

# Appendix C

## STUDENT HANDBOOK

### Contents

#### University Ideals and Organization

The Meaning of a University .....	218
University Government .....	218
Access to Higher Education .....	218
The Learning Process .....	218
Freedom of Expression .....	218
Freedom of Association and Inquiry .....	218
Freedom of Assembly .....	218
Administrative Organization .....	218
Campus Governance .....	218

#### The University's Commitment to Students

Emergency Information — Parent Notification .....	219
Guidelines for Referral to CAPS .....	219
Sexual Harassment Policy .....	220
Sexual Assault Policy .....	223
Student Grievance Procedure .....	223
Student Academic Appeals & Complaints .....	224
The Law .....	224
Affirmative Action .....	224
Campus Council Statement on Discrimination .....	224
Human Relations Committee .....	224

#### General Regulations

Violations of Regulations .....	225
University Representation .....	225
Off-Campus Travel of Students Who Are Representing the University .....	225
Sound Regulations on Campus .....	226

#### Conduct Regulations

University Policies on Alcohol and Other Drugs .....	226
Contempt .....	229
Deception, Fraud, Misuse of Documents .....	229
Firearms .....	229

Hazing .....	229
Gambling .....	229
Prohibition of Pets .....	230
Property and Rights .....	230
Protest Activities and Demonstrations .....	230
Code of Computing Practice .....	230

#### Residence Regulations

Residence Hall and University Apartment Policy .....	230
Right of Privacy in University Housing .....	230
Guest Regulations .....	230
Visitation Hours .....	230
Campus Safety .....	230
Dining Hall Regulations .....	231

#### Student Judicial System

Preamble .....	231
Definitions .....	231
Code of Conduct .....	231
Judicial Authority .....	233
Judicial Structure .....	233
Judicial Procedures .....	234
Judicial Process Chart .....	237
Sanctions .....	239

#### Student Organizations and Activities

Definition of Student Organizations .....	240
Eligibility for Co-Curricular Participation .....	240
Affirmative Action Policy for Student Organizations .....	241
Registration of Student Organizations .....	241
Group Responsibility .....	242
Solicitation and Fund Raising .....	243
Use of University Facilities .....	244

Resources for Students .....	246
------------------------------	-----

## UNIVERSITY IDEALS AND ORGANIZATION

### The Meaning of a University

No great university is merely a reflection of the society in which it exists. It is a place where truth is freely sought, where inquiry is encouraged, where new ideas and new ways may develop and flourish at the expense of the old. It is a seedbed of change in an ever-changing society. An academic community grows only when its members may act and express themselves freely and without fear.

To preserve these basic concepts, certain rights and responsibilities must be established. These rights and responsibilities in no way limit the broader freedoms that are guaranteed to citizens in a free society.

### University Government

Students shall be accorded the maximum opportunity, consistent with the efficient operation of the University, to participate in the making of policies and decisions that concern them.

### Access to Higher Education

Students shall be free to express opinions and communicate ideas by publishing and distributing written materials, whether such publications be official or otherwise, subject only to federal, state, and local law.

### The Learning Process

A free, effective educational process depends upon the available opportunities. It is the role of the instructor to encourage free discussion, inquiry, and expression in the classroom. It is the role of the students to be intellectually alert to information presented and to accept or reject that information, based on informed opinion, without fear of penalty. Students must be evaluated solely on the basis of academic performance and must be graded in a manner that reflects a good faith judgment of their work. To secure a fair evaluation, it is the responsibility of every student to develop intellectually within the legitimate confines of each course.

### Freedom of Expression

Higher education is a vehicle for the social and economic advancement of the individuals in a democracy. The University of Arkansas will always admit qualified students, and students may use University facilities and services regardless of age, disability, ethnic origin, marital status, race, religious commitment, sex, or sexual orientation. (See Campus Council on page 224.)

### Freedom of Association and Inquiry

Students are free to form and/or join any association that interests them. Students are free to examine and discuss, individually and collectively, all questions of interest to them, including questions relating to University actions or policies. They may express opinions on such subjects both publicly and privately. University officials may not abridge the right of students to petition for redress or grievances.

### Freedom of Assembly

Students, as citizens of the University community, possess the right to assemble, discuss issues, distribute literature, circulate petitions, and make use of campus bulletin boards for the purpose of promoting and publicizing activities or causes subject to the provisions stated in Rights and Responsibilities and to procedures respecting the use of University facilities and policies regarding outside speakers. When a student or a student organization wishes to participate in a scheduled University or student sponsored program, activity, or event, permission must be obtained from the sponsoring group prior to the program.

### Administrative Organization

The Board of Trustees has the legal control and responsibility function for the multi-campus University of Arkansas. Meetings of the Board of Trustees are scheduled at least bimonthly. The Board of Trustees is composed of ten members appointed by the Governor for staggered 10-year terms and has constitutional status.

The **President** is the chief executive officer of the University and is responsible to the Board of Trustees. The **Chancellor** is the chief executive officer on the Fayetteville campus and reports to the President. Four **Vice Chancellors** on the Fayetteville campus are responsible to the Chancellor for their respective areas. They are the Vice Chancellors for Student Affairs, University Advancement, Academic Affairs, and Finance and Administration. Deans are the chief administrative officials of the various colleges and schools. Deans, directors, and other administrative officials are responsible to the appropriate Vice Chancellors or directly to the Chancellor for the discharge of duties and responsibilities placed on them.

### Campus Governance

The Articles of Local Campus Government for the University of Arkansas, Fayetteville, were adopted by the Board of Trustees as Board Policy 810.1, and appear in the Faculty Handbook. The University has a long tradition of student participation in campus governance. Some important elements of the governance structure are briefly outlined here.

The **Campus Faculty** has responsibility for all matters of academic concern under the Board of Trustees, including admission requirements, curriculum and courses, degrees and requirements for degrees, calendar and schedule, award of honors and honorary degrees, student affairs, and interpretation of its own legislation and policies. The Campus Faculty also makes recommendations to the Chancellor, the President, and Board of Trustees on other institutional matters of concern to faculty.

The Campus Faculty refers initiated legislation to the Campus Council for formulation and action. It also forms standing and ad hoc committees as necessary to carry out its function. Current standing **Campus Faculty committees** are as follows:

- Academic Advisory Council on Undergraduate Curriculum
- Academic Standards
- Admission and Transfer of Credit
- All-University Judiciary
- Artists and Concerts
- Athletics
- Commencement
- Committee on Committees
- Continuing Education
- Distinguished Lecturers
- Faculty Orientation
- Financial Advisory
- General Education Core Curriculum
- Honorary Degrees
- Library
- Nominating and Election Coordinating
- Student Financial Aid
- Student Honors, Awards, and Convocations
- Student Relations
- Tenure

All campus faculty committees except the tenure committee have student representatives, whose nominations are made through the Associated Student Government.

The **Campus Council**, composed of faculty, staff, administrative, and student representatives, exercises general legislative powers under the Board of Trustees and subject to review by the Campus Faculty. All

legislation initiated by the Campus Faculty, the Staff Senate, and the Student Senate is referred to the Campus Council for formulation and action. The Campus Council may advise Vice Chancellors, the Chancellor, and the Board of Trustees through the President on any matters of concern to the Council.

The Campus Council utilizes standing committees of the Campus Faculty, and constitutes ad hoc committees as necessary for items not under the purview of a standing committee. Such committees include student members except where clearly inappropriate.

**Administrative committees** are appointed by and report to the Chancellor or vice chancellors, as appropriate, and have three principal functions: to recommend policy, to recommend operating procedures and practices, and to recommend adjudications of conflicts or competing needs. The committees may have faculty, non-academic staff, and student members. Student members are recommended by the Vice Chancellor for Student Affairs from nominees submitted by the Associated Student Government. Students are appointed for a one-year term, and may succeed themselves.

Administrative Councils and Committees include the following:

- Academic Development Office Review Committee
- Arkansas Union Governing Board
- Biosafety Committee
- Calendar Committee
- Campus Building Facilities Committee
- Campus Landscape and Grounds Committee
- Campus Radio Station Board
- Catastrophic Leave Committee
- Computing Activities Council
- Emergency Preparedness Council
- English as a Second Language
- Fringe Benefits Committee
- Greek Academic Standards Board
- Health and Occupational Safety Council
- HPER Building Advisory Committee
- Human Relations Committee
- Institutional Animal Care and Use Committee
- Institutional Review Board
- International Programs and Services Committee
- Patent and Copyright Committee
- Public Safety Council
- Publications Committee
- Radiation Safety Committee
- Registration & Class Scheduling Systems Coordinating Committee
- Research Council
- Residence Life and Dining Services Review Board
- R.O.T.C. Programs Committee
- SAFARI Committee
- Student Fee Review Board
- Student Publications Board
- Teaching and Faculty Support Center Advisory Committee
- Toxic Substances Committee
- Traffic Appeals Court
- Transit, Parking, and Traffic Committee
- University Health Service Advisory Committee
- University Honors Council

The duties and functions of the Campus Faculty Committees as well as Administrative Committees are in the Faculty Handbook, which may be found online at <http://pigtrail.uark.edu/pubs/FacultyHandbook/>.

The **Associated Student Government (ASG)** provides important services to the University community and is an integral part of governance on the campus. ASG has four executive officers selected in campus-wide elections and approximately 100 senators elected on a residential basis.

Operation of the Associated Student Government is guided by the

ASG Constitution, the ASG Code, and the Rules Committee Regulations, all of which are published in the Code Book. Reference copies of the Code Book are available for examination by students or other interested parties in the Office for Student Involvement & Leadership or the ASG Office.

ASG addresses student concerns and involvement in the university community through responsible activism and specific initiatives. ASG Senate has responsibility for various legislative functions including funding recommendations, and initiates campus-wide legislation based on student concerns. Students who want to be involved in ASG activities may apply at the ASG office in ARKU A669 or call 575-5205.

Other student organizations that represent living groups and are an integral part of student government are the Residents Interhall Congress (RIC), the Interfraternity Council (IFC), the Pan-Hellenic Council, and the National Pan-Hellenic Council (NPHC).

## **THE UNIVERSITY'S COMMITMENT TO STUDENTS**

### **Emergency Information and Parent Notification**

Next of kin will be notified when a student is:

1. Seriously injured or ill. In some cases, in accord with the wishes of the student and upon the advice of a University physician or psychiatrist, notification may be delayed or omitted. This decision will be made in consultation with the Vice Chancellor for Student Affairs.
2. Abnormally absent from his or her housing unit and from class attendance for a sufficient period of time to cause concern for personal welfare.

### **Guidelines for Administrative Referral to Counseling and Psychological Services (CAPS)**

1. When an authorized professional staff member related to Student Affairs has cause to believe that a student is undergoing severe emotional problems, and when the student's continued presence on campus would present danger to himself and/or others, the staff member may consult with the Director of Counseling and Psychological Services (CAPS) or a member of the CAPS staff prior to referral. Following consultation, the staff member may direct the student to be evaluated by a member of the CAPS staff. If the student refuses, interim suspension from the University may be invoked (see guidelines for interim suspension under Student Judicial System).

