

MINNESOTA STATE UNIVERSITY MOORHEAD

**STUDENT  
HANDBOOK**

**2024-2025**

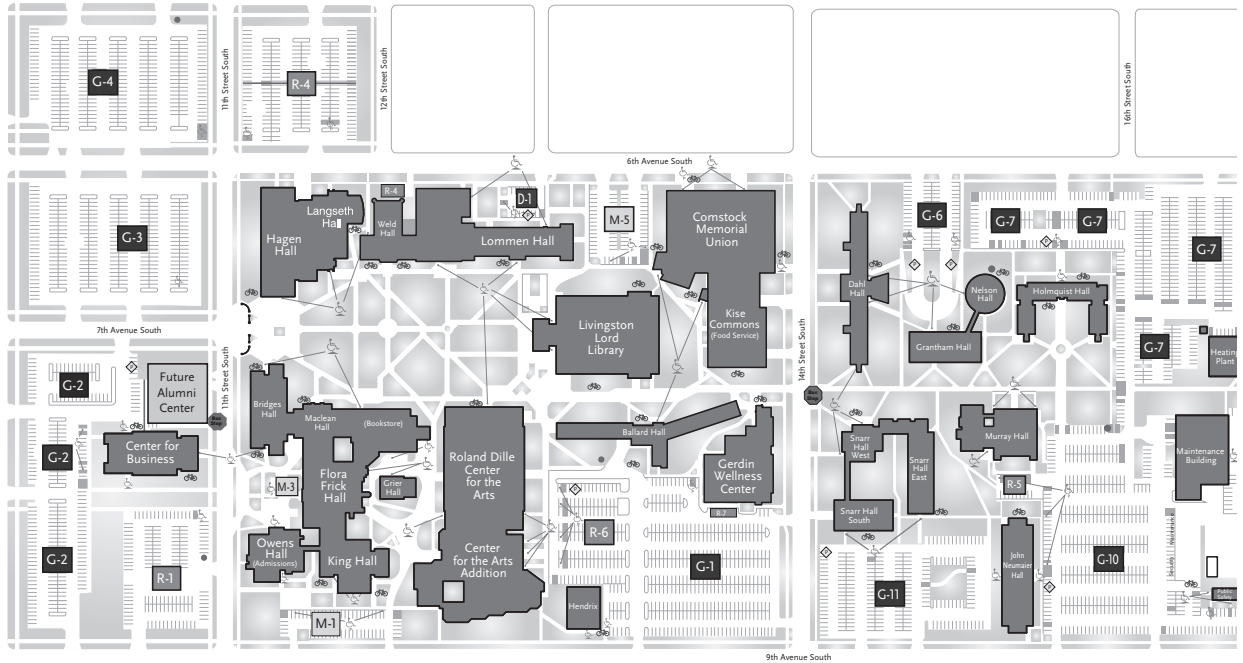


***2024-2025***

**MSUM**

**STUDENT HANDBOOK**

# Campus Map



## BUILDINGS

### ALEX NEMZEK HALL (NZ) (1711 6th Ave. So.)

FIRST FLOOR: Athletics; Athletic Training Room; Health & Human Performance; Intramurals; Sports Information; Swimming Pool; Weight Room  
 SECOND FLOOR: Classrooms and Computer Lab

### BALLARD HALL (BA) (1308 8th Ave. So.)

FIRST FLOOR: Computer Science and Information Systems; Planetarium;  
 Women's Center; Rainbow Dragon Center

SECOND FLOOR: Dean of Arts and Humanities, Lakes Country Service  
 Cooperative Youth Educational Services  
 THIRD FLOOR: Psychology

### CENTER FOR BUSINESS (CB) (721 11th St. So.)

FIRST FLOOR: Dean of Business, Analytics, and Communication, Office of Graduate and Extended Learning

SECOND FLOOR: Paseka School of Business; Professional Management

### COMSTOCK MEMORIAL UNION (CU) (615 14th St. So.)

LOWER LEVEL: Affinity Plus Credit Union; American Indian Center; Diversity and Inclusion; Lactation and Meditation Room; Student Senate; First Year Programs; International Student Services; Office of Student Activities; Student Programming; CMU dining

MAIN LEVEL: Starbucks; Jamba Juice; Convenience Store; ATM

SECOND FLOOR: Ballroom; Conference Rooms;

Student Union Administration/Event Services Office

### DAHL HALL (DA) (600 14th St. So.)

Residence Hall

### FRICK HALL (FR) (800 11th St. So.)

FIRST FLOOR: Academic Success Center; Career Development Center; Dean of Students; Dragon Café; Dragon Pantry; Veterans Resource Center;  
 SECOND FLOOR: School of Communication and Journalism; the Advocate Campus Newspaper; KMSC Dragon Radio

### GERDIN WELLNESS CENTER (WC) (805 14th St. So.)

Personal Fitness Center

### GRANTHAM HALL (GN) (1415 6th Ave. So.)

Residence Hall

### HAGEN HALL (HA) (600 11th St. So.)

FIRST FLOOR: Dean of Science, Health and the Environment; Regional Science Center Office; Center for Engaged Learning

SECOND FLOOR: School of Nursing and Healthcare Leadership

THIRD FLOOR: Physics

FOURTH FLOOR: Biosciences & Chemistry

### HEATING PLANT (HP) (703 17th St. So.)

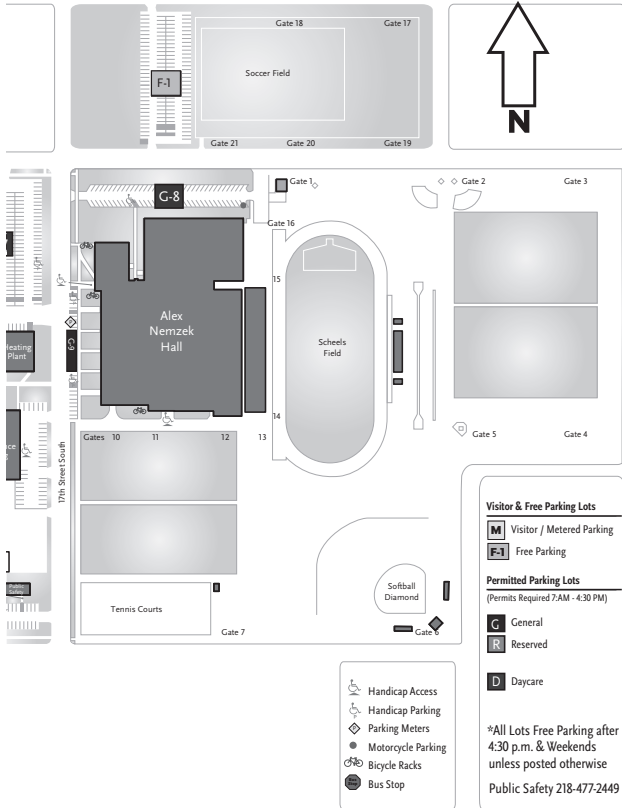
### HENDRIX (HH) (1308 9th Ave. So.)

Accessibility Resources; Testing Services; Counseling Services

### HOLMQUIST HALL (HO) (621 16th St. So.)

Residence Hall

# 2024-25



**JOHN NEUMAIER HALL (JN)** (1510 9th Ave. So.)

Resident Apartment Complex

**KING HALL (KH)** (1120 9th Ave. So.)

FIRST FLOOR: Anthropology/Earth Sciences  
SECOND FLOOR: Anthropology/Earth Sciences  
THIRD FLOOR: Art Labs

**KISE COMMONS (KC)** (725 14th St. So.)

Dining Hall

**LANGSETH HALL (LH)** (600 11th St South)

LOWER LEVEL: Research Rooms and Labs; Oceanarium  
FIRST FLOOR: Auditorium; Labs  
SECOND FLOOR: Biology Labs  
THIRD FLOOR: Chemistry Labs  
FOURTH FLOOR: Greenhouse

**LIVINGSTON LORD LIBRARY (LI)** (700 13th St. So.)

FIRST FLOOR: Library Services; Information Technology Help Desk; Faculty Development Center; Tutoring Services; University Writing Center; Group Study Spaces

SECOND FLOOR: Information Technology; Institutional Effectiveness; Computer Labs; Curriculum Center; Faculty Study Spaces; Group Study Spaces

THIRD FLOOR: Books; Group Study Spaces

FOURTH FLOOR: Books; Group Study Spaces; Faculty Study Rooms; Archives

**LOMMEN HALL (LO)** (1213 6th Ave. So.)

FIRST FLOOR: Dean of Education and Human Services; Counseling Program; School of Social Work

SECOND FLOOR: School of Teaching and Learning; Sociology and Criminal Justice

GROUND LEVEL: (Lommen Addition): Early Education Center (Preschool)

UPPER LEVEL: (Lommen Addition): Student Study Space/Lounge

**MACLEAN HALL (MA)** (1128 8th Ave. So.)

FIRST FLOOR: Bookstore; Post Office

SECOND FLOOR: Philosophy

THIRD FLOOR: Economics, Law, and Politics; History, Languages, and

Humanities; Women's and Gender Studies; Mathematics

**MAINTENANCE BUILDING/PHYSICAL PLANT (MB)** (709 17th St. So.)

Buildings and Grounds; Motor Pool; Physical Plant; Scheduling; Trades Shops

**MURRAY HALL (MU)** (1500 8th Ave. So.)

LOWER LEVEL: Building Services

MAIN FLOOR: Speech Language Hearing Sciences Department and Clinic; Regional Assistive Technology Center (RATC) Offices; Labs

**NELSON HALL (NL)** (1419 6th Ave. So.)

Residence Hall

**OWENS HALL (Administration Building) (OW)** (812 11th St. So.)

FIRST FLOOR: Admissions; Business Services; Scholarship and Financial Aid; Transfer Center

SECOND FLOOR: Academic Affairs; Registrar's Office; Enrollment Management & Student Affairs; Human Resources; President's Office; Finance and Administration; University Advancement and Foundation

**PUBLIC SAFETY (PS)** (1616 9th Ave. So.)

Public Safety; Keys and Card Access; Parking; Moorhead Police Department Substation

**ROLAND DILLE CENTER FOR THE ARTS (CA)** (801 13th St. So.)

School of Visual Arts; School of Performing Arts; School of Media Arts, Design, and Entertainment; Hansen Theatre; Gaede Stage; Fox Recital Hall

**SNARR EAST (SE)** (810 14th St. So.)

Residence Hall

**SNARR SOUTH (SS)** (820 14th St So.)

Residence Hall, Housing and Residential Life Office

**SNARR WEST (SW)** (810 14th St. So.)

Residence Hall

**WELD HALL (WE)** (1201 6th Ave. So.)

LOWER LEVEL: Classrooms

UPPER LEVEL: Classrooms; Glasrud Auditorium

SECOND FLOOR: English

**PROPERTIES**

**REGIONAL SCIENCE CENTER (SC)** (663 164th St So., Glyndon, MN 56547)

Paul P. Feder Observatory



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NOTE: Every effort has been made to ensure the accuracy of this publication; however, MSUM cannot be held liable for any inaccuracies or omissions. Information contained in this publication is subject to change without notice. For updates, see the MSUM web site at [www.mnstate.edu](http://www.mnstate.edu)

# MSUM Mission Statement:

Minnesota State University Moorhead is a caring community promising all students the opportunity to discover their passions, the rigor to develop intellectually and the versatility to shape a changing world.

