appointment with a First Step advocate by calling the Vinson Health Center at (940) 397-4231.

United Regional Health Care System  
1600 Eleventh Street  
Wichita Falls, TX 76301  
(940) 764-7000

Kell West Regional Hospital  
5420 Kell Boulevard  
Wichita Falls, TX 76308  
(940) 692-5888

## Appendix E

### Academic Dishonesty Policy & Procedures

Academic Dishonesty : Cheating, collusion, and plagiarism (the act of using source material of other persons, either published or unpublished, without following the accepted techniques of crediting, or the submission for credit of work not the individual's to whom credit is given). Additional guidelines on procedures in these matters may be found in the Office of Student Rights and Responsibilities.

- a. The term "cheating" includes, but is not limited to: (1) use of any unauthorized assistance in taking quizzes, tests, or examinations; (2) dependence upon the aid of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments; or (3) the acquisition without permissions, of tests or other academic material belonging to a member of the university, faculty, or staff.
  - b. The term "plagiarism" includes, but is not limited to, the use by paraphrase or direct quotation, of the published or unpublished work of another person without full and clear acknowledgement. It also includes the unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials.
  - c. The term "collusion" means collaboration with another person in preparing work offered for credit if that collaboration is not authorized by the faculty member in charge.
- I. After an alleged incident of Academic Dishonesty occurs, the instructor does the following:
- a. Informs the student of the academic sanction to be imposed
  - b. Informs the student of his/her right to appeal the sanction
  - c. Notifies the department chair of the incident and the sanction imposed.
- II. The department chair then reports the incident and the sanction to the following parties:
- a. Dean of the College
  - b. Director of Student Rights and Responsibilities
  - c. Dean of Graduate Studies (if the incident occurred in a graduate course)
  - d. Registrar (if the sanction is a course grade of F).
- Note: if the faculty member is a department chair, the dean assumes the role of the department chair in addition to the role of dean. If the faculty member is a dean, the Provost assumes the role of the dean.
- III. The student accepts the academic sanction or appeals the sanction to the department chair in writing no later than five (5) working days after being notified of the sanction.
- IV. If the student appeals the sanction imposed by the instructor, the department chair investigates the incident and consults with the instructor and student. If the chair and instructor do not agree on the disposition, the appeal proceeds directly to the dean. If the chair and instructor agree on the disposition of the appeal, the chair notifies the following parties of any change in the sanction:
- a. Student
  - b. Instructor
  - c. Dean of the College
  - d. Director of Student Rights and Responsibilities
  - e. Dean of Graduate Studies (if the incident occurred in a graduate course)
  - f. Registrar (if the sanction is a course grade of F or if a sanction of F is revoked).
- V. The student accepts the academic sanction imposed by the instructor and department chair or appeals the sanction to the dean of the college in writing no later than five (5) working days after being notified of the department chair's decision.

- VI. If the student appeals the decision of the instructor and department chair, or if the chair and the instructor did not agree on an academic sanction, the dean of the college investigates the incident, consults with all parties, decides the disposition of the sanction, and informs the following parties of the decision:
- Student
  - Instructor
  - Department Chair
  - Director of Student Rights and Responsibilities
  - Dean of Graduate Studies (if the incident occurred in a graduate course)
  - Provost
  - Registrar (if the sanction is a course grade of F or if a sanction of F is revoked).
- VII. The student accepts the academic sanction imposed by the dean of the college or appeals the decision of the dean of the college to the Academic Appeals Committee in writing no later than five (5) working days after being notified of the dean of the college's decision.
- VIII. If the student appeals the decision of the dean of the college, the Academic Appeals Committee investigates the incident and holds a hearing. The Academic Appeals Committee may remove the sanction, confirm the sanction, or impose a different academic sanction, and may refer the case to the Student Conduct Committee with a recommendation for a conduct sanction in addition to the academic penalty. The chair of the Academic Appeals Committee informs the following parties of the decision:
- Student
  - Instructor
  - Department Chair
  - Dean of the College
  - Director of Student Rights and Responsibilities
  - Dean of Graduate Studies (if the incident occurred in a graduate course)
  - Provost
  - Registrar (if the sanction is a course grade of F or if a sanction of F is revoked).
- IX. The Student Conduct Committee considers exclusively whether to add disciplinary sanctions to the academic sanction imposed beforehand and selects and imposes the sanction(s). The Director of Student Rights and Responsibilities informs the following parties of the decision:
- Student
  - Instructor
  - Department Chair
  - Dean of the College
  - Dean of Graduate Studies (if the incident occurred in a graduate course)
  - Provost.