2. Those professional staff members authorized to make an Administrative Referral are the Vice Chancellor for Student Affairs, the Dean of Students, and the Director of University Housing.

3. Whenever possible, the student who is being referred to CAPS for mandatory evaluation will be accompanied by an appropriate professional staff member related to Student Affairs.

4. Following the evaluation, the Director of CAPS may recommend to the Vice Chancellor for Student Affairs that the student be withdrawn from the University to seek psychiatric or psychological treatment if:

- a) The student has violated institutional regulations and appears to lack the capacity to respond to the judicial affairs process, or did not appear to know the nature and wrongfulness of the alleged violation;
- b) The student has threatened or attempted suicide and is suffering from a serious mental disorder that is being exacerbated in the campus environment; or

c) A student is engaged in behavior made worse in the academic setting, that places him or her in serious medical jeopardy producing conditions that cannot be treated effectively without leaving the University. If the Vice Chancellor for Student Affairs decides in favor of mandatory withdrawal, he or his designee will notify the Dean of the College in which the student is enrolled. It is understood that such withdrawal will be backdated to a time pre-dating the last date for dropping a course without a grade and that the student will automatically receive a W in all course work.

The Registrar will also be directed to flag the student's file so that any readmission application will come to the attention of CAPS.

5. The Director of CAPS will send a report summarizing the results of the evaluation process to the Office of the Vice Chancellor for Student Affairs. Other appropriate personnel will be notified of any action taken regarding a change in the student's status by this office, e.g., the hall manager if the student is living in a residence hall. For more information or for an appointment, call 575-CAPS (575-2277).

### Sexual Harassment Policy

It is the policy of the University of Arkansas to provide an educational and work environment in which thought, creativity, and growth are stimulated, and in which individuals are free to realize their full potential. The university should be a place of work and study for students, faculty, and staff, which is free of all forms of sexual intimidation and exploitation. Therefore, it is the policy of the University of Arkansas to prohibit sexual harassment of its students, faculty, and staff and to make every effort to eliminate sexual harassment in the university.

The university's prohibition of sexual harassment applies to members of the university community, to visitors to the campus, and to contractors and others who do business with the university or who use university facilities. The policy prohibiting sexual harassment applies regardless of the gender of the harasser or of the person being harassed. The policy applies to sexual harassment that takes place in any relationship, including both those involving a power differential and those between peers, colleagues, and co-workers. The university policy prohibits sexual harassment between or among students, faculty, staff, and others visiting or conducting official business on campus, and in all areas of the university's work and educational environments.

Sexual harassment of employees is a form of sex discrimination prohibited by Title VII of the Civil Rights Act of 1964. Sexual harassment of students is a violation of Title IX of the Education Amendments of 1972. These laws apply to both the university and to individuals. Those who engage in sexual harassment may be subject to legal consequences, including civil and criminal penalties and monetary damages.

Sexual harassment subverts the mission of the university and threatens the careers, educational experience, and well being of students, faculty, staff, and visitors to the campus. In both obvious and subtle ways, sexual harassment is destructive to individual students, faculty, staff, and the academic community as a whole. Sexual harassment blurs the boundary between professional and personal relationships by introducing a conflicting personal element into what should be a professional situation. When, through fear of reprisal, a student, staff member, or faculty member submits or is pressured to submit to unwanted sexual attention, the university's ability to carry out its mission is seriously undermined.

Sexual harassment is especially destructive when it threatens relationships between teachers and students or supervisors and subordinates. Through control over grades, salary decisions, changes in duties or workloads, recommendations for graduate study, promotion, and the like, a teacher or supervisor can have a decisive influence on a student's, staff member's, or faculty member's career at the university and beyond. Sexual harassment in such situations constitutes an abuse of the power inherent in a faculty member's or supervisor's position.

### Definitions

Sexual harassment as defined by the U.S. Equal Employment Opportunity Commission and adapted to the academic environment consists of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or written communication of asexual nature, regardless of where such conduct might occur, when:

1) Submission to the conduct is made either implicitly or explicitly a term or condition of an individual's employment with the university or

of an individual's academic status or advancement in a university program, course, or activity;

2) Submission to or rejection of the conduct by an individual is used as the basis for employment or academic decisions affecting that individual; and/or

3) The conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive working or learning environment.

Sexual harassment is distinguished from voluntary sexual relationships in that it introduces such elements as coercion, threat, unwanted sexual attention, and/or promises of academic or professional rewards in exchange for sexual favors. Sexual harassment is unwelcome behavior. Behavior that the courts have found to constitute sexual harassment is usually repeated or continues even after the individual makes it clear that it is unwanted.

Sexual harassment is often divided into two categories: (1) quid pro quo harassment and (2) harassment resulting from a hostile or abusive environment.

Quid pro quo harassment involves an explicit or implied exchange; that is, the granting or denial of a benefit or privilege in exchange for sexual considerations. The harasser uses submission to or rejection of the offensive conduct as the basis for decisions such as employment, promotion, transfer, selection for training, performance evaluation, or the basis for academic evaluation or recommendations.

Court decisions have established that a hostile or abusive working or learning environment may also constitute sexual harassment. While the exact definitions and limits of a hostile or abusive environment continue to be delineated by the courts, case law indicates that such an environment exists when the workplace or educational environment is permeated by discriminatory intimidation, insults, and ridicule, such as sexual innuendoes, uninvited sexual advances, sexually suggestive or discriminatory remarks, sexually suggestive or offensive signs, graffiti, or pictures, the use of sexually crude and vulgar language, etc. The U.S. Supreme Court has held that, to constitute sexual harassment, the offensive conduct must be sufficiently severe and pervasive that a reasonable person would find the conditions of the working or learning environment to have been adversely affected. The employee or student must also subjectively perceive the environment to be hostile or abusive. However, it is not necessary that an employee's or student's psychological well being be seriously affected or that she or he suffer injury for a discriminatorily hostile or abusive environment to exist. One utterance of an offensive epithet does not by itself constitute sexual harassment. The Supreme Court has indicated that whether an environment is hostile or abusive can be determined only by looking at all the circumstances, which may include the frequency of the discriminatory conduct; its severity; whether it is physically threatening or humiliating, or a mere offensive utterance; and whether it unreasonably interferes with an employee's work performance or a student's learning.

Examples of behavior that may constitute sexual harassment are included in Appendix A.

### Academic Freedom

Works of art and literature, readings, and other written, auditory, or visual course materials that are used in an educational context, including classrooms, academic offices, and all other learning environments, or that are part of academic or cultural programs, do not constitute sexual harassment, regardless of their sexual, erotic, suggestive, or vulgar content and regardless of whether they may be offensive to some individuals.

### Consensual Relationships

Consensual sexual relationships between faculty and their students or between supervisors and their employees in some instances may result in charges of sexual harassment.

Consensual relationships may lead other faculty and students or supervisors and coworkers to question the validity of grades, evalua-

tions, and other interactions between the people involved in such a relationship. The integrity of the work of both people in the relationship may be compromised.

University faculty, administrators, and other supervisory staff should be aware that any sexual involvement with their students or employees could subject them to formal action if a sexual harassment complaint is subsequently made and substantiated, and that they bear the greater burden of responsibility should it be proven that the power differential between them made the relationship other than fully consensual. Even when both parties have consented to a relationship, it is the faculty member, administrator, or supervisor who may be held accountable for unprofessional behavior. Other students or employees may allege that the relationship creates a hostile or abusive environment affecting them. Graduate assistants, residence hall staff, tutors, and undergraduate course assistants who are professionally responsible for students will be held to the same standards of accountability as faculty in their relationships with students whom they instruct or evaluate.

When a consensual relationship exists between a student and a faculty member who has control over the student's academic work or status or between an employee and his or her supervisor, the resulting conflict of interest should be addressed in accordance with university policies concerning conflict of interest.

#### **Responsibility to Report**

Any student, faculty member, staff member, administrator, or visitor to the campus who has experienced or witnessed sexual harassment is strongly urged to report it. The university must know about incidents of sexual harassment in order to stop them, protect victims, and prevent future incidents.

It is the responsibility of university faculty, administrators, and supervisors to report complaints of sexual harassment that they receive and of possible sexual harassment of which they become aware. When there is a relationship that involves legally recognized professional confidentiality between the complainant and the person to whom the harassment is reported, the report may be withheld at the request of the complainant.

#### **Timeframe for Reporting**

Sexual harassment should be reported immediately and must be reported within 180 days of its occurrence. However, under compelling circumstances, a delayed report of sexual harassment may be made, provided it is made within 180 days after a student has graduated from the university or 180 days after an employee has left his or her current position at the university.

#### **Reporting System**

Students, faculty members, administrators, staff members, or visitors to the university may report allegations of sexual harassment to an official (hereinafter referred to as the complaint officer) who is designated by, and who reports to, the Chancellor. They may discuss with the complaint officer any situation that they believe may constitute sexual harassment. Reports may be made by the person experiencing the harassment or by a third party, such as a witness to the harassment or someone who is told of the harassment.

#### **Retaliation Prohibited**

University policy and federal law prohibit any form of retaliation against a person who makes a sexual harassment complaint, participates in an investigation of sexual harassment, or participates in formal grievance or disciplinary procedures. Retaliation against a complainant or witness is, in itself, a violation of university policy and the law, and is a serious separate offense.

#### **False Reports of Sexual Harassment**

Willfully making a false report of sexual harassment is a violation of university policy and is a serious offense. Any person who willfully makes or participates in making a false or frivolous report of sexual harassment will be subject to disciplinary action.

#### **Investigation of Complaints**

The complaint officer must investigate every allegation of sexual harassment, including informal and third party reports. The investigation shall be appropriate to the complaint, taking into consideration its seriousness, the extent to which it is or can be substantiated, and the nature of the resolution desired by the complainant. The investigation must be initiated within five working days after the complaint is made.

Upon receiving a complaint, the complaint officer will interview the complainant (and the alleged victim if it is a third party report) to compile as much specific information as possible, including the nature of each incident, the time, place, actual or potential witnesses, any actions or other responses to the alleged harassment already taken by the complainant, identification of the alleged harasser, and other pertinent facts or allegations.

The complaint officer will explain the university's obligation to investigate and take appropriate corrective action. The complaint officer will present options for resolution of the complaint, including actions that the aggrieved person can take, methods of informal resolution, the appropriate formal University of Arkansas grievance procedure, and legal remedies. The complaint officer will offer information about the availability of counseling and other assistance appropriate to the situation.

The complaint officer will meet with the person accused of sexual harassment and present the allegations, indicating whether there are witnesses or other evidence that would appear to substantiate the charge, and whether the complaint is informal or formal. The alleged harasser may make an initial, informal response to the allegations.

If the issue is not resolved at that point, the complaint officer will proceed with an informal complaint resolution process or, if appropriate, will refer the complainant to a formal grievance procedure.

Deans, department heads or chairpersons, directors, and other administrators who are responsible for personnel matters will participate with the complaint officer, as appropriate, in investigating charges of sexual harassment and in the process of informal and formal resolution of sexual harassment complaints.

#### **Resolution and Grievance Procedures**

Individuals who make complaints of sexual harassment and individuals who are accused of sexual harassment are entitled to due process and to a fair and prompt resolution of the complaint. Resolution may be attempted through direct informal action, through an informal resolution process, or through a formal grievance process.