**MSUM Purpose:** Our purpose, in its simplest and most idealistic form, is to transform the world by transforming lives.

## MSUM Core Values:

### Grit

- We are “scrappy” and resourceful.
- We have big goals and the tenacity to achieve them.
- We have the courage to do what’s right.

### Humility

- We’re all on the same team and everyone’s role is important.
- We seek the best ideas and know they can come from anywhere and anyone in our campus community.
- We don’t take ourselves too seriously.

### Heart

- We go the extra mile for our students and each other.
- We are passionate about our purpose.
- We are fiercely loyal to MSUM.

## MSUM Strategic Anchors

We will achieve our purpose by anchoring our work with three key strategies. While we may prioritize these strategic anchors differently at different times, the anchors themselves will remain constant for the foreseeable future. These are the strategies that will enable us to achieve our purpose of transforming the world by transforming lives:

### Strategy 1: **Our Students.**

We will focus relentlessly on student achievement and students’ return on their investment.

#### WE WILL:

- Ensure student learning and achievement are at the center of our work
- Assess the effectiveness of our curriculum and pedagogy and make continuous improvement

- Engage students with the community in educationally purposeful ways
- Celebrate students’ outstanding achievement in academics, the arts, athletics, service, and leadership

### Strategy 2: **Our University.**

We will create a campus community that is diverse, inclusive, globally aware, and just.

#### WE WILL:

- Create a campus community that reflects the diversity of society
- Ensure MSUM is accessible and welcoming to students and employees who have historically been under-served by higher education
- Create a campus culture that values and celebrates diversity of ideas, perspectives, and people
- Create a campus community that is just and equitable

### Strategy 3: **Our World.**

We will be indispensable to the social, cultural, and economic advancement of Moorhead and the surrounding communities.

#### WE WILL:

- Attract and retain talent to Moorhead and the region
- Contribute leadership and expertise to address community issues and economic development

Enrich the community through academic, athletic, arts, service, and leadership opportunities.

# Preamble:

Members of the University community are expected to be familiar with the rules and procedures contained within this handbook. This publication provides general guidance and direction and is not intended to cover every conceivable situation. The information about University policies outlines the rights, responsibilities, and privileges enjoyed by the students, faculty, and staff that make up the University community. The purpose of MSUM's policies is to promote and maintain the University learning environment, inform University members of their responsibilities, and aid in preventing violations of the rights of individuals.

Specific questions relating to policies and procedures and interpretations of specific sections within the Handbook should be directed to the University Office of Student Conduct and Resolution at (218) 477-2174 or the Dean of Students at (218) 477-2391.

Because policies are subject to change, revisions that occur will be updated on the MSUM webpage and will have priority over the contents of the printed edition.

## Student Rights & Responsibilities

### 1. Freedom to Learn

In addition to the basic constitutional rights enjoyed by all citizens, students at colleges and universities have specific rights related to academic freedom and their status as students. Freedom to teach and freedom to learn are inseparable facets of academic freedom. The freedom to learn depends on appropriate opportunities and conditions in all learning environments, on the campus, and in the larger community. Students are expected to exercise their freedom with responsibility.

### 2. Freedom of Expression

Individual students and student organizations shall be free to examine and to discuss all questions of interest to them and to express opinions publicly and privately. They shall be free to support causes by orderly means that do not substantially disrupt the regular and essential operation of the college or university. Students shall be free to take reasoned exception to the information or views offered in any course of study and to reserve judgment about matters of opinion, but they are responsible for learning the content of any course of study for which they are enrolled.

### 3. Freedom of Association

Students shall be free to organize and join organizations to promote their common and lawful interests, subject to college or university policies, procedures, or regulations. Registration or recognition may be withheld or withdrawn from organizations that violate college or university policies, procedures, or regulations.

### 4. Student-Sponsored Forums

Students shall have the right to assemble, to select speakers, and to discuss issues of their choice. The college or university shall establish reasonable time, place, and manner restrictions to assure that the assembly does not substantially disrupt the work of the college or university or interfere with the opportunity of other students to obtain an education or otherwise infringe upon the rights of others. Such regulations must not be used as a means of censorship. The president or designee may prohibit any forum when there is a likelihood of harm to individuals or damage to property if the event is held. Prior to any such prohibition, the president shall make his or her best effort to consult with the student association.

## 5. Student Publications

Student-funded publications must be free of censorship and advance approval of copy. Their editors and managers shall be free to develop their own editorial and news coverage policies. Editors, managers, and contributors of student publications shall be protected from arbitrary suspension and removal because of student, faculty, administrative, or public disapproval of editorial policy or content. The student fee allocation process must not be used as a means of editorial control of student-funded publications. All student publications must explicitly state on the editorial page that the opinions there expressed are not necessarily those of the college, university, system, or student body.

## 6. Student Policies

The policies, procedures, and regulations of the college or university regarding student expectations, rights, and responsibilities must be readily accessible to students.

## 7. Catalog and Course Information

To the extent possible, students must be provided relevant and accurate information regarding courses prior to enrollment. Catalog course descriptions and website postings must be accurate and based on information existing at the time of publication. To the extent possible, class schedules must list the names of faculty teaching the courses.

## 8. Student Academic Standing Information

Students shall have access to accurate information for establishing and maintaining acceptable academic standing, information which will enable students to determine their individual academic standing, and information regarding graduation requirements.

## 9. Academic Evaluation

Student academic performance must be evaluated solely on the basis of academic standards, including any requirements that are noted in the catalog, course syllabus, student handbook, or on the college or university website. Students must have protection against prejudiced or capricious evaluation and not be evaluated on the basis of opinions or conduct in matters unrelated to academic standards. Students must have the right to review their corrected examinations or other required assignments used by the faculty in evaluating the student's academic performance.

## 10. Property Rights

Term papers, essays, projects, works of art, and similar property including property in which the student has intellectual property rights pursuant to Board Policy 3.26 must be returned to a student upon request, within a reasonable timeframe, when no longer needed for evaluation purposes, unless the student grants written permission for them to be retained.

## 11. Student Review and Consultation

Students must have the right to appropriate levels of participation in college and university decision-making pursuant to Board Policy 2.3 and System Procedure 2.3.1 Student Involvement in Decision-Making.

(Minnesota State: Board Policy 3.1: Students Rights & Responsibilities)

# Disclaimer

Minnesota State University Moorhead reserves the right to amend or develop additional policies or procedures as necessary to ensure the promotion of safety for the community. University officials will make every attempt to communicate changes to those affected in a timely manner.



# Policies & Procedures

- ▷ FERPA (Family Educational Rights And Privacy Act) Notice
- ▷ Equal Opportunity & Nondiscrimination Policy & Procedure
- ▷ Sexual Violence Policy & Procedure
- ▷ Alcohol and Other Drug Policy
- ▷ Parental Notification Policy
- ▷ Drug Offense Conviction Statement
- ▷ Smoking and Tobacco Use Policy
- ▷ Academic Honesty
- ▷ Grievance and Complaint Process
- ▷ Student Email Policy
- ▷ Online Communication
- ▷ Skateboarding, In-Line Skate, and Bicycle Policy

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## FERPA (FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT) NOTICE

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. They are:

1. The right to inspect and review the student's education records within 45 days of the day MSUM receives a request for access.
  - Students should submit to the Registrar, Dean, head of the academic department, or other appropriate official, written requests that identify the record(s) they wish to inspect. The university official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the university official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.
2. The rights to request an amendment to the student's education records which the student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.
  - Students may ask MSUM to amend a record by writing the university official responsible for the record. The student must clearly identify the part of the record they want changed and specify why it is inaccurate or misleading. MSUM will notify the student in writing of the decision and advise the student of their right to a hearing if the request was denied. Additional information regarding the hearing procedures will be provided to the student at that time.
3. The right to a written consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.
  - MSUM discloses education records without a student's prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official is a person employed by MSUM 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 MSUM has contracted to provide a service (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; representatives of Minnesota State, including the Chancellor, Chancellor's staff; 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 responsibilities. Upon request, MSUM discloses education records without consent to officials of another school in which a student is enrolled or intends to enroll.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by Minnesota State University Moorhead to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:
  - ▶ Family Policy Compliance Office  
U.S. Department of Education , 400 Maryland Ave. S.W.,  
Washington, DC 20202

MSUM may disclose directory information of students. Directory information includes:

- Name, local and permanent (hometown) address
- telephone number
- major and minor fields of study
- class level
- dates of enrollment
- full time/part time status
- awards and honors (including Dean's list)
- degree(s) conferred (including dates)
- previous educational institution(s) and dates attended
- past and present participation in officially recognized activities and sports
- height and weight of athletes.

MSUM designates the following information as limited directory information.

- student Star ID number
- electronic mail addresses (email addresses)
- photographs taken and maintained by MSUM for various purposes

Accordingly, this information will not be provided to external parties not contractually affiliated with MSUM. Use and disclosure of this information shall be limited to publication on websites hosted by, on behalf of, or for the benefit of MSUM, including the online directory and those officials within MSUM who have access, consistent with FERPA, to such information.

Students may refuse to permit the disclosure of directory information if they notify MSUM's Registrar in writing they do not want such information disclosed.

Students may review or obtain a copy of MSUM's FERPA Policy at the following offices: Records, Provost and Senior Vice President for Academic Affairs, and Vice President of Student Affairs or by visiting the following web page: [www.mnstate.edu/registrar/data-privacy/](http://www.mnstate.edu/registrar/data-privacy/)

## **EQUAL OPPORTUNITY AND NONDISCRIMINATION POLICY**

*Minnesota State University Moorhead is a University within the Minnesota State System. As such, the university adheres to the Board Policy 1B.1 Equal Opportunity and Nondiscrimination in Employment and Education. For a copy of the policy and related 1B.1.1 Report/Complaint of Discrimination/Harassment Investigation Resolution procedure, please visit the MSUM policies page: [www.mnstate.edu/policies](http://www.mnstate.edu/policies) or the Minnesota State policies page: [www.minnstate.edu/board/policy](http://www.minnstate.edu/board/policy)*

## **Part 1. Policy Statement**

### **Subpart A. Equal opportunity for students and employees.**

Minnesota State Colleges and Universities has an enduring commitment to enhancing Minnesota's quality of life by developing and fostering understanding and appreciation of a free and diverse society and providing equal opportunity for all its students and employees. Minnesota State is committed to a policy of equal opportunity and nondiscrimination in employment and education.

**Subpart B. Nondiscrimination.** Minnesota State prohibits discrimination and harassment against persons in the terms and conditions of employment, personnel practices, or access to and participation in educational programs, services, and activities on the basis of membership or perceived membership in any of the following protected classes: race, sex (including pregnancy, child birth, and related medical conditions), color, creed, religion, age, national origin, disability, marital status, status with regard to public assistance, sexual orientation, gender identity, gender expression, veteran status, familial status, and membership or activity in a local human rights commission. Protected class also includes genetic information for employees.

Minnesota State shall maintain and encourage full freedom of expression, inquiry, teaching and research. Academic freedom comes with a responsibility that all members of our education community benefit without intimidation, exploitation, or coercion. This policy is directed at conduct that constitutes discrimination or harassment under this policy and is not directed at the content of speech. In cases in which statements and other forms of expression are involved, Minnesota State must consider an individual's constitutionally protected right to free speech and academic freedom. However, discriminatory or harassing conduct is not within the protections of academic freedom or free speech.