## **Appendix F**

### **Carrying Concealed Handguns on Campus Policy**

#### **I. Policy Statement**

Midwestern State University (MSU) is committed to providing a safe and secure learning, working and living environment for students, faculty, staff, and visitors, and to respecting the right of individuals who are licensed to carry a handgun where permitted by law. Individuals who are licensed to carry may do so on MSU's campus premises except in locations and at activities prohibited by law or by this policy. The carrying of any handgun by an unlicensed person or the open carry of a handgun is not permitted in any place on MSU's campus premises.

## II. Reasons for Policy

The necessity for this policy is occasioned by the 84<sup>th</sup> Texas Legislature's enactment of Senate Bill No. 11 (S.B. 11 – commonly known as the “campus carry” law) which added Section 411.2013 to the Texas Government Code authorizing the concealed carry of handguns on the premises of MSU that takes effect on August 1, 2016. In accordance with S.B. 11, this policy memorializes the rules and regulations enacted by the President of MSU in consultation with students, faculty, and staff and approved by the MSU Board of Regents.

## III. Application of Policy

This policy applies to all faculty, staff, students, guests, visitors, and individuals and organizations doing business on or on behalf of MSU. This policy does not apply to commissioned peace officers as defined in article 2.12 of the Texas Code of Criminal Procedures.

## IV. Definitions (specific to this policy)

- A. Activities: all functions, events, and programs on the MSU campus premises.
- B. Equipment that is incompatible with metallic objects: means, for example, magnetic resonance imaging and nuclear magnetic resonance machines.
- C. Extremely dangerous chemicals, biologic agents, or explosive agents: means biological hazards including a biological substance used in research or experimentation that poses a threat to the health of a living organism, primarily that of a human, and is classified as biosafety level (BSL) 3 or 4 by the Centers for Disease Control and Prevention (biological hazards can include medical waste or samples of microorganisms); or any chemical(s) with a National Fire Protection Association (NFPA) label that lists a particular chemical(s) as a 3 or higher in any category of flammability, instability, or health hazard, or is listed as radioactive in the special hazard category.
- D. Campus Premises: all land, buildings, and portions of buildings owned or leased by the University.
- E. Campus Housing: a residential facility owned or leased and operated by the University and located on the campus premises.
- F. Collegiate Sports: intercollegiate, club, and intramural athletic activities occurring on the campus premises.
- G. Concealed Handgun: a handgun, the presence of which is not openly noticeable to the ordinary observation of a reasonable person.
- H. Days: means business days.
- I. Employee: an individual at any component of MSU, who is hired in a full-time, part-time, or temporary capacity in a faculty or staff position or in a position where the individual is required to be a student as a condition of employment.
- J. Handgun: any firearm that is designed, made, or adapted to be fired with one hand.
- K. Interscholastic Event: a function or program involving elementary or secondary schools.
- L. License Holder: a person issued a License to Carry a Handgun (formerly called a “Concealed Handgun License”) by the Texas Department of Public Safety under Chapter 411 of the Texas Government Code.
- M. Reviewing Official: the University official designated by the President to review a decision to temporarily restrict the carrying of concealed handguns on the campus premises.
- N. Secure Gun Storage: a safe, gun safe, gun case, lock box, or other device that is designed to be or can be used to store a firearm and that is designed to be unlocked only by means of a key, a combination, or other similar means (18 U.S.C. §921(a)(34)(c)).
- O. Store: to take steps that a reasonable person would take to prevent the access to a firearm, including but not limited to placing a firearm in a locked container (secure gun storage); for purposes of this policy, a firearm that is temporarily rendered inoperable by use of a trigger lock or other means is not stored.
- P. Work Area: the place(s) an individual performs assigned duties as an employee of MSU.