#### **Direct, Informal Action**

After the complaint officer has discussed the complaint with the complainant and informed the person accused that a complaint has been made, the complainant may choose to attempt to resolve the matter by confronting the accused harasser directly. The complaint officer can suggest methods and models; for example, writing a letter describing the offensive behavior, its effects on the complainant, and her or his request that the behavior cease.

#### **Informal Resolution Process**

If the complainant wishes to attempt to resolve the problem informally, the complaint officer may serve as a mediator, or otherwise assist both parties in coming to an understanding and resolving the problem, with a focus on changing current and future behavior. Both parties must be informed of their rights to due process. The complaint officer may take statements from either party and from any witnesses that either party identifies, but the main focus will be on resolution and conciliation. Deans, directors, and department heads or chairpersons will be involved, as appropriate, in the informal resolution process.

#### **Formal Grievance Procedure**

If either party is not satisfied with the result of the informal process or if the complainant chooses, instead, to use a formal University of Arkansas grievance procedure, the complaint officer will help identify the appropriate procedure and explain how to use it. The matter will then follow the steps outlined in the Staff Handbook, the Faculty Hand-

book, or the Catalog of Studies for that specific grievance procedure. The complaint officer's records concerning the matter may be made available during the formal grievance procedure, as appropriate.

Both parties will be informed in writing of the results of the resolution and grievance procedures and reminded of the university's policy.

In some instances, it may not be possible to determine whether sexual harassment has occurred. Allegations of sexual harassment that are not eventually substantiated are not necessarily false allegations.

#### **Disclosure**

Every possible effort will be made to ensure the confidentiality of information received as part of the university's resolution and grievance procedures. All parties to the complaint will be asked to assist in keeping the complaint confidential. However, the university's obligation to stop sexual harassment means that it cannot fail to take appropriate action and that confidentiality cannot always be guaranteed.

In the interests of fairness and problem resolution, disclosure of complaints and their substance and the results of investigations and grievance procedures, except as compelled by law, will be limited to the immediate parties and other appropriate administrative officials.

#### **Disciplinary Action**

Disciplinary action up to and including dismissal will be taken against persons found to have engaged in sexual harassment or found to have willfully made a false or frivolous accusation of sexual harassment. The nature and seriousness of the offense will determine the specific disciplinary action. In all cases where disciplinary action is recommended, procedures in the Staff Handbook, the Faculty Handbook, or the Catalog of Studies are to be followed.

If a thorough investigation of a complaint substantiates that formal disciplinary action is warranted because either sexual harassment has occurred, or a false report of sexual harassment has been made, the complaint officer will report the findings to the appropriate vice chancellor, who is responsible for initiating disciplinary action. If a formal grievance procedure has been used, the administrator or panel that has heard and made a decision about the grievance may make a recommendation for disciplinary action. Recommendations for disciplinary action may be appealed, using the appropriate University of Arkansas grievance procedure.

At the direction of the vice chancellor and following applicable university rules, the Dean of Students, the academic dean, the director, or the department head or chairperson will implement disciplinary action against the student, faculty member, or staff member. The disciplinary action shall be implemented within thirty days of the notification of the vice chancellor. The complaint officer will monitor the implementation of the disciplinary process and its timeliness.

#### **Record Keeping**

Records will be kept in employee personnel files only if a complaint of sexual harassment is substantiated and disciplinary action is taken. All other records will be kept only for statistical purposes and to document that the university has responded to complaints. The Arkansas Freedom of Information Act compels disclosure of employee records only if they form the basis for decisions to suspend or terminate an employee and if there is a compelling public interest in their disclosure. Student records are protected from disclosure under the Family Education and Privacy Rights Act.

Records maintained by the complaint officer to document that the university has responded to all complaints will include information concerning the receipt of the complaint, the notification of the alleged harasser and his or her response, the steps taken to investigate the complaint, and indicate whether the complaint was substantiated. All written statements obtained, as well as summaries of witness interviews, will be included in the documentation. If the complaint is substantiated, the records will document actions taken to stop the harassment and to remedy its effects. If the complaint is not substantiated, all records pertaining to the complaint will be sealed, subject only to legally ordered disclo-

sure. Whether the complaint is substantiated or not, the records will document that all parties have been reminded in writing of the university's policy prohibiting sexual harassment.

#### **Statistical Review**

The complaint officer will report periodically to the Chancellor the statistical data compiled from investigation records and all disciplinary action taken by the university.

*Adopted by the Campus Council, February 17, 1994*

*Amended, March 17, 1994*

### **APPENDIX A TO THE STUDENT HANDBOOK**

The following are some examples of behavior that the courts have found to constitute either quid pro quo or hostile atmosphere sexual harassment. The list is not inclusive; other behaviors not included on the list may be sexual harassment. And most of the behaviors listed, if they are welcome by the person at whom they are directed, would not be sexual harassment. An important distinction is that sexual harassment must be unwelcome.

Sexual harassment can take many forms. In most cases, a single offensive epithet would not constitute sexual harassment. Most sexual harassment falls into three categories: verbal, physical, and written or visual.

**Verbal sexual harassment** may include, but is not limited to:

- Sexual innuendoes, comments, and suggestive remarks about clothing, a person's body, or sexual activities;
- Suggestive or insulting sounds;
- Whistling in a suggestive manner;
- Humor and jokes about sex;
- Sexual propositions, invitations, or other pressure for sex; and
- Implied or overt threats.

**Physical sexual harassment** may include, but is not limited to:

- Patting, pinching, feeling, or any other intentional inappropriate touching;
- Brushing against the body;
- Making obscene or offensive gestures;
- Attempted or actual kissing or fondling;
- Coerced sexual intercourse; and
- Assault. (See the University of Arkansas Sexual Assault Policy)

**Written or visual sexual harassment** may occur when the following types of materials are directed to a specific individual or when people cannot reasonably avoid seeing them (the list is not inclusive):

- Pictures or drawings of a sexual nature;
- Sexually derogatory pin-ups, posters, cartoons, magazines, or calendars;
- Messages, words, comments, rhymes, or other writing of a sexually derogatory or suggestive nature.

**NOTE:** Some of the forms of harassment described above may constitute criminal behavior.

### **APPENDIX B TO THE STUDENT HANDBOOK**

#### **Recommendations for Education and Publicity Concerning the Policy**

Because new students and employees continually join the university community, it is important that education about sexual harassment and publicity about the university's policy be presented frequently, and that attempts be made to reach all members of the community. Information should be presented at new student and new employee orientation sessions, and new administrators, supervisors, and managers should be reminded about their additional obligation to help keep the university free of sexual harassment. In addition, programs about sexual harassment, campus awareness events and activities, training sessions, and other educational activities should be provided regularly. Student, faculty, and staff handbooks, catalogs, and other publications that include

university policies and procedures should contain the sexual harassment policy. Brochures, flyers, newspaper articles, posters, and other methods of publicizing the policy should be used as well.

### Sexual Assault Policy

It is the policy of the University of Arkansas to prohibit sexual assault and to prevent sex offenses committed against students, employees, visitors to the campus, and other persons who use University facilities.

Sexual assault is an extreme form of sexual harassment. Sexual harassment is prohibited by University policy and is a form of sex discrimination prohibited by Title VII of the Civil Rights Act of 1964 and by Title IX of the Education Amendments of 1972. Sexual assault is also a crime, defined by the Arkansas criminal code.

#### Definitions

Sexual assault may include any involuntary sexual act with which a person is threatened, coerced, or forced to engage in against her or his will. Sexual assault may be committed by a stranger or by an acquaintance.

Acts defined as sexual assault include rape, date rape, acquaintance rape, and gang rape, but may also include sexual touching of another person against his or her will, and forcing an unwilling person to touch another person sexually.

Sexual assault occurs when such acts are committed either by force, threat, or intimidation, or through the use of the victim's mental or physical helplessness, of which the assailant was aware or should have been aware.

#### Responsibility to Report

Any student, faculty member, staff member, administrator, or visitor to the campus who has experienced or witnessed sexual assault should report the assault immediately to the University Police (Department of Public Safety). If the assault occurred outside the jurisdiction of the University Police, they will assist in reporting it to the proper authorities.

Sexual assault may also be reported to the Fayetteville police, if it occurred within the city limits, or to the police of another municipality if the assault occurred within another township or city that has a police force. It may be reported to the Washington County Sheriff's Department if it occurred outside city limits but within the county. Sexual assault may also be reported to the community Rape Crisis Help Line.

#### Preserving Evidence

It is important that evidence of sexual assault be preserved, because it may be necessary as proof in a criminal case. Victims and others should not alter the scene of the attack. The victim should not change clothes or take a bath before calling the police or Rape Crisis. The victim should be taken to a local hospital that has kits to collect and preserve evidence of rape and sexual assault.

#### Availability of Counseling

Counseling and other mental health services for victims of sexual assault are available on campus and in the community. Students and employees may use the Counseling and Psychology Services (CAPS) unit of the University Health Center. The Psychological Clinic of the Department of Psychology may be able to provide assistance in some cases. Community mental health agencies, such as the Ozark Guidance Center, and counselors and psychotherapists in private practice in the area can provide individual and group therapy. The Rape Crisis Help Line may make referrals for individual counseling and support groups.

#### Education and Awareness Programs

The Sexual Health Education Coordinator in the Department of Health Promotion and Education of the University Health Center is responsible for planning and coordinating campus education and awareness programs about all forms of sexual assault, including rape, acquaintance rape, and other sex offenses. Programs are presented regularly throughout the academic year in residence halls, fraternities, sororities, and for student organizations, academic classes, and in other settings

that are likely to reach people throughout the campus community. Campus-wide education and awareness activities are also conducted during Sexual Assault Prevention Week.

Other campus resources for sexual assault awareness, education, and prevention include the peer education group Sexual Harassment and Rape Prevention (SHARP), and the Sexual Assault Victim Advocacy and Education Program (SAVE), sponsored by Rape Crisis, the University Health Center, and the Alliance for Women's Concerns. A peer education course in sexual assault prevention will be offered, starting in the spring of 1994.

#### University Judicial System

When appropriate, the University Police (Department of Public Safety) or any member of the University community may refer allegations of sexual assault to the University judicial system. The judicial system provides a just and equitable process for dealing with alleged infractions by students of University rules, regulations, or laws. The system is informal and nonadversarial, and is intended to educate students, to help them make responsible decisions, and to be accountable for their actions.

In some instances, it may be appropriate for faculty and staff members to use the University's formal grievance procedures to address grievances related to allegations of sexual assault. The faculty grievance procedure is described in the University of Arkansas Faculty Handbook. The staff grievance procedure is described in the Staff Handbook.

During University judicial proceedings and grievance procedures, both the accuser and the person accused are entitled to the same opportunities to have others present. Both the accuser and the person accused shall be informed of the outcome of any campus judicial proceeding or grievance procedure in which sexual assault is alleged.

#### Disciplinary Action

Students and employees who are convicted of sexual assault may also be subject to University disciplinary action. According to the circumstances of the case, possible sanctions may range from a formal reprimand to dismissal from the University.