### **Part 2. Applicability.**

This policy applies to all individuals affiliated with Minnesota State, including but not limited to, its students, employees, applicants, volunteers, agents, the Board of Trustees, and others as appropriate and protects the rights and privacy of all involved individuals, as well as prevents retaliation. Complaints of conduct by a student occurring at a location other than on system property, including online, are covered by this policy pursuant to the factors listed in Board Policy 3.6, Part 2. Complaints of conduct by a system employee at locations other than system property, including online, are covered by this policy. Complaints of conduct on system property, including online, by individuals who are not students or employees are subject to appropriate actions by Minnesota State, including but not limited to, pursuing civil action against them, referral to law enforcement, or pursuing

a no trespass. Individuals who violate this policy will be subject to disciplinary or other corrective action. Allegations of conduct in violation of Policy 1B.1 may be submitted through the process identified in System Procedure 1B.1.1 Intervention and Resolution.

### Part 3. Definitions.

#### Discrimination

Employment decisions, educational decisions, or treatment of an individual because of protected class status or perceived protected class status that subjects the individual to different treatment so as to interfere with or limit the ability of the individual to participate in, or benefit from, the services, activities, or privileges provided by Minnesota State or otherwise adversely affects the individual's employment or education.

#### Employee

Any individual employed by Minnesota State, including its colleges, universities, and system office, including student workers.

#### Harassment

##### Discriminatory harassment

Unwelcome conduct or communication that is based on actual or perceived membership in a protected class, including stereotypes of protected classes, that has a negative effect or is likely to have a negative effect on the complainant or the workplace or educational environment. Harassment may occur in a variety of relationships, including faculty and student, supervisor and employee, student and student, staff and student, employee and employee, and other relationships with persons having business at, or visiting the educational or working environment. Discriminatory harassment includes, but is not limited to:

1. Oral or written conduct such as jokes, innuendo, slurs, name-calling, negative comments about cultural norms, circulating rumors;
2. Physical contact, battery, blocking movement;
3. Non-verbal derogatory gestures, stalking, interference with work performance;
4. Visual displays, including but not limited to, posters, drawings, screen savers, emails and texts with derogatory meaning, epithets written on complainant's personal property or other symbols associated with particular protected classes.

##### Sexual harassment

Minnesota State further defines sexual harassment as a form of sex discrimination and discriminatory harassment. Sexual harassment is conduct or communication of a sexual nature

that is unwelcome, that has a negative effect or is likely to have a negative effect on the complainant or the workplace or educational environment. Sexual harassment includes, but is not limited to:

1. Unwelcome sexual innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, degrading sexual remarks, threats;
2. Unwelcome sexually suggestive objects or pictures, graphic commentaries, suggestive or insulting sounds, leering, whistling, obscene gestures;
3. Unwelcome physical contact, such as sexual assault and sexual violence (as defined in Board Policy 1B.3), molestation, or attempts to commit these assaults; unwelcome touching, pinching, or brushing of or by the body;
4. Preferential treatment or promises of preferential treatment for submitting to sexual conduct, including soliciting or attempting to solicit an employee, student or other individual to submit to sexual activity for a benefit including, but not limited to, hiring, promotion, compensation, grades, or authorship;
5. Negative treatment or threats of negative treatment for refusing to submit to sexual conduct;
6. Subjecting, or threatening to subject, an employee, student or other individual to unwelcome sexual attention or conduct; and
7. Conduct which exploits the sexual characteristics of others including transmitting or the threat of transmission of photographs and or videos of graphic nudity or sexually graphic messages of others without the consent of the subject of the photograph, video, or message.

Note: Some of these examples of misconduct may also be subject to Board Policy 1B.3 Sexual Violence Policy.

##### Protected class

Protected class includes race, sex (including pregnancy, child birth, and related medical conditions), color, creed, religion, age, national origin, disability, marital status, status with regard to public assistance, sexual orientation, gender identity, gender expression, veteran status, familial status, and membership or activity in a local human rights commission. Protected class also includes genetic information for employees.

##### Retaliation

Retaliation includes, but is not limited to, engaging in any form of intimidation, reprisal, or harassment against an individual because the person:

1. made a complaint or other communication under this policy or opposes conduct prohibited by this policy;

2. assisted or participated in any manner in an investigation, or process under this policy, regardless of whether a claim of discrimination or harassment is substantiated;

3. associated with a person or group of persons who are members of a protected class; or

4. made a complaint or assisted or participated in any manner in an investigation or process with the Equal Employment Opportunity Commission, the U.S. Department of Education Office for Civil Rights, the Minnesota Department of Human Rights or other enforcement agencies, under any federal or state nondiscrimination law, including the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1973; the Minnesota Human Rights Act, Minn. Stat. Ch. 363A, and their amendments.

Retaliation may occur whether or not there is a power or authority differential between the individuals involved.

#### Sexual harassment and violence as sexual abuse

Minnesota law provides special protection for children under 18 and vulnerable adults. These laws, Minnesota Statutes sections 260E and 626.557, identify those who are mandated to report neglect or abuse of children under 18 and maltreatment of vulnerable adults. Faculty, student teachers or clinical participants, day care personnel, and others involved in education or services to children or vulnerable adults may be considered mandated reporters under both of these laws. Reports of abuse or neglect of a child or vulnerable adult, must be made to law enforcement or state or county social service agencies.

#### Student

For purposes of this policy, the term “student” includes all persons who:

1. Are enrolled in one or more courses, either credit or non-credit, through a college or university;
2. Withdraw, transfer or graduate, after an alleged violation of the student conduct code;
3. Are not officially enrolled for a particular term but who have a continuing relationship with the college or university;
4. Have been notified of their acceptance for admission or have initiated the process of application for admission or financial aid; or
5. Are living in a college or university residence hall although not enrolled in, or employed by, the college or university.

#### Part 4. Consensual Relationships

A consensual relationship is a sexual or romantic relationship between two or more persons who voluntarily enter into such a relationship. An employee of Minnesota State shall not enter into a consensual relationship with a student or an employee over whom the person exercises

direct or otherwise significant academic, administrative, supervisory, evaluative, counseling, or extracurricular authority or influence. In the event a relationship already exists, each college, university, and the system office shall develop a procedure to reassign evaluative authority as may be possible to avoid violations of this policy. This prohibition does not limit the right of an employee to make a recommendation on personnel matters concerning a family or household member where the right to make recommendations on such personnel matters is explicitly provided for in the applicable collective bargaining agreement or compensation plan.

#### Part 5. Retaliation

Retaliation is prohibited at Minnesota State. Any individual covered by this policy who engages in retaliation is subject to disciplinary or other corrective action as appropriate.

#### Part 6. Policies and procedures

College and university policies and procedures on equal opportunity and nondiscrimination in employment and education must comply with Board Policy 1B.1 and System Procedure 1B.1.1.

**Designated Officers** (to address questions or concerns, to file a complaint, and to obtain a printed copy of the policy and/ or procedure):

**Human Resources Office:** Owens Hall 210; 218-477-2157

**Affirmative Action Officer:** Owens Hall 210; 218-477-2157

**Title IX Coordinator:** Flora Frick 153; 218-477-2391  
mnstate.edu/titleix

#### SEXUAL VIOLENCE POLICY

*Minnesota State University Moorhead is a University within the Minnesota State System. As such, the university adheres to the Board Policy **1B.3 Sexual Violence**. For a copy of the policy and related **1B.3.1 Response to Sexual Violence procedure**, please visit the MSUM policies page: [www.mnstate.edu/policies](http://www.mnstate.edu/policies) or the Minnesota State policies page: [www.mnstate.edu/board/policy](http://www.mnstate.edu/board/policy)*

#### Policy Statement

Sexual violence is an intolerable intrusion into the most personal and private rights of an individual, and is prohibited at Minnesota State University Moorhead (MSUM). MSUM is committed to eliminating sexual violence in all forms and will take appropriate remedial action against any individual found responsible for acts in violation of this policy. Acts of sexual violence may also constitute violations of criminal or civil law, or other Minnesota State Board Policies that may require separate proceedings. To further its commitment against sexual violence, MSUM provides reporting options,



an investigative and disciplinary process, and prevention training or other related services as appropriate.

#### **Application of policy to students, employees, and others.**

This policy applies to all MSUM students and employees and to others, as appropriate, where incidents of sexual violence on system property have been reported. Reports of sexual violence committed by a student at a location other than system property are covered by this policy pursuant to the factors listed in the Student Conduct Code. Reports of sexual violence committed by an employee at a location other than system property are covered by this policy.

Reports of sexual violence committed on University property by individuals who are not students or employees are subject to appropriate actions by MSUM, including, but not limited to, pursuing criminal or civil action against them.

Reports of discrimination or harassment are governed by the Equal Opportunity and Nondiscrimination in Employment and Education Policy.

#### **Definitions**

The following definitions apply to the Sexual Violence Policy and Response Procedure:

**Affirmative consent** - Consent is informed, freely given, and mutually understood willingness to participate in sexual activity that is expressed by clear, unambiguous, and affirmative words or actions. It is the responsibility of the person who wants to engage in sexual activity to ensure that the other person has consented to engage in the sexual activity. Consent must be present throughout the entire sexual activity and can be revoked at any time. If coercion, intimidation, threats, and/or physical force are used, there is no consent. If the complainant is mentally or physically incapacitated or impaired so that the complainant cannot understand the fact, nature, or extent of the sexual situation, there is no consent; this includes conditions due to alcohol or drug consumption, or being asleep or unconscious. A lack of protest, absence of resistance, or silence alone does not constitute consent, and past consent to sexual activities does not imply ongoing future consent. The existence of a dating relationship between the people involved or the existence of a past sexual relationship does not prove the presence of, or otherwise provide the basis for, an assumption of consent. Whether the respondent has taken advantage of a position of influence over the complainant may be a factor in determining consent.

#### **Dating, intimate partner, and relationship violence**

Violence including physical harm or abuse, and threats of physical harm or abuse, arising out of a personal intimate

relationship. This violence also may be called domestic abuse or spousal/partner abuse and may be subject to criminal prosecution under Minnesota law.

#### **Employee**

Any individual employed by Minnesota State, its colleges and universities and system office, including student workers.

#### **Non-forcible sex acts**

Non-forcible acts include unlawful sexual acts where consent is not relevant, such as sexual contact with an individual under the statutory age of consent, as defined by Minnesota law, or between persons who are related to each other within degrees wherein marriage is prohibited by law.

#### **Sexual assault**

An actual, attempted, or threatened sexual act with another person without that person's affirmative consent. Sexual assault is often a criminal act that can be prosecuted under Minnesota law, as well as form the basis for discipline under Minnesota State student codes of conduct and employee disciplinary standards. Sexual assault includes but is not limited to:

1. Involvement without consent in any sexual act in which there is force, expressed or implied, or use of duress or deception upon the victim. Forced sexual intercourse is included in this definition, as are the acts commonly referred to as date rape or acquaintance rape. This definition also includes the coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another.
2. Involvement in any sexual act when the victim is unable to give consent.
3. Intentional and unwelcome touching of a person's intimate parts (defined as primary genital area, groin, inner thigh, buttocks, or breast); or coercing, forcing, or attempting to coerce or force another to touch a person's intimate parts.
4. Offensive sexual behavior directed at another, such as indecent exposure or voyeurism.

#### **Sexual violence**

A continuum of conduct that includes sexual assault, non-forcible sex acts, dating and relationship violence, stalking, as well as aiding acts of sexual violence.