V. Rules and Regulations

- A. Open Carry Prohibited. All persons, including License Holders, are prohibited from openly carrying a handgun on the campus premises, including on any public driveway, street, sidewalk or walkway, parking lot, parking garage, or other parking area on the campus premises.
- B. Carrying of Concealed Handgun by a License Holder Right to Carry. A license holder may carry a concealed handgun while on the campus premises (including public driveways, streets, sidewalks or walkways, parking lots, parking garages, and other parking areas) and in MSU passenger transportation vehicles, unless prohibited by state or federal law, or by this policy. License holders are responsible for knowing areas where carrying a concealed handgun is prohibited where notice is not required to be posted.
1. Intoxication. A license holder may not carry a concealed handgun while intoxicated.
  2. Display of Concealed Handgun. A license holder may not carry a partially or wholly visible handgun, or intentionally or knowingly display a handgun in plain view of another person, even if holstered, on the campus premises, including public driveways, streets, sidewalks or walkways, parking lots, parking garages, or other parking areas on the premises of MSU.
  3. Requirement to Display License. A license holder must display his or her license to carry when directed by a law enforcement officer in accordance with section 411.205 of the Texas Government Code. Otherwise, an individual is not required to disclose whether he or she is a license holder in order to participate in any program or service offered by MSU, except as required by law.
- C. Carrying of Concealed Handgun by Employees. An employee who lawfully holds a license to carry may carry a concealed handgun into his or her work area, unless prohibited under this policy, but is not authorized to use the weapon in the course and scope of performing his or her duties. An employee whose possession, storage, or use of a handgun results in personal injury or property damage is personally liable for the injury or damage, and is not entitled to immunity under section 411.208 of the Texas Government Code or any other immunity to which the individual may be otherwise entitled as a University employee.
- D. Locations and Activities where Concealed Handguns are Prohibited. A license holder is prohibited from carrying a concealed handgun onto the campus premises where prohibited by law and where prohibited by this policy based on the nature of the student population, specific safety concerns, uniqueness of the campus environment, and special or unique uses.
1. Concealed handguns are prohibited:
    - a. at a location where a high school, collegiate, or professional sporting event or interscholastic event is taking place as prohibited under section 46.035(b)(2) of the Texas Penal Code, or where a sports club or intramural athletic competition is taking place;
    - b. at a location used as a church, synagogue, or other established place of religious worship as prohibited under section 46.035(b)(6) of the Texas Penal Code;
    - c. at a location designated as a polling place on the day of a federal, state, or local election, including while early voting is in progress as set out in section 46.03(a)(2) of the Texas Penal Code;
    - d. at a location where the campus premises is used by a court unless the handgun is carried pursuant to written regulation or written authorization of the court in accordance with section 46.03(a)(3) of the Texas Penal Code;
    - e. in a nonpublic, secure portion of the MSU Police Department used to conduct official business as prohibited under section 411.207(b) of the Texas Government Code;
    - f. in any laboratory, room, or storage area with extremely dangerous chemicals, biologic agents, or explosive agents, and areas with equipment that is incompatible with metallic objects, as defined by this policy;



- g. where state or federal law or contract, at the sole discretion of the state or federal government or organization with whom the contract is entered, requires exclusion of a handgun in a specific location, including the MSU Testing Center, and the exclusion does not generally prohibit or have the effect of generally prohibiting license holders from carrying concealed handguns on the campus premises;
- h. at a location where medical, health, or clinical services are provided, specifically Vinson Health Center, Gaines Dental Hygiene Clinic, MSU Counseling Center, West College of Education Counseling Center, and MSU Psychology Clinic, including offices within each of these clinics or centers;
- i. at a location where services (e.g., activities/camps) to minors are provided, specifically locations used for Pre-K through Grade 12 activities/camps on the MSU Campus, including residence halls and other buildings used for summer camps and other scheduled activities where school-age children are on the MSU campus, SAT and ACT testing on the MSU campus, and University Interscholastic League (UIL) events held on the MSU campus;
- j. at a location where intercollegiate, club, intramural, and sporting and athletic activities and events occur on the campus premises, specifically the D. L. Ligon Coliseum, MSU Softball, Soccer and Tennis Centers, and Redwine Wellness Center, and fields or other areas on campus premises utilized for such events;
- k. at a location where any meeting, hearing, or other occurrence that involves formal grievances, discipline, dismissal, or remediation of students, faculty, or staff; and
- l. in the room or rooms where a meeting of a governmental entity is held and if the meeting is an open meeting subject to Chapter 551, Government Code, and the entity provided notice as required by that chapter.

2. Concealed handguns are prohibited at the following Activities:

where intercollegiate, club, intramural, and sporting and athletic activities and events occur on the campus premises, specifically D. L. Ligon Coliseum, MSU Softball, Soccer, and Tennis Centers, and Redwine Wellness Center, and fields or other areas on campus premises utilized for such events.

- E. Obligation to Provide Notice Where Concealed Handguns are Prohibited. The University shall provide notice at all locations and activities where concealed handguns are prohibited under this policy and may post notice where handguns are expressly prohibited but where notice is not required to be posted by law. The language of the notice, which is set out in section 30.06 of the Texas Penal Code, shall not be altered in any way unless revised by state law. Any individual who without authorization, tampers with, defaces, modifies, or removes a notice provided pursuant to this policy is subject to disciplinary action, including trespass from campus, suspension, termination of employment or a business relationship, and is subject to criminal prosecution.