Victims of sexual assault may receive assistance in making reasonable changes in their work, academic, or living situations. Students may request assistance in changing their living situations from Residence Life and Dining Services. Requests for academic changes should be directed to the dean of the appropriate college. Staff may request assistance in changing their work situations from their supervisors or from the Department of Human Resources. Requests for such changes will be considered on the basis of their appropriateness and whether the requested change is reasonably available.

*Adopted by the Campus Council, September 23, 1993*

### Student Grievance Procedure

The All University Judiciary (AUJ) shall review the substance of a regulation or administrative decision that is alleged to be inconsistent with rights and responsibilities of students established in the Student Handbook and is not appropriately dealt with by the Residence Life and Dining Services Review Board or the Academic Due Process procedures. This review authority shall not include monetary claims against the University of Arkansas. The procedures for such review shall be as follows:

1. The student or student group making the allegation shall submit to the Dean of Students a written statement of the reason for appeal.
2. The Dean of Students shall promptly send a copy of the letter to the Chairperson of the AUJ.
3. The Judiciary shall determine whether it will accept the appeal. If the appeal is rejected, the appealing party shall be notified. If the appeal is accepted, the Judiciary must immediately notify the appealing party and the administrative office or group responsible for the challenged regulation or administrative decision.

The Judiciary must also provide to the administrative officer a copy of the written statement of the reason for the appeal. The Judiciary shall thereupon conduct a hearing on the matter. The Chairperson of the Judiciary shall send to the Dean of Students a written statement of the decision and reasons for it.

4. The Dean of Students shall promptly send to the originator of the appeal a duplicate copy of the Judiciary's statement. If the decision of the Judiciary or panel is that a regulation or an administrative decision is inconsistent with the guidelines in the Student Handbook, the Dean of Students shall notify the office or person responsible for the regulation or administrative decision and ensure that action consistent with the decision is undertaken immediately. The Dean of Students shall also make the decision public in an appropriate manner. If the decision of the Judiciary or panel is that the regulation or administrative decision is consistent with the guidelines in the Student Handbook, the student or student group making the allegation may appeal the decision to the Vice Chancellor for Student Affairs and, if still dissatisfied, to the Chancellor of the University. This right of appeal of the decision extends only to the student or student group making the allegation.

5. The Dean of Students shall keep a file of all decisions for future reference.

6. The procedural rules of the AUJ shall include provisions for expedited consideration of urgent cases in which it is alleged that a regulation or administrative decision threatens immediate and irreparable infringement on student rights as defined in the Student Handbook.

7. If a majority of the AUJ or a majority of the appointed panel should decide that the request for expedited handling of a case should be granted, the Chairperson shall have the discretionary authority to request the individual or the group responsible for enforcing the challenged regulation or administrative decision to postpone action or to withdraw action already taken. The Chairperson, however, may make such a request only if such a postponement of action or withdrawal of action will not, under the circumstances, preclude, predetermine, or render irrelevant the ultimate intention of the AUJ or panel. If necessary, the AUJ or panel may announce its decision in such a case without a written statement of its reasons, provided that such a statement of reasons shall be filed as soon as possible after the announcement of the decision.

### Student Academic Appeals and Complaints

There are two kinds of procedures for undergraduate students with complaints of an academic nature. See Student Grievance Procedures and Academic Appeal Structure for Undergraduate Students. There is a separate academic grievance procedure for graduate students outlined in the Graduate School Catalog.

### The Law

Students are expected to be familiar with and observe all provisions of federal, state, and local laws.

Violators of public law may be referred to civil authorities for appropriate action and may be subject to disciplinary action through the University judicial system. In general, students who violate federal, state, or local laws while off-campus will not be subject to University jurisdiction unless the clear and distinct interest of the University is involved or affected. Ordinarily, when such violations occur the University will not intervene and students would be answerable to civil authorities only. A decision in which the University's interest is involved or affected by a violation of law will be based upon the relevance of one or more of the following elements:

1. The academic integrity of the University is violated
2. The maintenance of the University's program of higher education is jeopardized
3. The safety and welfare of persons and/or property in the University community are threatened.

This general policy does not in any way limit the application of more specific provisions pertaining to student conduct.

### Affirmative Action

Under Executive Order 11246 as amended, all education institutions with federal contracts totaling \$50,000 or more and having 50 or more employees must have a written Affirmative Action Plan documenting good faith efforts to end discriminatory practices in employment. Copies of the University of Arkansas Affirmative Action Plan are available in the Office of Human Relations, ADMN 415.

The University is also covered by several other pieces of federal legislation that prohibit discrimination. These include TITLE VI of the Civil Rights Act of 1964, which prohibits discrimination against students or others on the grounds of race, color, or national origin in all institutions receiving federal monies by way of a grant, loan, or contract; TITLE VII of the Civil Rights Act of 1964 as amended, which prohibits discrimination in employment (including hiring, upgrading salaries, fringe benefits, and other conditions of employment) on the basis of race, color, religion, national origin, or sex in all institutions with 15 or more employees; the Equal Pay Act of 1963 as amended, which prohibits discrimination in salaries (including almost all fringe benefits) on the basis of sex for employees in all institutions; TITLE IX of the Education Amendments of 1972 (Higher Education Act), which covers many issues dealing directly with students, i.e., admission, financial aid, housing, etc., and which provides that no person shall be discriminated against because of sex in any education program or activity that receives financial assistance; and Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination against qualified people with disabilities in any program or activity receiving Federal financial assistance; and, Titles I and II of the Americans with Disabilities Act of 1990, which extends federal civil rights protection to people with disabilities in employment and public services and transportation. Any questions regarding these issues can be referred to the Director of Human Relations, ADMN 415, 501-575-2158.

### Campus Council Statement on Discrimination

In spring 1983 the Campus Council adopted a statement regarding discrimination, which was amended in fall 1991:

The Campus Council of the University of Arkansas, Fayetteville, does not condone discriminatory treatment of students or staff on the basis of age, disability, ethnic origin, marital status, race, religious commitment, sex, or sexual orientation in any of the activities conducted upon this campus. Members of the faculty are requested to be sensitive to this issue when, for example, presenting lecture material, assigning seating within the classroom, selecting groups for laboratory experiments, and assigning student work. The University faculty, administration, and staff are committed to providing an equal educational opportunity to all students.

### Human Relations Committee

The committee, appointed by the Chancellor of the University, recommends and reviews policies, procedures, and activities concerning human relations, affirmative action, and desegregation programs, and is responsible for the identification of discriminatory practices within the University and for recommending programs that alleviate discrimination and improve relations among students, faculty, and staff.

Membership consists of three faculty members; three students; three nonacademic staff members; and, ex officio, the director of Personnel Services, the chairperson of the Campus Faculty, the President of the Associated Student Government, the Director of Human Relations, and a representative from the Office of Admission. For further information, contact the Director of Human Relations, ADMN 415, 501-575-2158.

## GENERAL REGULATIONS

The University has established certain rules and regulations that are considered necessary to ensure order and protect individual freedoms in the campus community. These rules and regulations are applicable to student groups as well as individuals. For academic regulations, see the Academic Regulations section and college and school sections of this catalog.

### Violations of Regulations

Alleged violations of law or of university, residential, or living-group regulations are dealt with through the University's student judicial system, which provides for a hearing before one of several judicial boards or an administrative hearing officer. The judicial system assures due process for any student accused of a violation, as well as for the accuser.

Sanctions for violations are shaped to fit the individual and relate as nearly as possible to the offense committed. Obviously, the seriousness of the violation and whether it was a first or subsequent offense will have a bearing on the type of sanction deemed appropriate. Typical sanctions for lesser offenses have ranged from verbal warnings to restriction and/or removal of activity privileges, while the range of sanctions for more serious violations may include disciplinary probation, suspension, and, in rare instances, expulsion from the University.

For more detailed information, refer to the Office of the Dean of Students, ARKU M-405, 501-575-5004, or contact the Judicial Coordinator in the same office.

### University Representation

Students who represent the University in any official capacity must meet the University eligibility requirements for participation in co-curricular activities.

### Off-Campus Travel of Students Who Are Representing the University

Frequently, students travel off-campus to represent the University. Some trips are made in University vehicles, some via commercial transportation, and others in private cars. The University's concern is that there be adequate protection for the student, and that the University be protected from claims and liability that might arise from these occasions. To ensure such protection, the following will be observed as policy and regulations:

#### Official Representation

The University of Arkansas recognizes that a student travels as its official representative when, and only when, the following facts exist:

1. An administrative official having authority to do so authorizes a student or students to be official University representatives for the purpose of attending an event related to accomplishment of university educational purposes.
2. The University will benefit from the representation in a substantial manner.
3. The student or students travel by University vehicle or travel according to transportation selected for them and approved by the person authorizing the travel.
4. The student or students meet campus requirements for participating in co-curricular activities.
5. Before leaving the campus, the student or students and accompanying faculty or staff member, if any, shall have registered according to the procedures outlined in these regulations. Students attending functions on their own initiative in the guise of being from the University of Arkansas, the institution deriving benefit only from the resulting publicity, are not official University representatives.

Procedures for Establishing Students as Official University Representatives

Because of the possibility of claims and liability arising from student travel, it is necessary that strict procedures be established concerning the dispatching of enrolled students off campus for University purposes. The following procedure, therefore, is established:

1. Secure authority from appropriate administrator of college division.
2. Register a reasonable time in advance of travel period. Copies of the completed form shall be forwarded to the office of the Dean of Students, to the administrative official authorizing the travel, and to the deans of the colleges in which the students are enrolled.
3. The faculty sponsor shall properly inform student representatives of the responsibility of that status.

#### Travel Regulations

1. Students may travel on public carriers, in University fleet vehicles, or by private vehicle if it is covered by an insurance policy currently in effect and purchased by the owner of the vehicle. The registration form shall designate type of transportation, and, if a private automobile, information as to the extent to which that vehicle is insured.

2. In the event of accident, full disclosure should be made of name, address, registration number of vehicle, driver's license, and University status of individual involved, but liability should not be admitted because not all facts may be known at the moment. All vehicle laws in the state involved should be obeyed.

3. Students shall file reports with their administrative office and the Business Manager's office concerning any accidents, collisions, personal injury, or property damage to themselves or to others on returning to the campus. In privately owned vehicles, the owner should notify his insurance company immediately.

4. No student or students shall be allowed to operate University fleet vehicles on off-campus trips as defined here unless accompanied by a faculty or staff member.

5. When a University car is to be used for off-campus travel, the person to whom possession is delivered shall first display to Physical Plant officials a driver's license for himself or herself and for any of the passengers whom he or she will allow to drive during the trip.

The above rules are inapplicable in the following cases:

1. Students traveling under the aegis of the Department of Athletics as athletes. (However, the Department of Athletics shall file a schedule for each sport in advance with the Office of Student Affairs, which lists date, class periods to be missed, and squad members.)
2. Riding in University-operated vehicles between portions of the campus located in the same city or its suburbs.
3. Off-campus trips organized, conducted, or sponsored by a student organization in its own interest. Such trips are not made on behalf of the University of Arkansas as official travel, and the University will accept no responsibility for any liability arising therefrom.
4. Dispatching of a student on an errand in a city where he or she is regularly enrolled. If the student is dispatched by a faculty or staff member who would derive benefit from the act, liability might be imputed to that faculty or staff member on the idea that the student was the agent of the teacher, and not of the University.