#### **Stalking**

Conduct directed at a specific person that is unwanted, unwelcome, or unreciprocated and that would cause reasonable people to fear for their safety or the safety of others or to suffer substantial emotional distress.

**Student**

All persons who:

1. Are enrolled in one or more courses, either credit or non-credit, through a college or university; or
2. Withdraw, transfer, or graduate after an alleged violation of the code of student conduct; or
3. Are not officially enrolled for a particular term but who have a continuing relationship with the college or university; or
4. Have been notified of their acceptance for admission or have initiated the process of application for admission or financial aid; or
5. Are not college or university employees and are not enrolled in the institution but live in a college or university residence hall.

**System property**

The facilities and land owned, leased, or under the primary control of Minnesota State, its Board of Trustees, system office, colleges, and universities.

**Designated Officers** (to address questions or concerns, to file a complaint, and to obtain a printed copy of the policy and/ or procedure):

**Title IX Coordinator:** Flora Frick 153; 218-477-2391  
mnstate.edu/titleix

**Human Resources Office:** Owens Hall 210; 218-477-2157

**Affirmative Action Officer:** Owens Hall 210; 218-477-2157

**ALCOHOL AND OTHER DRUG POLICY****Policy Statement:**

Minnesota State University Moorhead recognizes that the misuse of alcohol and other drugs is a serious problem in our society and our community. This University seeks to create a campus environment which promotes healthy and responsible living that is conducive to the intellectual and personal development of students. The University is committed to establishing and enforcing clear prohibited conduct expectations regarding the use of alcohol and other drugs.

**Definitions:**

1. **Recognized Student Organization** – any student organization that has successfully completed the recognition process as outlined in the Student Organization Handbook and registers each academic year with the Office of Student Activities.
2. **Travel Status** – the time period from departure until return to campus by students who have obtained

travel authorization through the appropriate university representative for a university sponsored student event.

3. **University Recognized Student Event** – activities that include, but are not limited to: official meetings, practices, competitions or trips involving students (who represent divisions, departments or majors), recognized student organizations or intercollegiate athletic teams of the University.
4. **Good Samaritan** – A student who seeks emergency services for a fellow student suffering from an alcohol or other drug (AOD) overdose.

**Prohibited Conduct:**

1. The use, possession, distribution, manufacture, or sale of any alcoholic beverage is prohibited **on the campus**. The illegal or unauthorized use, possession, distribution, manufacture, or sale of any controlled substance or drugs is prohibited on the campus, which includes hemp manufactured product with any amount of THC. The possession or display of drug paraphernalia, alcohol “trophies,” or other form of empty alcohol containers, is prohibited on campus.
2. The use, possession, distribution, manufacture or sale of any alcoholic beverage, illegal drug and the illegal or unauthorized use, possession, distribution, manufacture or sale of a controlled substance, including hemp manufactured product with any amount of THC, is prohibited by individual students, recognized student organizations and athletic teams when in **travel status representing the University**.
  - a. Alcohol may not be transported in vehicles that are utilized to conduct organization or university business. This includes, but is not limited to state fleet vehicles, rental or personal vehicles transporting students to a university or organization sanctioned event and/or rental or personal vehicles that will be reimbursed for mileage by organizations or the university.
  - b. Alcohol may not be brought into, stored or consumed in the lodging facilities used by students, regardless of age, when on travel status.
3. For purposes of the National/International **Student Exchange, Study Abroad and Eurospring Programs**, the unlawful use, possession, distribution, manufacture or sale of any alcoholic beverage, illegal drug, and the illegal or unauthorized use, possession, distribution, manufacture or sale of a controlled substance will be determined by the law of the foreign state or country.

Students are expected to comply with the laws of the foreign country. The standard applicable during travel status is to accommodate the educational aspect of exploring customs of culture of foreign countries.

4. The use, possession, distribution, manufacture or sale of any alcoholic beverage or illegal drug and the illegal or unauthorized use, possession, distribution, manufacture or sale of a controlled substance, including hemp manufactured product with any amount of THC, by MSUM students is prohibited at all **off-campus university sponsored student events**.
5. As members of the University community, students who live or visit off-campus are expected to behave responsibly when off-campus. University community members violating civil or criminal law may be subject to University conduct procedures for the same conduct when the conduct occurs off campus but adversely affects the educational, research, or service functions of the University. Students should be aware that a student's unlawful use, possession, distribution, manufacture or sale of any alcoholic beverage, illegal drug and the illegal or unauthorized use, possession, distribution, manufacture or sale of a controlled substance cited by local law enforcement may be reported to the University. **If reported, the University will take appropriate disciplinary action under this policy.**
6. The following **advertising and promotional** activities are prohibited:
  - a. Using alcoholic beverages as awards or prizes in connection with university sponsored student events;
  - b. Alcohol promotional activities and advertising associated with university sponsored student events; (this includes, but is not limited to, such items as: cups, t-shirts, beverage can coolers, and any other items carrying alcohol/beer advertising);
  - c. Advertising of alcohol or illegal drugs appearing in university controlled or affiliated publications including university affiliated web sites over which it has editorial control.

The University does not regulate content or advertisements in autonomous student-edited publications, such as student newspapers, but encourages the editorship to not include advertising that promotes the high-risk use of alcohol such as happy hour drink specials, two for ones or other advertisements that encourage rapid and excessive consumption of alcohol.

### Recreational Marijuana

The State of Minnesota passed a law to legalize the possession, transportation, and use of cannabis products for those who are 21 years old and older, starting August 1, 2023. However, federal law continues to classify its use as illegal and prohibits universities from allowing cannabis on campus as a condition of receiving federal financial assistance. Therefore, the possession, transportation, and use of cannabis remains prohibited behavior on all MSUM property and when engaged in MSUM sponsored activities.

NOTE: Although the Minnesota Medical Cannabis Law and program allows seriously ill Minnesotans to use medical marijuana to treat certain conditions, the possession and use of marijuana remains illegal under federal law, including the Drug-Free Schools and Communities Act, the Controlled Substances Act, and the Campus Security Act, and Board Policy 5.18 Alcoholic Beverages or Controlled Substances on Campus. Therefore, the use, possession, production, manufacture, and distribution of marijuana continues to be prohibited while a student is on university owned or controlled property or any function authorized or controlled by the university.

#### Exceptions:

For instructional purposes in authorized laboratory and classroom instruction or experiments (accordance with MNSCU Board Policy 5.18)

For one-time use of alcoholic beverages at specific University events when authorized by the President (in accordance with MNSCU Board Policy 5.18)

**A Good Samaritan exception** for violations of the alcohol/other drug policy will be recognized and honored. A student, who may be in violation of the alcohol/other drug policies but comes to the aid of another student by seeking professional help, will not be cited for an alcohol/other drug university conduct violation. This exception will not be granted to those who flagrantly or repeatedly violate the University's Alcohol and Other Drug Policy.

For legal and responsible\* use of alcoholic beverages by students in travel status while attending events, such as banquets, when the use of alcohol has been approved by the sponsoring organization and where properly licensed Third Party Vendors provide sales of alcohol, which are staffed only by the employees of the host site or the Third Party Vendor. Students who legally consume are prohibited from operating vehicles following consumption.

Further restrictions or allowances of legal and responsible\* use of alcohol may be applied to students or student groups on travel status based on the specific program's needs and direction of the faculty or staff supervisors/advisors.

\*Non-responsible use is defined as behavior that disrupts the University community, endangers the health or safety of self or others, results in damage to University or personal property, or requires the intervention of University or community resources. Examples of non-responsible use includes but is not limited to disorderly conduct, excessive noise, violence, threats, vandalism, or intoxication that leads to intervention by University personnel, law enforcement personnel, or medical personnel.

### **Sanctions for individuals in violation of the policies on alcohol & other drugs:**

The University reserves the right, based on the severity of the incident, to automatically refer a student to a higher level (i.e. a student's first violation may result in Level Two or Level Three). Parental notification, in accordance with the University's FERPA Policy § IV (A)(5), may occur. At the discretion of the hearing officer, a student may be assigned a combination of disciplinary sanctions as defined in this policy and the Student Conduct Code. Students who fail to follow the policy procedures will be subject to a registration hold and may face separation from the university. The following sanctions accumulate during a student's college career.

**Level One:** Students will receive a written warning and will complete an online education program. Student will also complete an assessment and educational session with the Chemical Health Educator. There will be a mandatory fee of \$100.00, which will appear on the MSUM billing statement.

**Level Two:** Students will be placed on university disciplinary probation and will meet with the Chemical Health Educator to determine the appropriate level of intervention. Intervention could be individual or group setting. The mandatory fee is \$200.00, which will appear on the MSUM billing statement.

**Level Three:** A student with a severe violation or a third violation of the Alcohol and Drug Policy during his or her college career is subject to a minimum of one semester suspension from the university unless extraordinary circumstances exist. Upon re-admission following a suspension, any further alcohol or drug violation may result in expulsion from the University.

The University reserves the right to waive suspension in the event that the student agrees to a referral to a licensed treatment facility for assessment and follows all recommendations. Any costs will be the responsibility of the student. The Chemical Health Educator may assist the student in facilitating the process.

### **Sanctions for organizations in violation of the policies on alcohol & other drugs:**

Organizations found in violation of the alcohol and other drug policy may be prohibited from conducting social functions and solicitation and acceptance of new members, and university recognition may be on probation. Sanctions will be educational in nature and last for a duration of time determined by the sanctioning body or University official. The University reserves the right to suspend or revoke university recognition of the organization.

Based on the severity of the incident or in the case of multiple violations for the alcohol and other drug policy, university recognition will be suspended for a period of no less than three years. The University reserves the right to revoke university recognition of the organization. In addition to the university's Student Alcohol and Other Drug Policy, departments and student organizations may have established rules that are more restrictive and indicate additional sanctions for violations. Sanctions may include action such as suspension from an activity, a team, or organization.

#### **Rationale:**

Minnesota State University Moorhead complies with and supports the Minnesota State Colleges and University Board of Trustees policy governing alcohol and other drugs on campus, the Drug Free Schools and Community Act, the Drug Free Workplace Act, the Public Safety Act and Minnesota State law.

For further information on the Alcohol & Other Drug Policies, visit the AOD website: [www.mnstate.edu/aod](http://www.mnstate.edu/aod)

### **PARENTAL NOTIFICATION POLICY & PROCEDURE**

Students experience a variety of positive and negative challenges when transitioning from their home environment to college life. Sometimes these challenges interfere with students' academic achievement and may include alcohol and/or drugs. MSUM's goal is to partner with families in assisting with students' transitions. The 2008 Minnesota Legislature amended the Education Data section of Minnesota Statute to address the issue of postsecondary institutions notifying parents of their students' drug or alcohol offenses.



This allows, but does not require, MSUM to disclose disciplinary violations based on drug or alcohol use or possession if the student is under the age of 21 at the time of the violation. Disclosure is only based upon a student signing a release and identifying the specific person(s) the information may be released to. Upon a student being found responsible for violating the University Alcohol and Other Drugs Policy, the Office of Student Conduct and Resolution will send out a letter to the identified parent/guardian stating the occurrence of an incident, the student's sanctions, and information regarding future behavior.

A student may indicate they want the release of information even if there is no current record or disciplinary violations. Students shall provide the release of information allowed within the online Release of Student Information form. A paper copy is also available in the Dean of Students Office, Flora Frick 153. For questions regarding this release of information, please call (218) 477-2174.