1. Notice required under this policy must read:

Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun.

- 2. Notice must be provided in writing and on a card or other document in both English and Spanish. When notice is posted at a location, the sign must appear in contrasting colors with block letters at least one (1) inch in height, displayed in a conspicuous manner that is clearly visible to the public, and at a sufficient distance from the location or activity to inform a license holder that entry on the property or presence at the activity with a concealed handgun is prohibited.
- 3. The University's General Counsel and the MSU Police Department shall be responsible for developing and implementing procedures to ensure campus compliance with the notice requirements provided by this policy.

4. The University shall publish this policy annually in the policy manual and student handbook, and on a webpage dedicated to the carrying of concealed handguns on campus premises.
  5. Contracts for use of the campus premises shall include pertinent provisions of this policy.
- F. Campus Housing. A concealed handgun may be carried or stored in campus housing as set out in this policy. Any time a handgun in a campus housing facility is not in the immediate care, custody, or control of the owner, that handgun must be stored within secure gun storage. No gun storage will be provided by MSU; however, secure gun storage safes may be rented through the Office of Residence Life and Housing for use in campus housing.
1. Residents  
A license holder who resides in campus housing may carry a concealed handgun into campus housing and may store the weapon in his or her assigned residential room except during periods between the spring and fall semesters when the facility hosts summer camps attended by minors.
    - a. A resident who brings a concealed handgun into campus housing pursuant to this policy must carry the weapon on his or her person at all times or store it in his or her assigned room within secure gun storage.
    - b. A handgun may be stored only in a residential room, and in a locked container rented from or approved by the University.
    - c. A resident may not intentionally or knowingly display a handgun in plain view of another person in campus housing except as necessary to properly store the weapon in his or her assigned residential room.
    - d. A student who is assigned to a residential room in campus housing where a firearm is stored and is concerned about his or her wellbeing may request a transfer to another residential room through the regular University housing process.
  2. Non-Residents  
a. A license holder who does not reside in campus housing may carry a concealed handgun into campus housing except during periods between the spring and fall semesters when the facility hosts summer camps attended by minors.
  - b. The handgun must be carried on the non-resident's person at all times and may not be stored in a campus housing room.
  3. Responsible for Personal Injury or Damage. A resident or non-resident whose possession, use, or storage of a handgun results in personal injury or property damage is personally liable for the injury or damage.
- G. Temporarily Prohibiting Concealed Handguns on Campus Premises
1. The President or President's designee may prohibit the carrying of concealed handguns for up to seven (7) days in order to promote safety on the campus premises:
    - a. when the activity has a history for violence;
    - b. where a large-scale activity, due to the presence of alcohol, uniqueness of the campus environment, specific threat of violence, or other safety considerations presents a reasonable threat to health or safety; or
    - c. upon request of the University Chief of Police when it reasonably appears there is threat of injury to human life, destruction to University property, or a threat of willful disruption of orderly operation of the University as defined in section 51.231 of the Education Code, or upon receipt of credible information of imminent injury to human life or destruction to University property.
  2. Review of Decision to Temporarily Restrict Carrying of Concealed Handgun
    - a. A license holder may request review of the decision to temporarily prohibit the carrying of a concealed handgun.
    - b. The request must be submitted in writing to the reviewing official and describe why allowing concealed handguns at the location or activity does not present a safety concern.

- c. The reviewing official may request additional information and must notify the license holder of the decision no later than two (2) days after receiving the request for review. The notice must provide the reason(s) for the decision.
  - d. The decision of the reviewing official is final.
- H. Sanctions for Violating this Policy. Any individual who violates this policy is subject to disciplinary action which may include trespass from campus, suspension, or termination of employment or a business relationship, and is subject to criminal prosecution.
- I. Training. The MSU Police Department will establish Safe Campus training that will be made available to the University community.
- J. Report to Legislature. MSU's President, or her/his designee, shall prepare a report for the Texas Legislature describing the campus rules adopted to regulate the carrying of concealed handguns on campus and the reasons for the rules not later than September 1, 2016 and every even-numbered year thereafter. This report will be submitted to the University's Board of Regents prior to submission to the Legislature.
- K. Amending Policy. As provided for by law, the President may, at her/his discretion, amend the provisions of this policy as necessary for campus safety, which shall take effect as determined by the President unless subsequently amended by the Board of Regents.

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