This statement of policy and procedure is applicable in, but not limited to, the following cases, for example:

1. Travel by ROTC persons or groups, though not including summer camp travel while the student is not enrolled.
2. Travel by agricultural judging teams.
3. Travel by student performers representing fine arts (singers, debaters, etc.).

#### Sponsor

To guard the University against public criticism, all students or groups of students on off-campus trips will be accompanied by a sponsor who shall assume responsibilities concerning the safety of students,

their conduct, and for the end result that the University be well represented. Such a responsible person may become liable, due to his own negligence, for any person or persons injured. In addition, his acts may be attributed to or may reflect on the University where acts occur as a result of something within his general authority. The sponsor is responsible, as a University employee, to maintain reasonable order.

#### **Student Conduct**

Students away from the campus as University representatives are subject to disciplinary action by the University for breaches of conduct. The accompanying sponsor is authorized to maintain good order and good representation during the trip. Upon returning to the campus, disciplinary action of a penalizing nature may be instituted against students for misconduct during the trip.

#### **Makeup of Classes Missed while Representing the University**

Students are sometimes away from the University during regularly scheduled classes to represent the University in a variety of activities—professional meetings, workshops, field trips, research activities, athletic events, debate competitions, judging events, fine arts events, etc. The University recognizes the value of these activities for personal development and as an educational opportunity. Instructors are encouraged to assist students in making up class work (including lectures, laboratories, tests, etc.) missed because of these activities whenever possible. However, the instructor has the final responsibility to determine if it is feasible to make up the work. The following procedures establish a framework for communication between the student and instructor on this question. For further information, see Attendance in the Academic Regulations section of this catalog.

#### **Instructor s Responsibility**

The instructor should determine the requirements for the course including tentative dates of tests, field trips, etc. together with a make-up policy and supporting rationale. This information should be communicated to the students at the first class meeting, if possible, but not later than the end of the drop-add period.

#### **Student s Responsibility**

Where possible, a student who anticipates a substantial amount of activity as a University representative during a particular semester should schedule courses and class times to minimize the conflict. The student should make the instructor aware of any planned absences as a University representative as soon as possible and request arrangements for make up of the work to be missed.

The student and instructor should confer to attempt to resolve any differences that grow out of (1) and (2) under Official Representation. The chairperson or area coordinator may be brought into the discussion, particularly if there is a potential need for additional resources or increased support for the instructor.

If the student questions the instructor s final decision the student has recourse through the student academic appeal structure.

### **Sound Regulations on Campus**

*(Campus Council, April 7, 1997)*

I. It is important that individuals and groups in the University community respect others rights by not creating noise disturbances on the campus or around residences. Whenever an event is scheduled, whether an amplified sound system is involved or not, the sponsoring organization must take into account the area being used and the potential for noise disturbance. The intent is not to deny access to speakers or other presentations where noise spill creates no problem; rather, noise pollution is the target of the regulations.

II. Those sponsors planning outdoor events are expected to consult with Office for Student Involvement & Leadership, ARKU 504, well in advance of the event for the purpose of compliance with the sound regulations. The sound regulations apply to outdoor campus events that may potentially cause noise disturbances regardless of whether or not ampli-

fied sound is used (i.e., pep rallies, outdoor music performances, etc.).

III. Outdoor events should be submitted to Office for Student Involvement & Leadership for approval using the Outdoor Event Registration form at least two weeks prior to the scheduled event. The event sponsor is expected to have a copy of the approved form in hand at their event.

IV. Outdoor events held on campus must abide by the following sound regulations, which prohibit unreasonable sound disturbance.

A. \*A level of 70 decibels will be permitted in approved locations from 6:00 p.m. Sunday through 6:00 p.m. Friday.

B. \*A level of 80 decibels will be permitted in approved locations from 6:00 p.m. Friday through 6:00 p.m. Sunday.

V. If complaints are registered, The University of Arkansas Police Department (UAPD) will measure decibel levels from the location of the activity as well as at the source of the complaint to assure compliance with approved levels. An attempt will be made to work cooperatively with the event sponsor in assuring approved sound levels. If cooperation does not occur, and if deemed appropriate by UAPD, the event may be terminated.

VI. During the week, (Sunday evening through Friday afternoon), sound systems may be used on campus and around University residences only between the hours of 10:00 a.m. and 11:00 p.m. With prior approval from the Physical Plant, sound systems are permitted during the week in the Greek Theatre, east of the flagpole on the lawn of Old Main, and in outdoor reserve spaces. The use of sound systems during the weekend must be terminated by 1:00 a.m. on Saturday and Sunday mornings. Sound systems may be used on the Arkansas Union Bridge with prior approval from the Director of the Arkansas Union, ARKU M-423, and on the Union Mall with joint approval from the Physical Plant and the Arkansas Union.

VII. Any University of Arkansas student organization or living group seeking a variance from the sound regulations must submit its proposal for variance on the designated form to the Office for Student Involvement & Leadership. Office for Student Involvement & Leadership may either recommend modification of the request or else withhold action pending acceptance of such modification. If Office for Student Involvement & Leadership denies the variance request, the organization may appeal to the Associate Vice Chancellor for Student Affairs and Dean of Students.

VIII. City of Fayetteville Ordinance 96.02 applies to all events held on University property. It states, No person shall unreasonably make, continue, or cause to be made or continued, any noise disturbance.

IX. Outdoor events organized by student organizations or living groups that could create noise disturbances on campus will not be approved after the last day of classes through the end of finals each fall and spring semester.

### **CONDUCT REGULATIONS**

The responsibility for student conduct is under the general purview of the University Faculty and for administrative purposes has been delegated to the Office of Student Affairs. The committee on Student Relations (standing Committee of the University Faculty) regularly interprets, reviews, recommends changes in student conduct policies, and invites student comments relating to these policies.

### **University Policies on Alcohol and Other Drugs**

#### **Philosophy**

The University of Arkansas recognizes its responsibility to provide a healthy environment within which students may learn and prepare themselves as socially skilled, fully functioning and productive individuals. Campus substance abuse threatens this university s mission as an institution of higher education and interferes with individual learning. The University strives to establish a campus environment that makes the

abuse of alcohol and the use of illegal, non-prescribed or harmful drugs undesirable choices. The University of Arkansas considers illicit drug use as wrong, harmful, and illegal.

The University of Arkansas Alcohol and other Drug Policies are consistent with the educational and non-punitive philosophy that governs the Student Judicial System. The system emphasizes personal responsibility and is intended to facilitate individual student growth and development. The University, however, recognizes the seriousness of the substance abuse problem that can threaten the fabric of the university community. Therefore, the judicial system will administer sanctions appropriate to the severity of the problem and may include separation from the University.

The circumstances accompanying each individual case are considered when determining the consequences for an alcohol or other drug policy violation. Educational interventions are emphasized; however, when indicated, students may be required to engage in counseling or other therapeutic activities.

The Student Assistance Program (SAP) at the University Health Center is designed to help students prevent harmful involvement with alcohol and other drugs. Education and assessment services are offered to assist individuals in defining their level of involvement and to present them with alternatives. When treatment for a substance abuse problem is indicated, a range of counseling services is available at CAPS (Counseling and Psychological Services).

Students may be referred to the SAP by the Judicial Board for a residence hall or fraternity/sorority for violation of University policy. Referrals are also accepted on a voluntary basis and from peers, faculty, and staff who are concerned about a student's drinking and/or other drug-related behavior. SAP phone number: 575-6376. CAPS phone number: 575-2277.

University officials will do everything they can to assist a student in obtaining appropriate care for an alcohol and/or other drug abuse concern. The fact that a student voluntarily seeks assistance will be taken into consideration as part of any judicial proceedings.

#### **Alcohol Policy**

*University of Arkansas Board Policy No. 860.1, February 22, 1974.*

Possession and use of intoxicants in public areas of University facilities (including organized houses) and at official University functions held on campus is prohibited. Persons of legal age as prescribed by state law regarding alcoholic beverages may possess and consume these beverages in the privacy of assigned student rooms. Irresponsible behavior while under the influence of intoxicants is not condoned and may be subject to review and/or action by the appropriate judicial body.

#### **Clarification to Alcohol Policy**

To help reduce the incidence and prevalence of alcohol use that may adversely affect the quality of an individual's experiences at the University of Arkansas, abstinence is expected. No alcohol may be brought to any on-campus social event. All open containers must be emptied and/or disposed of prior to entering the public area of the facility. Kegs and other similar containers used for alcoholic beverages, including but not limited to party balls, trash cans, bathtubs, etc., are not permitted anywhere on campus.

Students of legal age who choose to drink, either on or off campus, are expected to handle alcohol in a low risk manner and behave responsibly. Violations of state law, city ordinance or University regulations may be considered grounds for legal and/or disciplinary action.

The use of alcohol will not, under any circumstance, be accepted as an excuse for irresponsible behavior. Any effort to induce or force a student to drink against his/her expressed desire will be treated as a serious offense. Furthermore, no person may provide any alcoholic beverages to any person less than 21 years of age.

#### **Alcohol Policy Violation - Progressive Intervention**

Students are responsible for their alcohol related behavior and should be aware of the natural and logical consequences associated with

these behaviors. As students continue to engage in alcohol use/abuse behaviors that violate policy, the level of intervention will be increased accordingly. The course of progressive intervention begins with the initial policy violation and will continue to be administered throughout the time that a student is enrolled at the University.

#### **Drug Use Policy**

Possession, use, or manufacture of illicit drugs is strictly prohibited at the University of Arkansas. Students enrolled in the University of Arkansas are subject to disciplinary action for violation of federal or state law regarding the possession, purchase, manufacture, use, sale or distribution (by either sale or gift) of any quantity of a prescription drug or controlled substance/or for being under the influence of any prescription drug or controlled substance, except for the use of any over-the-counter medication or for the prescribed use of medication in accordance with the instructions of a licensed physician. Possession of paraphernalia associated with the use, possession or manufacture of a prescription drug or controlled substance is also prohibited.

**NOTE:** Controlled substances include but are not limited to: marijuana, cocaine, crack, heroin, amphetamines, barbiturates, LSD, PCP, and designer drugs such as ecstasy and ice.

#### **Drug Policy Violations - Progressive Interventions**

Progressive interventions will be administered throughout the time that a student is enrolled at the University.

##### **First Infraction (Possession and/or Use)**

Students who are found responsible for unauthorized possession and/or use of a prescription drug or controlled substance will be considered for disciplinary probation. First offenders will also be required to participate in a drug abuse education and/or treatment program.

##### **Second Infraction (Possession and/or Use)**

Students found responsible for these actions will be considered for separation from the University

##### **First Infraction (Manufacture and/or sale of any prescription drug or controlled substance)**

Students found responsible for these actions will be considered for separation from the University.

##### **Student Organization Responsibilities for Both Alcohol and Other Drug Policies**

A process of progressive intervention will be followed in the event that a student group or organization is cited for violation of the University alcohol and/or drug policy. This process will be administered for a period of four years beginning with the most recent policy violation.