### **DRUG OFFENSE CONVICTION STATEMENT**

Students convicted of possession or sale of illegal drugs for an offense that occurred when receiving Title IV aid, are ineligible for future financial aid. Eligibility is suspended for one or more years, unless the violator completes an approved drug rehabilitation program that includes random drug testing.

### **SMOKING AND TOBACCO USE/SALE POLICY**

Minnesota State University Moorhead is committed to creating a clean, safe, and healthy living, learning, and working environment for all students, employees and guests in all University facilities and any other property controlled by the University including state-owned, leased, or rented vehicles.

**Policy:** Smoking, tobacco use, and tobacco sales (including the use or sale of smokeless tobacco products and electronic nicotine delivery systems) are prohibited in University facilities or on any other property controlled by the University including state-owned, leased, or rented vehicles. Smoking or tobacco use is prohibited within twenty (20) feet of any entrance, exit or operable window of University facilities or of any other property controlled by the University.

**Policy Exceptions:** Exceptions for instructional, research, educational, cultural, ceremonial and/or artistic purposes must be approved in advance by the MSUM Director of Public Safety or designee prior to its actual use. Such use should be preceded by reasonable advance notice to the public.

**Policy Enforcement:** Enforcement of this policy will depend upon the cooperation of all faculty, staff and students, not only to comply with this policy, but also to encourage others to comply with the policy.

In the case of a violation, the person will be informed of the Smoking and Tobacco Use/Sale Policy. If the person continues to violate the policy, the aggrieved party should contact MSUM Public Safety who will notify the MSUM Office of Student Conduct & Resolution if the violator is a student and the MSUM Human Resources Office if the violator is a University employee.

#### **Definitions:**

**"Smoking"** means inhaling or exhaling smoke from any lighted cigar, cigarette, pipe, or any other lighted tobacco product or plant product. Smoking also includes carrying a lighted cigar, cigarette, pipe or any other lighted tobacco or plant product intended for inhalation.

**"Smokeless Tobacco Products"** consist of the use of snuff, chewing tobacco, smokeless pouches, or other forms of loose leaf tobacco.

**"Indoor Area"** means all space between a floor and a ceiling that is bounded by walls, doorways, or windows, whether open or closed, covering more than 50 percent of the combined surface area of the vertical planes [wall space] constituting the perimeter of the area. A wall includes any retractable divider, garage door, or other physical barrier, whether temporary or permanent. A standard window screen is not a wall.

### **ACADEMIC HONESTY**

#### **Policy**

The University expects all students to represent themselves in an honest fashion. In academic work, students are expected to present original ideas and give credit for the ideas of others.

Faculty members have academic freedom, which includes the authority to design and develop materials presented in a course along with deciding how to teach the course. Also, faculty members have the authority to evaluate submissions from students to determine what grade is to be given to each student in the course or on a particular activity.

When an instructor has convincing evidence of cheating or plagiarism, the instructor has a variety of options, which may include the following academic outcomes (this list is not exhaustive):

- A failing grade may be assigned for the course in which the student cheated.

- The course grade may be reduced.
- The assignment may be given a zero.
- The individual item on the assignment may be given a zero.
- The student may be required to re-submit the assignment.
- The student may be required to submit an alternative assignment that meets the same learning outcomes.

The instructor shall report the incident of academic dishonesty and the academic outcome to the college dean in instances where a failing grade in a course is given solely due to academic dishonesty. The instructor may also choose to report the incident of academic dishonesty and the academic outcome to the college dean for other cases, at the instructor's discretion. If the instructor, dean, or any other person feels the seriousness of the offense warrants additional action, the incident may also be reported to the Assistant Dean of Students in the Dean of Students Office who will determine any relevant student conduct outcome.

- For students who are referred, past case history will be reviewed to determine if any additional disciplinary, non-academic outcomes should be assessed. The Assistant Dean of Students may assess non-academic outcomes in addition to the academic outcomes in situations including, but not limited to, the following: if there are repeated academic dishonesty violations, if a student takes a test for another student, if a student obtains an unauthorized copy of a test, if a student misrepresents facts to receive a postponement or extension on a test, quiz, or other assignment.
- The Assistant Dean of Students does not provide an academic outcome for students found responsible for violating University Prohibited Conduct Policies nor requests or initiates any academic outcome in such cases; rather, a student conduct outcome is assigned and recorded within the student's disciplinary record. See the Student Conduct Code located in the Student Handbook.

### Definitions

#### Cheating:

Cheating includes, but is not limited to:

- The use of any unauthorized assistance in taking quizzes, tests, or examinations in the classroom or online learning environment;
- The use of sources beyond those authorized by the instructor in writing papers, preparing reports, solving homework problems, or carrying out other assignments;

- The acquisition, without permission, of tests, solution keys, or other academic material belonging to a member of the MSUM faculty or staff; or
- Engaging in any behavior specifically prohibited by a faculty member in the course syllabus or class discussion.

#### Plagiarism

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 acknowledgment, or
- The unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials or misrepresentation of student work in an online environment (i.e. submitting work prepared by someone else).

#### Procedures

It is important that students be provided an opportunity to respond to allegations of academic dishonesty within a reasonable time after the allegations have been made. Modifications can be made to the following, but minimal due process must be satisfied.

Minimal due process requires faculty 1) to tell the student the alleged specific behavior in question and 2) to provide an opportunity for the student to respond to the allegation prior to the faculty member determining an academic outcome. Note: In cases where a student is asked to re-submit an assignment, such as when they have improperly cited a reference, these two criteria are generally met when the instructor asks for an assignment to be corrected and resubmitted. In serious cases, due process will likely be more formal, and in such cases, it is recommended that detailed notes be kept regarding these matters.

When a case is reported to the Dean of Students Office, the Assistant Dean of Students will follow procedures set out in the Student Conduct Code. After the review of the case and a fair, unbiased hearing, the Assistant Dean of Students may take disciplinary action if the student is found to be responsible.

A student who has a course grade reduced by an instructor because of cheating or plagiarism, and who disputes the instructor's finding, may appeal the grade, but only by using the Grade Appeal Policy, which states that the student must prove the grade was arbitrary, prejudicial, or in error.

**Rationale**

The University is committed to the core value of integrity and mutual respect in our conduct and interactions. The value of a college degree, moreover, depends on the integrity of the work completed by the student.

**GRIEVANCE/COMPLAINT PROCESS**

This general procedure is applicable only to those administrative actions for which no special grievance procedure has been established. Special procedures have been established for certain academic (e.g. graduation, grades), student conduct, discrimination/harassment, and employment related matters. Students desiring to appeal actions or procedures of University administrative offices must meet with the following officials, continuing up the hierarchy as necessary to resolve the issues.

**Academic Affairs**

1. Department Chair of the academic discipline in which the problem arose
2. Dean of that college discipline
3. Provost and Vice President for Academic Affairs
4. President

**Administrative Affairs**

1. Director of specific area
2. Vice President for Facilities and Administration
3. President

**Enrollment Management & Student Affairs**

1. Director of specific area
2. Vice President for Enrollment Management & Student Affairs
3. President

**STUDENT EMAIL POLICY**

Email is an appropriate and preferred method for official communication by MSUM with students. All official University business will be conducted via “mnstate.edu” email accounts. Email communication to students will be sent to the mnstate.edu email address exclusively. Students are expected to receive, read, and act in a timely manner, if necessary.

For the guidelines regarding appropriate email use, please visit the Information Technology web page.

*[mnstate.edu/about/policies-procedures/list/student-email/](http://mnstate.edu/about/policies-procedures/list/student-email/)*

**ONLINE COMMUNICATION**

Students are encouraged to become actively engaged in the University community. Social networking websites, e.g. Facebook, Twitter, and Instagram provide additional means for students to connect with one another. Communication on these sites is considered a public forum and can be viewed by anyone. To support personal safety and guard against identify theft, students are cautioned against including class schedules, birthdates, cell phone numbers, and addresses on their profiles. While the University does not monitor such sites, suspected violations of law or University policy online may be submitted to campus officials and police for investigation.

**SKATEBOARDING, IN-LINE SKATE, BICYCLE AND HOVER BOARD USE**

Skateboards, in-line skates and bicycles are permitted on property controlled by the University for the purpose of transportation only and are prohibited from use inside any University facilities. Jumping, stunts, use on structures or ramps and/or imprudent operations are prohibited. Pedestrians have the right-of-way on all sidewalks. Hover boards are not permitted on any property controlled by the University or inside any University facilities, including residential locations.

For additional information, please refer to the **Facilities & Space Use Policy** ([www.mnstate.edu/policies](http://www.mnstate.edu/policies))

# Student Conduct Code

- ▷ Introduction
- ▷ Definitions
- ▷ Jurisdiction
- ▷ Prohibited Conduct
- ▷ Residence Halls Prohibited Conduct
- ▷ Violation Of Law and University Discipline
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## INTRODUCTION

Minnesota State University Moorhead (MSUM) is a living and learning community for students, faculty, staff, vendors, contractors, and visitors. In alignment of the MSUM mission, the university strives to maintain an environment that is conducive to the academic success of all students and to protect the rights of all members of the university community. Students are members of both the MSUM community and the surrounding Fargo-Moorhead-West Fargo community; they are expected to be respectful citizens who are responsible for their behavior.

The MSUM Student Conduct Code and included disciplinary process are designed to set expectations for which all students shall comply, protect due process rights, and hold students accountable for violating policy through an educational approach.

The University views the student conduct process as a learning experience that promotes growth and personal understanding of one's responsibilities and privileges within the University community. Therefore, it is the responsibility of the student who has been accused of misconduct to participate conscientiously in the discipline process. Students are responsible for becoming familiar with University policies and procedures. Failure to be informed does not excuse misconduct.

MSUM standards of conduct are published here as the Code of Conduct. In all conduct proceedings it is recognized that MSUM is an educational institution and not a court of law. This code does not replace or reduce the requirements of civil or criminal laws. All criminal activity may be

referred to local law enforcement as well as investigated internally. Members of the University community also have responsibilities as citizens. Violations that constitute crimes and the annual crime report can be found on the web page of the Department of Public Safety.

Being under the influence of alcohol and/or other drugs does not in any way excuse or mitigate responsibility for a student's behavior. The excessive, illegal, unprescribed or otherwise socially irresponsible use of alcohol or other drugs infringes upon one's ability to preserve personal integrity and civility.

Disciplinary action is cumulative resulting in more serious consequences if the student engages in repeat violations or fails to follow through with sanctions from a previous hearing.

## SECTION I: DEFINITIONS

1. "University" means Minnesota State University Moorhead.
2. "Director of Student Conduct and Resolution" means that person designated by the University President to be responsible for the administration of the Student Code.
3. "Cheating" includes, but is not limited to: (1) use of any unauthorized assistance in taking quizzes, tests, or examinations; (2) use of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments; (3) the acquisition, without permission, of tests or other academic material belonging to a member of MSUM faculty or staff; or (4) engaging in any behavior specifically prohibited by a faculty member in the course syllabus or class discussion.
4. "Expulsion" means permanent denial of the privilege of enrollment at the University.
5. "Hazing" means an act which endangers the mental or physical health of safety or a person, subjects a person to public humiliation or ridicule, or which destroys or removes public or private property for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a student group, organization, or athletic team.
6. "Policy" means the written regulations of the University and the Minnesota State system as found in, but not limited to, the student handbook, the Student Conduct Code, Housing and Residential Life contracts and communication, the MSUM and Minnesota State webpages, Minnesota State Policy 1B.1 and Procedure 1B.1.1 for Equal Opportunity and Nondiscrimination in Employment and Education, Minnesota State Policy 1B.3 and Procedure 1B.3.1 for Sexual Violence, Minnesota State Policy 1C.2 for Fraudulent or Other Dishonest Acts, Minnesota State Policy 5.18 and Procedure 5.18.1 for Alcoholic Beverages and Controlled Substances on



Campus, Minnesota State Policy 5.22 and Procedure 5.22.1 for Acceptable Use of Computers and Information Technology Resources, and the MSUM Bulletin.

7. “Preponderance of evidence” means a standard of responsibility that it is more likely than not that the code has been violated.
8. “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 acknowledgment. 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.
9. “Student” includes all persons who:
  - a. Are enrolled in one or more courses, either credit or non-credit, through the University
  - b. Withdraw, transfer or graduate, after an alleged violation of the student conduct code.
  - c. Are not officially enrolled for a particular term but who have a continuing relationship with the University.
  - d. Have been notified of their acceptance for admission or have initiated the process of application for admission or financial aid.
  - e. Are living in a University residence hall although not enrolled in the institution.
10. “Student organization” means any number of persons who have complied with the formal requirements for University recognition.
11. “Summary suspension” means a temporary suspension imposed without a formal hearing to ensure the safety and well-being of members of the University community.
12. “Support person” means a person a student chooses to offer emotional and/or physical support and to advise the student within the expectations outlined within this code.
13. “Suspension” means denial of the privilege of enrollment for a specified period of time after which the student is eligible to return. Conditions for re-enrollment may be specified.

## SECTION II: JURISDICTION

The campus is not a sanctuary from the general law. University community members violating civil or criminal law may be subject to University conduct procedures for the same conduct when the conduct occurs on campus or when it occurs off campus. The Director of Student Conduct and Resolution, or his/her designee, shall decide whether the Student Code shall be applied to conduct occurring off campus, on a case by case basis, in his/her sole discretion. Notwithstanding any provision herein, the University may suspend, expel, or

trespass any student whose presence poses a threat to persons or property.

All students, regardless of the location of their residence, are members of the University community. The University will address all violations that occur on campus. Students, faculty, staff, and individuals not associated with the University may submit complaints regarding alleged violations that may have occurred either on campus or off-campus for review and possible action by the University. Not all off campus behavior is subject to adjudication.

The University shall initiate conduct proceedings for off-campus incidents when:

1. Hazing is involved; or
2. The violation is committed while participating in a University sanctioned or sponsored activity; or
3. The victim of the violation is a member of the University community; or
4. The violation constitutes a felony under state or federal law; or
5. The violation adversely affects the educational, research or service function of the University. (See also MSUM University Alcohol and other Drug Policy)

## SECTION III: PROHIBITED CONDUCT

Any student found to have committed or to have attempted to commit the following misconduct is subject to the disciplinary sanctions outlined in the next section.

### Academic Dishonesty

Failure to show integrity in meeting academic obligations includes but is not limited to: cheating, plagiarism, and other forms of academic dishonesty.

### Computer Misuse

Any violation of the University Computer Use Policy or MnSCU Policy and Procedure 5.22 and 5.22.1 on Acceptable Use of Computers and Information Technology Resources. MSUM’s computer use policy can be found on the web page of the department of Information Technology.

### Demonstrations and Riots

Participating in an on-campus or off-campus demonstration, riot or activity that disrupts the normal operations of the University and/or infringes on the rights of other members of the University community; leading or inciting others to disrupt scheduled and/or normal activities on University premises.

### Disorderly, Lewd, or Indecent Conduct

Conduct that is disorderly, lewd, or indecent; breach of peace; or aiding, abetting, or procuring another person to breach the peace on University premises or at functions sponsored by, or participated in by, the University or members of the academic community. Disorderly Conduct includes but is not limited to: Any unauthorized use of electronic or other devices to make an audio or

video record of any person while on University premises without his/her prior knowledge, or without his/her effective consent when such a recording is likely to cause injury or distress. This includes, but is not limited to, knowingly taking pictures of another person in a gym, locker room, or restroom.

#### **Disruption of Operations of the University**

Unreasonably interfering, obstructing, or preventing the regular and essential operation of the University, which includes but is not limited to: studying, teaching, research, programs, services, and the administration of fire, police or emergency services.

#### **Failure to Comply**

Failure to comply with the directions of University officials including, but not limited to, Public Safety, residence hall staff, faculty or administrators acting in the performance of their duties, refusal to identify oneself or providing false identification; failure to present identification upon request to University personnel in the performance of their duties. Failure to complete a specified student conduct sanction or violating the terms of a disciplinary probation.

#### **Weapons**

Illegal or unauthorized possession of firearms, explosives, other weapons, or dangerous chemicals on University premises or use of any such item, even if legally possessed, in a manner that harms, threatens or causes fear to others.

Students are prohibited from possessing any replica of an actual firearm or knife with a blade longer than three inches that substantially duplicates an actual firearm or knife, or could be reasonably perceived to be an actual firearm or knife.

In accordance with MnSCU Possession or Carry of Firearm Policy 5.21, students are prohibited from possession or carrying a firearm while on university property, regardless of whether the student has a permit to carry a firearm. Exceptions to this policy do not prohibit the lawful carry or possession of firearms in parking facilities or parking areas. Violations of this policy by students are subject to discipline up to and including removal from the university.

#### **Hazing**

(As defined above in Section I: Definitions)

#### **Interfering with Judicial Procedures**

Falsification, distortion, or misrepresentation of information before a Student Conduct Panel.

Disruption or interference with the orderly conduct of a Student Conduct Panel proceeding.

Filing a formal complaint falsely accusing another student with violating a provision of this code or falsely accusing a University employee of misconduct.

Attempting to discourage an individual's proper participation in, or use of, the student conduct system.

Attempting to influence the impartiality of a member of a Student Conduct Panel prior to, and/or during the course of, the Student Conduct Panel proceeding.

Harassment (verbal or physical) and/or intimidation of a member of a Student Conduct Panel prior to, during, and/or after a student conduct code proceeding.

Failure to comply with the sanction(s) imposed under the Student Code.

Influencing or attempting to influence another person to commit an abuse of the student conduct code system.

#### **Physical Abuse and Threat**

Physical abuse, verbal abuse, threats, intimidation, harassment, coercion, and/or other conduct which threatens or endangers the health or safety of any person, including oneself.

#### **Sexual Violence**

See MSUM Sexual Violence Policy & Procedure located on the Department of Public Safety's web page.

#### **Shared Responsibility for Violations**

Enticing, inciting others, abetting, conspiring, being an accessory, or participating in any act prohibited by this code.

#### **Theft**

Attempted or actual theft of and/or damage to property of the MSUM or property of a member of the MSUM community or other personal or public property, on or off campus.

#### **Published Policies**

Violation of any MSUM or MnSCU policy, rule, or regulation published in hard copy (some contained in under the Policies and Procedures Section of the handbook) or available electronically on the MSUM or MnSCU website.

#### **Laws**

Violation of any federal, state or local law.

### **RESIDENCE HALL PROHIBITED CONDUCT**

In addition to following the Prohibited Conduct outlined above, students are responsible for knowing and following residence hall policies.

#### **1. Advertising/Solicitation**

- a. Any posting of advertising materials must be approved and posted by authorized University staff only. The stuffing of apartment and residence hall mailboxes is permitted only by on campus offices or organizations with approval from Housing and Residential Life. Advertising materials that are not sponsored by a campus department or organization may be placed at hall desks at the discretion of Housing and Residential Life. Unauthorized postings or advertising materials will be removed.

- b. Solicitation is not permitted in residence hall facilities and/or grounds, with the exception of Housing and Residential Life approved or sponsored charity fundraiser programs. The Department of Housing and Residential Life reserves the right to individually approve or deny solicitation based activities.
- c. Hall staff may post information relative to floor and hall activities or housing information on bulletin boards, bathroom walls, or elevator lobbies. No other postings are allowed in these areas.

#### 2. Air Conditioners

Air conditioners (including window and floor units) may be permitted if a medical necessity is verified based on medical documentation and approval is granted by the Department of Housing and Residential Life. Individual requests will be considered for summer term.

#### 3. Alcohol and Other Drugs

In addition to the University Alcohol and Other Drug Policy found in the Policies and Procedures section, the following are specific to behaviors that occur in the residence halls:

- a. Knowingly being in the presence of any form of alcoholic beverage, non-alcoholic beer, drug, or controlled substance is prohibited. A student is expected to remove themselves from such situations.
- b. Distributing, serving, selling, hosting an event/gathering or providing access to any alcohol, other drug, or controlled substance is prohibited.
- c. Possession of drug paraphernalia or materials intended for drug use are prohibited.
- d. Odors that are evidence of drug use are prohibited in the residence halls. This includes odors emanating from a student's residence hall room, clothing, or property.

#### 4. Animals and Pets

Pets are not permitted in the residence halls, with the exception of fish in tanks no larger than 10-gallon total capacity per room. University staff will require immediate removal of unauthorized animals and pets.

While the University recognizes the importance of **emotional support animals** to individuals with a documented disability, students must have *prior approval* before such an animal is allowed in the residence halls. Students must also adhere to the *expectations* provided by MSUM Accessibility Resources and Housing and Residential Life.

A **Service Animal** is permitted to accompany an individual with a disability at any time, which includes places where pets are not permitted. A Service Animal must be harnessed, leashed, or tethered, unless these devices interfere with the Service Animal's work or the individual's disability prevents using these devices. In that case, the

student must maintain control of the animal through voice, signal or other effective control. Students who require the use of a Service Animal on campus are encouraged to contact Accessibility Resources.

#### 5. Bathrooms

Students may use floor and common area bathrooms that correspond to their expressed gender identity. Single user bathrooms and stalls are designed for one person use only. Students may not use bathrooms when cleaning staff are present.

#### 6. Computer/Internet Misuse

Any violation of the University Computer Use Policy or MinnState Policy and Procedure 5.22 and 5.22.1 on Acceptable Use of Computers and Information Technology Resources is prohibited. MSUM's computer use policy can be found at

[mnstate.edu/it/policies-procedures](http://mnstate.edu/it/policies-procedures).

#### 7. Disruption to Community

Disruptive behavior in and around the residence halls is prohibited. This includes conducting oneself in a manner so as to disturb, intimidate, or threaten other members of the university community, engaging in inappropriate behavior that necessitates additional response from university or city personnel, or individual or group activities that may result in damage or destruction to self or property.

#### 8. Fire Safety

- a. When fire alarms are activated, including during scheduled fire drills, all occupants must evacuate the building. Residents must wait outside the building until a member of the hall staff indicates they may return.
  - Students who may require extra time to evacuate a building will be notified of any scheduled fire drills.
  - Students in isolation or quarantine housing will be notified of any scheduled fire drills.
- b. Fire Safety equipment is provided to help ensure everyone's safety. Tampering with alarms, extinguishers, sprinklers, or smoke detectors is a violation of local, state, and federal laws, as well as a violation of University policies.
- c. Batteries may not be removed from smoke detectors except to replace them. Replacement batteries are available at your hall front desk.
- d. Any activity that could potentially compromise fire safety in the halls is a violation of policy. This includes such behaviors as falsely pulling a fire alarm, covering or removing a smoke detector, hanging items from sprinkler heads, obstructing egress by chaining a bike to a stairwell or blocking a corridor with floor mats, shoes, furniture or other items that impedes firefighters' access to a fire.
- e. Withholding information/evidence concerning a fire is a serious offense.

f. Prohibited items: anything that smolders (incense) or with an open flame or open heating elements are not allowed in residence hall rooms (e.g. candles, hotplates, hotpots, etc.). With the exception of microwaves, cooking appliances are permitted only in designated kitchen facilities.

g. Bicycles may not be stored in residence halls or residence hall rooms.