##### **First Infraction**

1. Initial policy violations will result in cancellation and non-approval of all social functions for eight academic weeks. These eight weeks will be counted during the fall and spring semesters. (Generally, the summer months will not count toward this eight-week period.)

2. Appropriate documentation will be filed with the Judicial Affairs Office and sent to the president of the organization and the national organization. Consequences for further violations will be included.

3. The membership of the student group/organization at minimum will be referred to the Student Assistance Program (SAP) and required to attend the alcohol and other drug education series.

##### **Second Infraction**

1. Second policy violations will result in cancellation and non-approval of all social functions for 16 academic weeks. This 16 weeks will be counted during the fall and spring semesters. (Generally, the summer months will not count toward this 16-week period.)

2. The student group/organization may at minimum be placed on University disciplinary probation by the appropriate judicial board for a period of one year.

3. Documentation will be presented to the national organization, with a copy to the Dean of Students Office, citing the present disciplinary status with the University and the consequences for further violations.

### Third Infraction

1. The student group/organization will be considered for suspension of its status (authorization) as a registered student organization of the University. Accordingly, the organization loses all privileges associated with that official status.

In all infractions, whether student or organizational in nature and depending upon the surrounding circumstances, additional disciplinary sanctions may be levied. It is the University's expectation that students who belong to organizations that have stricter policies than those of the University will adhere to those stricter policies.

### Policy for Social Events

*University of Arkansas Board Policy No. 865.1, May 11, 1957.*

1. There shall be no use of alcoholic beverages at any all-University function. An all-University function is hereby defined as a function that any student may freely attend.

2. Alcoholic beverages shall not be used in any University-owned educational or recreational building.

3. Alcoholic beverages shall not be used at any undergraduate student social function.

4. In any other situation not defined herein, the Student Senate disapproves of the use by students of alcoholic beverages in violation of state laws.

5. A social function is defined as any event given by or for an organization.

6. No student activities shall be conducted in such a manner as to interfere with classes, studies, or other University functions. Hazing that may result in injury or undue degradation of the individual is not permitted.

The following procedures have been established to emphasize the shared responsibility of the host organization and individuals attending social events. Social events are defined as any event outside the normal operations of the organization. These procedures are intended to reduce risks associated with social events and to assure compliance with University policies as well as state and local laws concerning the use of alcohol and other drugs.

### Registration

Any social event that is to be held on the University property or in organized student housing by one or more student organizations must be registered. Student organizations other than living groups will register social events through the Office of Office for Student Involvement & Leadership. Living groups (Residence halls and Greek houses) will register events through Residence Life or the Office of Greek Affairs, respectively.

All social events must be registered at least one week prior to the date of the event.

Student organizations will have a designated faculty adviser or authorized sponsor present at the event. In addition, the registering office representative will meet with the organization leader(s) to plan procedures in accordance with these guidelines for the event.

Social events will not be permitted unless complete compliance with these procedures, University policies, and state and local laws can be assured to the best of the ability of the hosting group(s).

### Invitation and Guest List

All social events will be restricted to invitation and guest list. Guests (other than members and the dates of the sponsoring group(s) must receive written invitation prior to the event. Invitations will be collected and disposed of at the approved entrance(s) and will include the name of the function, the sponsoring group(s), date, time, the University policy concerning the use of alcohol, and where appropriate the organization's official identification symbol. A guest list must be present at the entrance to allow for those guests who do not have their invitations.

### Maximum Occupancy

The maximum number of individuals permitted to be in attendance at a particular event at any one time must be determined prior to the registering the event and in conjunction with the appropriate fire mar-

shal and the University personnel registering the event. The host group(s) will be responsible for keeping an accurate count of the number of individuals in attendance at any one time.

### Entrances and Exits

The number of permissible entrances for a registered social event will be determined at the time the event is registered and by the office registering the event. Likewise, the number of exits (along with the appropriate requirements for manning them) will be determined by the registering office at the time the event is registered and will be based on appropriate fire codes and safety requirements.

### Outdoor Activity

Outdoor activities are permitted; however, the hosting group(s) is (are) reminded that alcoholic beverages are not permitted in any public area of the living units or on the University campus.

### Marshals

Marshals should be identified individuals (example: t-shirts, arm-bands) and are responsible for the proper management of the social event. They are expected to be on duty for the duration of a social event. Marshals will refrain from consumption of alcohol and work with the faculty adviser or sponsor, and UAPD officers, when appropriate.

Some of the marshal's responsibilities include but are not limited to: controlling entrances and exits, verifying invitations, confronting individuals with alcohol in public areas, confronting other persons displaying inappropriate behavior, assuring that no alcohol enters or leaves the social function, and making decisions regarding the continuation of an event, if necessary.

A two-hour training program is conducted for marshals at the beginning of each semester by UAPD, and all potential marshals for a student organization's social events are required to attend. In addition, it is also required that the organization's four major officers and activities chair-person attend for these training programs.

### University of Arkansas Police Officers

The registering office of the sponsoring group(s) will determine whether the organization will need University of Arkansas Police Department (UAPD) designated officers present at the event. The registering office representative will make the request to the UAPD for officers.

The sponsoring organization will be responsible for employing the officers at a time and one half rate. The number of officers employed will be determined by the registering office and the Director of the UAPD.

### Structures

Due to the potential liability, the only structures that the University will permit to be constructed are fences built to insure that only those individuals possessing an invitation enter the event. Materials must be evaluated by the City Fire Marshal for safety. Any structure must be approved a week before building is to start by the Greek Affairs Office. The building of structures may begin one week prior to the social event.

### Clean-up

A clean-up committee must be identified prior to the activity. Clean up of the outside property, fences, and neighborhood must be completed immediately following the event. All materials must be removed within two days of the function.

### Off-Campus Social Events

Any registered student organization(s) that sponsors a social event away from campus is (are) obligated to adhere to all local and state laws.

It is the responsibility of the sponsoring group(s) to institute measures to assure that minors do not consume alcoholic beverages at off-campus social events. Groups are reminded that off-Office for Student Involvement & Leadership do not lessen their responsibility or liability. If alcohol is available, food and non-alcoholic beverages must be provided.

### Sanctions

If University policies, state and/or local laws are violated during or as a result of a social event, the sponsoring group(s) will be considered responsible and held accountable for the violations(s). The group must understand that other potential legal liabilities may also occur for the organization, individual students, officers, guests, and advisers.

Littering, infringing upon the rights of others, and abuse of public or private property are also examples of violations of this policy. Other possible violations of University policy will include but are not limited to the following:

1. Failure to register functions
2. Construction of unauthorized structures
3. The failure to use required entrances and exits properly
4. The consumption of alcohol by individuals who are under the legal age
5. The providing of alcohol to any person under 21 years of age
6. The consumption of alcohol outside the privacy of assigned student rooms
7. Allowing individuals without written invitations to enter the party
8. Failure to provide adequately trained and identified marshals to supervise the event
9. Failure to collect and account for invitations at the door
10. Exceeding the maximum number of guest at any given time
11. Failure to comply with the policies regarding Sound System and Sound Ordinances
12. Failure to adhere to clean-up plans
13. Failure of responsible members to attend all training sessions.

Possible penalties for violations of these regulations include:

1. Legal action, including citation or arrest.
2. University disciplinary action that will include loss, curtailment or elimination of student social functions and notification of national organization where applicable.
3. Student organizations may also lose their recognition as a campus organization.

### Certification of Agreement to Comply

These policies must be posted in a conspicuous spot for all members of the group to read. Verifying signatures of executive officers and advisers of these policies will be required as part of the registration form.

**NOTE:** All groups should remember that these are minimum standards of care that should be exercised in all social events. Depending on the scope of activities, additional measures may be deemed necessary by the group/university to insure a safe and enjoyable activity.

### Contempt

Conduct that may impede or obstruct the operation of the University's judicial system is prohibited and may result in disciplinary action. Conduct prohibited may include, but is not limited to, refusing to respond to an official request for information related to an alleged violation of University policy, failure to attend a hearing or pre-hearing conference as requested, disrupting an official judicial system proceeding, and/or failure to fulfill obligations associated with an official sanction of a judicial board or hearing officer.

### Deception, Fraud, Misuse of Documents

Furnishing false information to the University with intent to deceive is explicitly prohibited, as is forgery, alteration, unauthorized possession, or misuse of University documents, records, and identification cards.

### Firearms

Firearms, explosives, air guns, and other similar weapons not supervised by the ROTC Departments may not be kept or used on the campus

or in University buildings, residence halls, or fraternity or sorority houses.

### Hazing

Hazing is defined as any activities causing mental or physical stress and/or embarrassment that are required of an individual joining or belonging to any organization. In 1983 the Arkansas General Assembly passed Act 75, An Act To Prohibit Hazing in Any School, College, University, Or Other Educational Institution in Arkansas; And For Other Purposes.

Arkansas Act 75 of 1983 states:

SECTION 1. No student of any school, college, university, or other educational institution in Arkansas shall engage in what is commonly known and recognized as hazing, or encourage, aid, or assist any other student in the commission of this offense.

SECTION 2. Hazing is defined as follows:

(1) Any willful act on or off any school, college, university, or other educational institution in Arkansas by one student alone or acting with others, directed against any other student done for the purpose of intimidating the student attacked by threatening such student with social or other ostracism, or of submitting such student to ignominy, shame, or disgrace among his fellow students, and acts calculated to produce such results; or

(2) The playing of abusive or truculent tricks on or off any school, college, university, or other educational institution in Arkansas by one student alone or acting with others, upon a student to frighten or scare him; or

(3) Any willful act on or off any school, college, university, or other educational institution in Arkansas by one student alone or acting with others, in striking, beating, bruising, or maiming; or seriously offering, threatening, or attempting to strike, beat, bruise, or maim, or to do or seriously offer, threaten, or attempt to do physical violence to any student of any such educational institution or any assault upon any such students made for the purpose of committing any of the acts, or producing any of the results, to such student as defined in this section.

(4) The term hazing as defined in this Section does not include customary athletic events or similar contests or competition, and is limited to those actions taken and situations created in connection with initiation into or affiliation with any organization.

SECTION 3. No person shall knowingly permit, encourage, aid, or assist any person in committing the offenses of hazing, or willfully acquiesce in the commission of such offense, or fail to report promptly his knowledge or any reasonable information within his knowledge of the presence and practice of hazing in this State to an appropriate administrative official of the school, college, university, or other educational institution in Arkansas. Any act of omission or commission shall be deemed hazing under the provisions of this Section.

SECTION 4. The offense of hazing is a Class B misdemeanor. A Class B misdemeanor is punishable by up to ninety (90) days in jail and may include a fine of up to \$500.00.

SECTION 5. Upon conviction of any student of the offense of hazing, he shall, in addition to any punishment imposed by the court, be expelled from the school, college, university, or other educational institution he is attending.

SECTION 6. Nothing in this Act shall be construed as in any manner affecting or repealing any law of this State respecting any other criminal offense.

### Gambling

Gambling is not permitted on campus, in the residence halls, fraternity or sorority houses, or at official functions of student organizations.