#### 9. Guests

A guest is defined as anyone not assigned to the room/apartment. Students are responsible for the actions of their guests, and are responsible for making sure their guests adhere to all University policies.

a. Residents will discuss and document when guests will be allowed per room by using the Roommate Agreement Form. After completion, this form will be kept on file and can be referred to if there are disputes. All guests, including overnight guests, must be pre-approved by residents of the room/apartment.

b. Overnight guests may not stay for more than three nights in a week.

c. Guests must be escorted at all times by a hall resident.

d. Cohabitation is not permitted.

#### 10. Harassment (Physical, Racial, Sexual, Verbal, Electronic, by Telephone, or other forms of bias)

Students are prohibited from harassing any other person by making repeated and/or unwelcome sex-related comments, sexual overtures, verbal threats, or physical behavior, including rape. (See also MSUM Nondiscrimination in Education and Employment Opportunity policy and procedure and the MSUM Sexual Violence policy and procedure in the previous section.) It is a violation for persons to use the telephone or electronic means to harass or threaten others. Please report obscene or nuisance telephone calls or electronic messages to Public Safety. You should also report it to your Resident Assistant or Apartment Assistant immediately.

#### 11. Health Hazards

Situations or items such as piled, soiled clothing, exposed food items, vomit or bodily fluids, and the noxious odors emanating from such pose serious health hazards in the community and are prohibited.

#### 12. Keys

At check-in, all residents are issued a room key; access to building is via Dragon ID card (ID). John Neumaier residents also receive a mailbox key. Residents should keep their rooms locked and carry their keys and ID whenever they leave their room. If a resident misplaces their keys or access card, spare key(s) and access card can be checked out at the front desk for up to 48 hours. If the key(s) and access card are not returned within that 48-hour period or if a resident fails to return a key upon checkout of their room, a work order will be placed to replace the lock core. Residents

will be billed \$50.00 (\$60.00 in suites or apartments) per missing room key, \$35 for missing temporary access card, and \$50 per John Neumaier apartment mailbox key, regardless of whether the key(s)/access cards are later found and returned. If a resident believes that their keys/access cards have been stolen, they may request that a work order be placed to replace the lock core immediately. The resident will then be billed for the cost to re-core the door, replacement for exterior door key, and any applicable overtime charges. When residents move out or change rooms, they must return all keys issued to them, including any keys that were once thought to be missing, but were later found. In addition, the following behaviors are considered a misuse of keys and are prohibited.

a. Giving a guest or another resident your key or ID to access your room or building when you are not present. The ID policy also applies.

b. Checking out loaner keys/access card so that your guest or another resident has access to your room or building.

c. Finding a "lost" key/access card and failing to return it to the front desk.

d. Using a "lost" key/access card to access a room, floor, or building that you are not authorized to have access to.

e. Taking or using a key/access card that was not issued to you.

#### 13. Laundry Facilities Abuse

Abuse of another's possessions or damage to equipment in the laundry room is not permitted. Any use of the equipment by or for a non-resident of that building is not permitted.

#### 14. Lofts

Only university provided lofts are permitted.

#### 15. Occupancy

A student assigned to a double room only has claim for one-half the room and its furnishings. Each roommate has an equal right to access the room and the privacy within it. A student in a double room without a roommate, must always be ready to accommodate a second resident. Housing and Residential Life will not consult with existing residents on any new roommate assignments unless existing resident has identified a roommate of their own choosing. Creating an unwelcome atmosphere or refusing a roommate could result in the responsibility for a double as a single room rate, contract cancellation, and disciplinary proceedings. Students without roommates may be consolidated (i.e. moved to another room) in order to accommodate double-as-single room requests.

#### 16. Painting

The painting of residence hall rooms is not permitted. Similarly, students are not permitted to decorate walls, ceilings or furniture with paint, highlighter, pencils, pens, washable paints, acrylics, laundry detergent, or any other substances.

**17. Political Canvassing**

Campaigning on behalf of candidates for local, county, state and national offices is permitted in the residence halls under the following guidelines:

- a. Complete the “application for political campaigning” form and submit to the Housing and Residential Life Department at least twenty four (24) hours prior to the requested campaign time. (Form is available in the Department of Housing and Residential Life, Ballard Hall 120). Completed applications shall be available to the public. Complaints about a campaign worker will be made to the responsible party on the application.
- b. Candidates may campaign in public areas, on residence hall floors or in the dining areas and may be joined by up to three campaign workers. In the absence of their candidate, campaign workers may campaign only in the public areas (lobby, outside dining hall entrance).
- c. Door-to-door political campaigning by the candidate with their campaign workers may occur between 10:00 a.m. and 9:00 p.m. daily. Public area campaigning is permitted between 8:00 a.m. and 11:00 p.m. daily.
- d. Residents who do not wish to be disturbed may display a “No Solicitation” sign on their room door. Candidates and campaign workers must honor these signs as well as all requests to leave a particular room. No campaign material may be attached to doors.
- e. Campaign workers and candidates must display or wear identification while campaigning in the residence halls.
- f. No more than three campaign workers will be allowed in each requested campaign area at any one time.
- g. No device that amplifies sound may be used.
- h. Political advertising can be inserted into University owned and operated mailboxes when items are addressed in accordance with postal guidelines.

**18. Public Property**

Possession or use as decoration of stolen property including city, county, or state government property, such as road signs, is not permitted. Possession of stolen property is a violation of state law and University policy. Stolen or unauthorized property is subject to confiscation.

**19. Published Policies**

Students are responsible for abiding by any MinnState, MSUM (including the Student Conduct Code), or Housing and Residential Life policy, rule, or regulation published in hard copy or available electronically.

**20. Quiet Hours/Courtesy Hours**

Residents have the right to sleep and study in their rooms at any time. When asked by someone to respect this right, residents are expected to demonstrate courtesy and consideration by complying with the request. This policy applies to noise that can be heard from both inside and outside a residence hall.

Quiet hours are in effect from 10:00 PM until 9:00 AM Sunday to Thursday, 12:00 AM until 9:00 AM weekends (Friday and Saturday). Individual floors may choose to extend these hours. Quiet hours means that sound must not be audible beyond the limits of any individual room, hallway, or lounge. During finals week, 24-hour quiet hours will be in effect.

Courtesy hours are in effect 24 hours a day, 7 days a week. As a general rule, at no time should noise be heard from a resident's room more than 2 doors away, or from another floor.

**21. Residence Hall Room as a Place of Business**

The use of state property including resources, residence hall rooms, internet connectivity, and/or phone service for purpose of running a business is prohibited. This includes providing child care, selling goods or services online or on a floor, or other revenue generating practices.

**22. Right of Entry**

The University or designees reserves the right to enter the premises for repair, preservation of health, safety, quietude, placement and/or recovery of University-owned property, or when staff has reason to believe a violation of law or policy is being committed.

**23. Room/Building Security**

- a. Propping Doors: Residents may not prop any residence hall door intended to remain closed and/or locked for safety and security reasons. Propped doors compromise the safety and security measures they are designed to meet, including fire safety.
- b. Unauthorized presence: Students and visitors may not enter or roam a hall or living unit where they do not live without an escort who is a resident of that hall or living unit. Allowing unescorted non-residents access to a building or living area, including walking through the residence halls unescorted, is a violation of this policy.
- c. Unauthorized entry: Unauthorized entry of a restricted area or a person's residence hall room without permission of the occupant or person responsible for the area is not permitted.

**24. Room Decorations**

- a. Room decorations may not damage facilities or create a health, safety or fire hazard and should be subject to each roommate's approval. Fire regulations prohibit the use of any flammable hanging decoration including cloth, parachutes, fish nets, crepe paper, etc. Every resident will be required to remove any decoration or furnishings deemed potential fire hazards.
- b. Decorations on room doors are not to cover more than one third (1/3) of the door.
- c. Rooms may not be painted.
- d. Natural holiday trees are not permitted in the residence halls. Artificial trees and fiber optic trees may be used according to listed safety precautions.

- e. Any supplementary lighting (including strings of lights and neon lights) must be UL (Underwriters Laboratories) approved. Never put lights on metallic objects, such as lofts, to avoid a short circuit. Lighted signs should not be displayed or put in windows. Lighting may not obstruct doorways or walking paths.
- f. To avoid potential damage charges, do not use nails, screws or sticky adhesives. Use a tacky, putty substance like “TackIt” or 3M Command adhesives. Contact paper, masking tape and duct tape can damage paint and will strip the finish off wooden doors and other surfaces. Housing and Residential Life staff will remove adhesives so that students do not unintentionally damage walls, etc.
- 25. Satellite Dishes and Antennas**  
Satellite dishes, antennas, or similar devices are not permitted in the residence halls.
- 26. Smoking and Tobacco Use**  
Smoking, tobacco use, and tobacco sales (including the use or sales of smokeless tobacco products) are prohibited on University-owned, -operated, -or leased property. The use of electronic cigarettes and vaporizers (vaping) are not permitted on campus.
- 27. Sports in the Halls**  
Running, hacky sack, Frisbee throwing, hockey, in-line skating, skate boarding, rip-sticking, bouncing balls, riding bikes, and other athletic/sport-type activities are prohibited in the residence halls. No remote control toys are to be operated in the hallways. Staff members reserve the right to confiscate equipment used in violation of this policy. Those causing damage to university property due to use of this type of equipment will be held financially responsible.
- 28. Trash Removal**  
Students are responsible for taking out their own trash. Trash must be taken to and deposited in the nearest designated trash areas. All trash must be removed from all rooms during break periods.
- 29. University Furniture**  
Public area (lobby, study room, lounge) furniture is not permitted in student rooms. University furniture may not be removed from its designated location, including student rooms, except by authorized University personnel.
- 30. Vandalism**  
The intentional destruction or defacement of property belonging to another individual, the university, or any other entity is prohibited.
- 31. Waterbeds**  
Waterbeds are not permitted.
- 32. Weapons**  
Students may not use or possess firearms, fireworks, explosives, or other dangerous weapons or materials in the residence halls. Firearms include any gun, rifle, pistol, or handgun designed to fire bullets, BBs, pellets or other projectiles by means of explosive gas, compressed air, or other

propellant. Weapons include, but are not limited to, knives with a blade length more than three inches that does not have the specific purpose of food preparation, switchblades, razors, metal knuckles, bows and arrows, nun-chucks, foils, or any instrument used to threaten or inflict injury upon another person. Dangerous materials include lighter fluid, propane, or other dangerous chemicals.

### **33. Windows and Screen**

For safety purposes, window screens may not be opened (i.e. cutting the screen) or removed at any time. Removing or opening a window screen for other than emergency purposes may result in a fine. Throwing any object from a residence hall window or using a window as an entry or non-emergency exit is a serious safety concern.