### Prohibition of Pets

For the interest of promoting greater personal safety, a more healthful environment and increased maintenance efficiency in residence halls, Greek houses and academic buildings, pets are prohibited.

Exceptions to this policy are limited to guide dogs for the visually disabled; animals, fish, fowl or reptiles under the control of and used by academic departments for approved teaching and/or research purposes; and those animals, fish, fowl or reptiles used in approved art performances.

In addition, University Housing and the Arkansas Union have specific pet policies that are published and enforced.

### Property and Rights

Destruction, damage, unauthorized possession, or misuse of University or private property (including keys, library materials, and laboratory supplies) as well as disregard of the rights of others is prohibited. Participation in (1) hazing, (2) acts that are degrading or injurious or that hold another against his or her will, and (3) the physical abuse of another person, are specifically prohibited.

### Protest Activities and Demonstrations

Student protest activities or demonstrations are fully permitted, subject only to the provisions herein stated and to procedures respecting the use of University facilities and policies regarding outside speakers and performers, unless such activities or demonstrations (a) interfere with campus order and access, the normal functioning of the University, or the rights of other members of the University community; (b) result in injury to individuals on the campus, damage to individual or University property or unauthorized attempted or actual entry into University buildings; (c) interrupt the proceedings of a scheduled University or student-sponsored program, activity, or event (permission to participate in such events must be granted by the sponsoring organization prior to the program itself); or (d) present a clear and impending threat to the safety of individuals, to University property, or to the University community generally. Students who organize or participate in the prohibited activities described herein, or students who attempt to interfere with legitimate demonstrations and activities, are subject to appropriate disciplinary action.

### Code of Computing Practice

Individuals who are granted computing accounts to use computing resources at the University of Arkansas are granted such access as a privilege. Each user is expected to use accounts/resources responsibly within the University approved educational, research, and/or administrative purposes for which they were granted. Activities beyond these stated purposes are strictly prohibited. Disciplinary action will be taken whenever any user is found to be in violation of the code. A complete copy of the Code of Computing Practice can be obtained from the Department of Computing Services, telephone 575-2905, or by visiting <http://www.uark.edu/campus/compserv/npp/policies/code.html> on the World Wide Web.

## RESIDENCE REGULATIONS

### Residence Hall and University Apartment Policy

Individual students must comply with living group policies as published in the residence life handbook, as well as with University regulations.

### Right of Privacy in University Housing

Residents of University housing are entitled to reasonable privacy in their residence hall rooms or apartments. However, apartments or resi-

dence hall rooms may be entered, under specific protective guidelines, in case of emergency; for maintenance, including pest control; for safety inspections; or when it is believed that a violation of the law or a serious breach of University regulations or policies has occurred.

### Guest Regulations

A guest is someone who comes to a residence facility to visit a specific resident or who has been extended an invitation to visit the residence facilities by the University for a specific occasion, special function, tour or official visit. All guests are required to be escorted by their host at all times in the residence facility. The host is responsible for familiarizing the guest with pertinent University rules and regulations. The conduct of a guest must be lawful and in accordance with all local, state, and federal laws as well as all University and residence facility policies, procedures, and rules, and the guest's compliance therewith is the responsibility of the student host.

### Visitation Hours

All guests must be escorted at all times. Residents are permitted to have guests of the opposite sex visit their rooms according to the University visitation policy.

Sunday—Thursday, 8:00 am - 2:00 am

Friday and Saturday, 8:00 am - 2:00 am

Futrell

Gladson-Ripley

Humphreys

Pomfret

Reid

Sunday—Thursday, 12:00 noon - 12:00 midnight

Friday and Saturday, 24 hours

Walton

Sunday - Thursday, 8:00 am - 2:00 am

Buchanan-Drake

Gibson

Yocum

Sunday—Saturday 24 hours

Gregson

Holcombe

Scarborough House

Residence halls have electronic card reader access 24 hours a day. Visitors may gain entry to a building by using the house phone at the entrance and contacting a resident to escort them, or by calling the hall office to obtain information on entry. A resident must escort guests in the building 24 hours a day.

University judicial procedures will be employed to deal with violations of University regulations and living unit policies.

### Campus Safety

The card access operation within University residence halls can provide adequate safety for residents of a particular living unit, if all residents of that living unit follow University Housing policies and procedures.

All University-affiliated residence halls participate in the campus security system.

#### Residence Hall Security

1. All residence halls are equipped with 24-hour electronic card access systems.

3. Non-duplicable metal room keys are issued to residents by University Housing upon check-in. Any additional keys must be authorized and ordered by University Housing through the Physical Plant. Keys may not be loaned to others.

4. Each resident must participate in an information session at the

beginning of each semester to be informed of the safety procedures & the card access system.

5. Propping exterior doors is strictly prohibited and will result in disciplinary action.

6. It is the responsibility of each resident to use the designated entrances and follow safety procedures correctly to prevent non-residents from following behind them into the building.

#### **Greek Houses**

1. Fraternities and sororities are expected to develop and maintain their own comprehensive security system for the safety of residents and guests.

2. Fraternities and sororities may use the University's non-duplicate key system as an alternative or the combination key code kept with UAPD.

3. Fraternities and sororities may have UAPD check their houses over extended breaks and during the summer. They must contact the Greek Affairs Office for the proper forms.

Hosts in participating living units, as well as their guests who are subject to the jurisdiction of the University judiciary, may be referred to the appropriate judicial board for an infraction of the rules of the security system. Violators who are not students will be referred to local authorities.

#### **Dining Hall Regulations**

While in Campus Dining facilities, students must comply with all regular University regulations and Campus Dining policies posted or published. University judicial procedures will be employed to deal with violations of these regulations.

### **STUDENT JUDICIAL SYSTEM**

*(Revised February 8, 1996)*

#### **Preamble**

##### **Philosophy of Discipline**

The University is a community of scholars engaged in learning, teaching and research. These activities are best accomplished in an environment of civility, honesty, safety, and security. In order for the University to function as an educational community, this code of appropriate student conduct and student judicial procedures has been agreed upon to preserve these conditions.

Students who deviate from this code will be held accountable for their behavior and may incur disciplinary consequences. This consequential response to inappropriate behavior is intended to be educational and corrective, and to prevent similar inappropriate conduct in the future. Repeat behavior will likely result in progressively severe intervention.

The University of Arkansas Judicial System has been established to provide fair and equal access for any member of the University community. It provides for a fair and impartial review for those accused of code of conduct violations and suggests appropriate sanctions for those who are responsible for violations.

#### **ARTICLE I: Definitions**

A. The term **University** means University of Arkansas, Fayetteville campus.

B. The term **student** includes all persons currently registered at the University, both full-time and part-time, pursuing undergraduate, graduate, or professional studies. Persons who are not officially enrolled for a particular term but who have a continuing relationship with the University are considered **students**.

C. The term **faculty member** means any person employed by the University to conduct academic activities. The term **staff member**

means any person employed by the University in a non-teaching or non-academic capacity.

D. The term **University official** includes any person employed by the University, performing assigned administrative or professional responsibilities.

E. The term **member of the University community** includes any person who is a student, faculty/staff member, University official or any other person employed by the University. A person's status in a particular situation shall be determined by the Vice Chancellor of Student Affairs.

F. The term **University premises** includes all land, buildings, facilities, and other property in the possession of or owned, used or controlled by the University including adjacent streets and sidewalks and by organizations chartered and registered with the University.

G. The term **organization** means any group that has complied with the formal requirements for University registration at the Arkansas Union Office for Student Involvement & Leadership.

H. The term **University activity** means any activity sponsored by the University, any agency of the University, or any University organization that may be attended in part or whole by students, faculty members, staff members, or other members of the general public and conducted on or off University premises.

I. The term **Judicial Board** means any group of persons authorized by the Judicial Coordinator to determine responsibility and outcomes for alleged code violations.

J. The term **Judicial Coordinator** means a University official authorized by the Associate Vice Chancellor for Student Affairs to administer the judicial system. This person, located in the Office for Judicial Affairs, may serve as a judicial adviser, administrative hearing officer, and adviser to a judicial board. This person is authorized to impose sanctions in all cases heard administratively.

K. The term **Appellate Board** means the next higher level hearing board as established in these procedures to consider an appeal.

L. The terms **shall**, **should**, **will** are used in the imperative sense.

M. The term **may** is used in the permissive sense.

N. The Associate Vice Chancellor for Student Affairs-Dean of Students is that person designated by the Faculty to be responsible for the supervision of the Judicial Review System.

O. The term **policy** is defined as the written regulations of the University as found in official University publications but not limited to Undergraduate and graduate catalogs.

P. The term **Code of Conduct** refers to the code of conduct found as Article II of this document.

Q. The term **Complainant** is defined as the person making the referral to the Office of Judicial Affairs of a person or group who may be in violation of the University of Arkansas Code of Conduct.

R. The term **Respondent** is defined as the student or group alleged to have violated the University of Arkansas Code of Conduct in an official complaint filed with the Office of Judicial Affairs.

S. The term **Hearing Officer** is defined as any University official authorized by the Judicial Coordinator to hear cases referred for administrative review.

T. **Quorum** - a simple majority of members of a judicial board present.

#### **ARTICLE II: Code of Conduct**

Any student, undergraduate or graduate, found to be responsible for the following misconduct is subject to the disciplinary sanctions outlined in Article VI:

A. **Academic dishonesty** is considered a disciplinary offense and involves acts that may subvert or compromise the integrity of the educational process. Included is any act by which a student gains or attempts

to gain an academic advantage for himself or herself or another by interfering with the completion, submission or evaluation of work. These include, but are not limited to, accomplishing or attempting any of the following acts:

1. Altering of grades or official records.
  2. Using any materials that are not authorized by the instructor for use during an examination.
  3. Copying from another student's paper during an examination.
  4. Collaborating during an examination with any other person by giving or receiving information without specific permission by the instructor.
  5. Stealing, buying, or otherwise obtaining information about a previously unadministered examination.
  6. Collaborating on laboratory work, take-home examinations, homework, or other assigned work when instructed to work independently.
  7. Substituting for another person or permitting any other person to substitute for oneself to take an examination.
  8. Submitting as one's own a theme, report, term paper, essay, computer program, other written work, speech, painting, drawing, sculpture, or other art work prepared totally or in part by another.
  9. Submitting, without specific permission of the instructor, work that has been previously offered for credit in other courses.
  10. Plagiarizing, defined as the offering of one's own work the words, ideas, or arguments of another person without appropriate attribution by quotation, reference, or footnote. Plagiarism occurs both when the words of another are reproduced without acknowledgment, or when the ideas or arguments of another are paraphrased in such a way as to lead the reader to believe that they originated with the writer. It is the responsibility of all University students to understand the methods of proper attribution and to apply those principles in all materials submitted.
  11. Sabotaging of another student's work.
  12. Falsifying or committing forgery of any University form or document.
  13. Submitting altered or falsified data as experimental data from laboratory projects, survey research or other field research.
  14. Committing any willful act of dishonesty that interferes with the operation of the academic process.
  15. Facilitating or aiding in any act of academic dishonesty.
  16. Falsifying research data or results.
- B. Furnishing false or misleading information to any University official, faculty member or office.
- C. Forgery, alteration or misuse or unauthorized possession of any University documents, records or instrument of identification.
- D. Tampering with the election of any University recognized student organization.
- E. Disruption or obstruction of teaching, research, administration, disciplinary proceedings or other University activities.
- F. Physical abuse, threats communicated in any manner against a person or property, harassment, coercion, acts that are injurious or that hold another person against his or her will and/or other conduct that threatens or endangers the health or safety of any person.
- G. Attempted or actual theft, destruction, damage, unauthorized possession or use of property of the University or property of a member of the University community or other personal or public property.
- H. Hazing, defined as any activity causing mental or physical stress and/or embarrassment that is required of an individual joining or belonging to any organization. Arkansas Act 75 of 1983, An Act to prohibit hazing in any school, college, university or other educational institution in Arkansas will be enforced both on and off campus and by all University organizations.
- I. Failure to comply with directions of University officials or law enforcement officers acting in the performance of their duties and/or failure to identify oneself to these persons when requested to do so.