## **SECTION IV: VIOLATION OF LAW AND UNIVERSITY DISCIPLINE**

University disciplinary proceedings may be instituted against a student charged with conduct that potentially violates both the criminal law and this Student Code (that is, if both possible violations result from the same factual situation) without regard to the pendency of civil or criminal litigation in court or criminal arrest and prosecution. Proceedings under this Student Code may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus at the discretion of the administrator. Determinations made or sanctions imposed under this Student Code shall not be subject to change because criminal charges arising out of the same facts giving rise to violation of University rules were dismissed, reduced, or resolved in favor of or against the criminal law defendant.

## **SECTION V: DISCIPLINARY PROCEDURES**

### **A. Investigation & Informal Process**

Any member of the University community may file a written complaint alleging that a student or student organization has violated student conduct proscriptions. Any complaint should be submitted as soon as possible after the event takes place. Persons filing complaints shall be informed of their rights under the Minnesota Statute 13.04, subdivision 2. Following the filing of a complaint against a student or student organization, the Director of Student Conduct and Resolution shall conduct an investigation of the allegations.

1. If the complaint seems unwarranted, the Director of Student Conduct and Resolution may discontinue proceedings.
2. If there is sufficient evidence to support the complaint, the Director of Student Conduct and Resolution shall offer the accused student an opportunity to resolve the alleged violation at an informal meeting. Prior to this meeting, the student shall be given written notice of the specific complaint against them and the nature of the evidence available to support the complaint and



provided with a copy of the code of conduct. During the meeting the Director of Student Conduct and Resolution shall review the complaint and the evidence with the student and allow the student to present a defense against the complaint.

3. Within a reasonable time period following the meeting, the Director of Student Conduct and Resolution shall inform the accused student in writing of his/her decision whether a violation of the code was established by a preponderance of evidence and any applicable sanction as well as options available for an appeal and/or a formal hearing. The complainant must receive notification consistent with state and federal privacy laws.
4. A student who is subject to a sanction of expulsion or suspension, except summary suspension, for more than nine days may agree to accept the sanction, or may request a formal hearing prior to implementation of the sanction. Other sanctions shall be accepted or may be appealed in accordance with the University's appeal procedures.
5. If the accused student fails to appear for the informal hearing, the Director of Student Conduct and Resolution may proceed to review and act upon the complaint in the student's absence and shall notify the student in writing of the university's decision, including whether a violation of the student code of conduct was established by a preponderance of evidence and any applicable sanction(s) as well as options available for an appeal and/or a formal hearing. The complainant must receive notification consistent with state and federal privacy laws.
4. The student must be given the opportunity to speak and present a response to the complaint, to present witnesses, to question any witnesses, and to have a support person present. The support person may provide advice to the student, but may not participate in any questioning or the presentation of information.
5. A student's failure to appear at the hearing will not prevent the hearing from proceeding as scheduled.
6. A written notice of findings and conclusions shall be provided to the student within a reasonable time after the hearing. The notice shall inform the student of any sanction to be imposed. The notice shall also contain information regarding the applicable appeal process.
7. The complainant must receive notification of process outcomes consistent with state and federal privacy laws.
8. The hearing may accommodate concerns for the personal safety, well-being, and/or fears of confrontation of the complainant, accused student, and/or other witness during the hearing by providing separate facilities, by using a visual screen, and/or by permitting participation by telephone, videophone, closed circuit television, video conferencing, videotape, audio tape, written statement, or other means, where and as determined in the sole judgment of the Director of Student Conduct and Resolution to be appropriate.
9. During vacation periods, summer, or under special circumstances, the Director of Student Conduct and Resolution will act in place of the Student Conduct Committee, will hear the case in accordance with the disciplinary procedures, and will recommend to the Dean of Students the appropriate action.

### B. Formal Hearing

The Director of Student Conduct and Resolution determines the composition of the Student Conduct Panel, based on the membership of the Student Conduct Committee. Students serving on the Panel (and Committee) are appointed by Student Senate. Student Conduct Panel Hearings shall be conducted by a Student Conduct Panel according to the following guidelines:

1. Accused students referred for a formal hearing shall be given adequate advance notice in writing of the time, place, and date of the hearing.
2. Within a reasonable time prior to the hearing, the student must be informed in writing of: a) the complaint, b) the evidence to be presented against them, c) a list of witnesses, and d) the nature of their testimony.
3. In hearings involving more than one accused student or organization, the Director of Student Conduct and Resolution, in his or her discretion, may permit the hearing concerning each student to be conducted either separately or jointly.

### C. Roles of Others

At times, others may be included in the hearing procedures. This could include witnesses or support persons.

The following is information for those who may act as **witnesses** in student disciplinary hearings:

1. Witnesses will be asked to make comments regarding the specific incident in question. Any additional comments that are relevant to the specific incident being considered should focus on factual information leaving out opinions, presumptions, or guesses.
2. Witnesses may be asked questions by the accused student. The witness may be asked questions by the hearing officer. The role of the witness is to answer questions, not to ask them.
3. Witnesses may be held accountable through the University disciplinary process if implicated in a violation of a University policy or regulation. For

example, false testimony or personal involvement in the incident being reviewed could result in disciplinary action.

4. Witnesses may not intimidate and/or be intimidated by participants of the hearing.
5. Disciplinary hearings may be recorded. If so, this recording will be sole property of the University.

The following is information for those who may act as a **support person** in student disciplinary hearings:

- Prior to the hearing, the student will be required to complete a release of information to allow the support person's presence. The student must not be signing under duress.
- A support person may be present during the hearing with a student, but s/he is not there to represent the student or speak on the student's behalf. The support person may be a parent, clergy, doctor, etc. The support person may provide advice to the student.
- If the support person becomes disruptive during the meeting, the support person will be asked to leave. The student may choose to leave also, but the process will move forward.

#### D. Disciplinary Sanctions

A sanction is a consequence placed upon a student for violation of specified University rule and/or regulation, including a notice that further violations may lead to more severe disciplinary sanctions. Failure to complete a specified sanction will be considered an additional violation under "Failure to Comply." In recommending a conduct sanction(s) for student misconduct, the hearing officer will consider:

1. facts of the case as presented by the accuser(s) and the accused.
2. existence of any physical information or testimony of material witnesses.
3. type and severity of the offense.
4. previous incidents of misconduct committed by the individual(s) accused.
5. whether bias motivation is involved, as this would add to the seriousness of the violation

One or more sanctions will be selected from the following list, based on the criteria listed above. Students should note that even though they are of legal age to consume or possess alcohol, MSUM and MnSCU policies prohibit the use or possession of alcohol or illegal drugs on campus.

1. The following sanctions may be imposed upon any student found to have violated the Student Code. More than one of the sanctions listed below may be imposed for any single violation. Notations of suspensions and expulsions must be posted on transcripts in accordance

with Minnesota State system procedure 3.29.1. For suspensions, "Disciplinary Suspension. Eligible for Reinstatement Term, Year" will appear; the notation will be removed following the date of eligible reinstatement. For expulsions, "Disciplinary Expulsion. Not Eligible for Reinstatement" will appear; this notation is permanent.

- a. **Written Warning** – A notice in writing to the student that the student is violating or has violated institutional regulations.
- b. **University Disciplinary Probation** – A written reprimand for violation of specified regulations. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to violate any institutional regulation(s) during the probationary period.
- c. **Loss of Privileges** – Denial of specified privileges for a designated period of time.
- d. **Restitution** – Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
- e. **Discretionary Sanctions** – Work assignments, essays, service to the University, or other related discretionary assignments.
- f. **Residence Hall Suspension** – Separation of the student from the residence halls for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.
- g. **Residence Hall Expulsion** – Permanent separation of the student from the residence halls.
- h. **University Suspension** – Denial of the privilege of enrollment for a specified period of time after which the student is eligible to return. Conditions for re-enrollment may be specified.
- i. **University Expulsion** – Permanent denial of the privilege of enrollment at the University.
- j. **Revocation of Admission and/or Degree** – Admission to or a degree awarded from the University may be revoked for fraud, misrepresentation, or other violation of University standards in obtaining the degree, or for other serious violations committed by a student prior to graduation.
- k. **Withholding Degree** – The University may withhold awarding a degree otherwise earned until the completion of the process set forth in this Student Conduct Code, including the completion of all sanctions imposed, if any.

2. The following sanctions may be imposed upon groups or organizations:
  - a. Those sanctions listed above.
  - b. Loss of selected rights and privileges for a specified period of time.
  - c. Deactivation. Loss of all privileges, including University recognition, for a specified period of time.

#### E. Summary Suspension

In certain circumstances, the Director of Student Conduct and Resolution, or his/her designee, may impose a summary suspension prior to the informal or formal proceedings described in the previous articles. A summary suspension may be imposed only when, in the judgment of the Director of Student Conduct and Resolution, the accused student's presence on the University campus would constitute a threat to the safety and well-being of members of the campus community. To the greatest extent possible before implementing the summary suspension, the accused student shall be given oral or written notice of the intent to impose summary suspension and shall be given an opportunity to present oral or written arguments against the imposition of the summary suspension. However, the refusal of a student to accept or acknowledge this notice shall not prevent the implementation of a summary suspension. Notice of the summary suspension shall be provided in writing to the student. After the student has been summarily suspended, the student shall be provided an opportunity for a formal or informal hearing within the shortest reasonable time period, not to exceed nine (9) school or business days. During the summary suspension, the student may not enter the campus or participate in any university activities without obtaining prior permission from the Director of Student Conduct and Resolution.

#### F. Policy & Procedure for Appeals

1. A decision reached by the Student Conduct Panel or a sanction imposed by the Director of Student Conduct and Resolution may be appealed by the accused student(s) or complainant(s) to the Vice President of Enrollment Management and Student Affairs or their designee(s) within five (5) school days of the decision. Such appeals shall be in writing and shall be delivered to the Director of Student Conduct and Resolution or his or her designee.
2. Except as required to explain the basis of new information, an appeal shall be limited to a review for one or more of the following purposes:
  - a. To determine whether the Informal or Formal Hearing was conducted fairly in light of the charges and information presented, and in conformity with prescribed procedures giving the complaining party a reasonable opportunity

to prepare and to present information that the Student Code was violated, and giving the accused student a reasonable opportunity to prepare and to present a response to those allegations. Deviations from designated procedures will not be a basis for sustaining an appeal unless significant prejudice results.

- b. To determine whether the decision reached regarding the accused student was based on substantial information, that is, whether there were facts in the case that, if believed by the fact finder, were sufficient to establish that a violation of the Student Code occurred.
  - c. To determine whether the sanction(s) imposed were appropriate for the violation of the Student Code which the student was found to have committed.
  - d. To consider new information, sufficient to alter a decision, or other relevant facts not brought out in the original hearing, because such information and/or facts were not known to the person appealing at the time of the original Informal or Formal Hearing.
3. If an appeal is upheld by the Vice President of Enrollment Management and Student Affairs, the Vice President may take any appropriate action. If an appeal is not upheld, the matter shall be considered final and binding upon all involved except that in cases involving sanctions of suspension for 10 days or longer, students shall be informed of their rights to a contested case hearing under Minnesota State Statute 14. However, the sanction of suspension for 10 days or longer will go into effect upon the decision of the Vice President.

For additional information regarding discipline process or procedures, contact the Assistant Dean of Students, Minnesota State University Moorhead, Box 124, 1104 7th Ave S, Moorhead, MN 56563. 218 .477.2174.



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