J. Unauthorized possession, duplication or use of keys to any University premises or unauthorized entry to or use of University premises.

K. Violation of published University policies, rules or regulations. It is the responsibility of students to be familiar with other university policies that relate to appropriate behavior at the University. The rules include but are not limited to:

1. Residence and Dining halls rules and regulations
2. Sexual Harassment Policy
3. Sexual Assault Policy
4. Off-campus travel of students representing the University
5. Campus sound ordinance
6. Campus policy for social events
7. Code of computing practice
8. Codes of intramural sports and activities

L. Violation of federal, state or local law on University premises or at sponsored or supervised activities.

M. Use, possession, distribution or manufacture of narcotic or other controlled substances except as expressly permitted by state and federal law, and the University of Arkansas Policies on Alcohol and Other Drugs.

N. Use, possession or distribution of alcoholic beverages except as expressly permitted by law and the University of Arkansas Policies on Alcohol and Other Drugs, or public intoxication.

O. Any activity or demonstration that:

1. Interferes with campus order and access, the normal functioning of the University or the rights of other members of the University community.

2. Results in injury to individuals on the campus, damage to individual or University property or unauthorized attempted or actual entry into University buildings.

3. Interrupts the proceedings of a scheduled University or student-sponsored program, activity or event (permission to participate in these events must be granted by the sponsoring organization prior to the program).

4. Present clear and impending threat to the safety of individuals, to University property, or to the University community generally.

P. Organizing or participating in conduct listed in O above.

Q. Conduct that is disorderly, lewd and indecent, that is, behavior that, based on University community standards, appeals to basically prurient interests; 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.

R. Gambling on University premises.

S. Keeping or bringing pets on University premises. Exceptions to this regulation are as follows:

1. Guide dogs for the visually impaired.
2. Animals under the control of and used by academic departments for approved teaching and/or research purposes.
3. Animals used in approved art performances.
4. Fish kept in an aquarium and small caged birds.
5. Other animals/pets as approved by a department of the University of Arkansas.

T. Abuse of the judicial system, including but not limited to:

1. Failure to obey the summons of a judicial body or University official.
2. Falsification, distortion or misrepresentation of information before a judicial body.
3. Disruption or interference with the orderly conduct of a judicial proceeding.
4. Knowingly filing a false complaint or allegation.
5. Attempting to discourage an individual's proper participation in, or use of, the judicial system.
6. Attempting to influence the impartiality of a member of a judicial body prior to, and/or during the course of the judicial proceeding.

7. Harassment (verbal or physical) and/or intimidation of a judicial board member, complainant or witness prior to, during, and/or after a judicial proceeding.

8. Failure to comply with the sanctions imposed by a judicial board, judicial coordinator, or hearing officer.

9. Influencing or attempting to influence another person to commit an abuse of the judicial system.

U. The possession of firearms, explosives, air guns and other weapons or replicas on University premises as prescribed in the University Firearms Policy.

V. Stalking, defined as repeatedly contacting another person when:

1. The contacting person knows or should know that the contact is unwanted by another person.

2. The contact causes the other person reasonable apprehension of imminent physical harm or the contacting person knows or has reason to know that the contact causes substantial impairment of the other person's ability to perform the activities of daily life.

3. As used in this subsection, contacting includes but is not limited to communicating with or remaining in the physical presence of the other person.

### ARTICLE III: Judicial Authority

A. The Dean of Students Office is delegated the authority to administer the judicial process as recommended by the Committee on Student Relations (CSR) of the Campus Faculty.

B. The Campus Faculty has vested in the CSR and the Vice Chancellor for Student Affairs the responsibility for:

1. Granting full authority to judicial boards who meet implementation standards.

2. Withdrawing full authority from judicial boards when necessary.

3. Annually reviewing activities of the Judicial Office, the Judicial Coordinator, and all judicial boards.

4. Annually reviewing statistics of activities of the Judicial Coordinator and the judicial boards.

5. Reviewing at least 5% of the cases to determine if the rights of all participants in the process were protected and appropriate sanctions were imposed if and when a student was found responsible for a code violation.

6. Annually evaluating the Judicial System and code of conduct.

7. Annually reporting to the faculty on their review, and recommending changes as they become necessary.

8. Any question of interpretation regarding the Student Code shall be referred to the Vice Chancellor for Student Affairs or his or her designee.

9. The Judicial System (this document) shall be reviewed every five (5) years under the direction of the Dean of Students, the Judicial Coordinator or their designee in conjunction with the Committee on Student Relations, and make recommendations to the faculty.

C. The Judicial Coordinator shall implement policies governing the composition of judicial bodies and determine which judicial board shall be authorized to hear each case.

D. The Judicial Coordinator shall implement policies and procedures for the administration of the judicial program and procedural rules for the conduct of hearings that are consistent with provisions of the Code of Conduct.

E. The Judicial Coordinator will make the determination and recommendation of the method of hearing each complaint or allegation. Cases involving less serious, non-contentious first offenses may be reviewed administratively. Others will likely be reviewed by a judicial board.

F. The Judicial Coordinator is authorized to provide other opportunities for conflict resolution outside of the judicial process if all involved parties agree. These may include mediation or arbitration. The choice of

conflict resolution must be mutually agreed upon by all parties after review of procedures and potential terms of resolution.

G. A graduate or professional school may establish standards of conduct and accompanying methods of procedures and enforcement. That school may apply to the Judicial Coordinator for exemption from these codes in whole or in part. Upon a determination that the standards and methods of that school are comparable to those contained in these codes, the Judicial Coordinator shall grant an exception.

H. Decisions made by a judicial body and/or the Judicial Coordinator shall be final, pending an appeal process.

### ARTICLE IV: Judicial Structure

A. Judicial Hearings and Boards:

1. Complaints and allegations of violations of the Code of Conduct (Article II) can be heard administratively or by boards as presented below.

2. The University's judicial system will consist of two (2) boards; an All-Student Judiciary (ASJ), and an All-University Judiciary (AUJ). The ASJ is composed of all students, while the AUJ includes faculty members as well as students.

3. The AUJ has higher authority than the ASJ as defined in jurisdictions described below.

4. Boards shall be convened by the Judicial Coordinator as prescribed below to hear cases of alleged violations of campus policies, rules, regulations, and codes including all but not limited to those provided in Article II above.

B. The All-Student Judiciary:

1. MEMBERSHIP: Procedures to select the All Student Judiciary Board (ASJ) members will be initiated and supervised by the Judicial Coordinator. To begin the process of choosing a qualified board, a selection timetable will be developed and publicized with the assistance of and in consultation with the following student governing groups: Associated Student Government (ASG), the Resident's Interhall Congress (RIC) (or designated representative), Black Student's Association (BSA), the Interfraternity Council (IFC) and the Pan-Hellenic Council executive committees. Board member recruitment should be the cooperative responsibility of both the Office of Judicial Affairs and the aforementioned student governance groups. In addition, the recruitment should be campus-wide and the pool of candidates should reflect the diversity of the University community.

a. Applications for ASJ membership will be submitted to the Office of Judicial Affairs and reviewed by the ASG Executive Committee or the appropriate designated committee. Qualified applications will be forwarded to the Judicial Coordinator.

b. Interviews for ASJ will be conducted by a selection committee consisting of the Judicial Coordinator and representatives from student governing groups (listed above).

c. This committee should select 11 members and three alternates to serve one-year terms who meet at least the following minimum qualifications:

1) A cumulative GPA of not less than 2.5 that will be maintained throughout the duration of a student's participation.

2) Good standing with the university i.e., members should not be on academic or disciplinary probation.

3) A minimum of 12 hours of course work completed at the University.

d. The selections must be approved by the Executive Committee of ASG and the Dean of Students.

e. From the members selected for ASJ, a chairperson will be selected by majority vote.

f. Members shall serve one-year terms, and are eligible to serve additional terms with re-application, appointment and approval as prescribed above.

g. The Judicial Coordinator shall serve as a non-voting adviser to ASJ.

2. **JURISDICTION:** The ASJ board shall be convened to hear cases involving alleged violations of university, fraternity, sorority and/or Residence & Dining Hall regulations allegedly committed by students within or on the University premises. This board will also be assembled to hear alleged violations that occur in the context of an event sponsored by or related to a student association or organization or University activity.

3. **VACANCIES:** Vacancies on ASJ that cannot be filled by alternate board members selected, will be filled by a process developed by the Judicial Coordinator and the ASG executive committee. The selection must be approved by the Dean of Students.

C. The All-University Judiciary:

1. **MEMBERSHIP:** The AUJ shall be composed of nine (9) members; five (5) faculty and four (4) students. AUJ members are appointed by the Vice Chancellor for Student Affairs.

a. The five faculty members serving on AUJ will be selected from applicants recommended by the University Faculty's Committee on Committees. Faculty members will serve for three years.

b. The Judicial Coordinator shall serve as an ex-officio, non-voting member of AUJ and clerk to the board.

c. The four students named to the board will be selected from a pool of candidates who have been recommended by the ASG and meet the minimum board member requirements previously outlined. The students should represent the diverse population of the University community.

2. **JURISDICTION:** Campus faculty legislation that established the All University Judiciary has granted this group jurisdiction over the All Student Judiciary board.

a. The AUJ is responsible for hearing more serious violations, endangerment of others, those which require the consideration of suspension or expulsion, and appeals of decisions made by the ASJ as well as ASJ's recommendations of suspension, indefinite dismissal, and expulsion.

b. As the University's chief judicial body, AUJ has also been charged with hearing and reviewing the substance of a regulation or administrative decision alleged to be inconsistent with university conduct guidelines.

c. This board has been granted exclusive jurisdiction to hear all referred cases of alleged academic dishonesty.

d. The chair of AUJ will be chosen from among the five faculty members.

3. **VACANCIES:** Vacancies that occur on the AUJ Board should be filled by appointment by the Vice Chancellor for Student Affairs. When practical, student members appointed by this process should be selected from the candidates recommended as a result of the original selection process.

D. **Ad Hoc Boards:** When circumstances such as University holidays and summer terms render a judicial board hearing impractical, and a hearing before a single hearing officer is not well advised, the Judicial Coordinator may convene an ad hoc administrative hearing panel. The membership of the panel shall be approved by the Vice Chancellor for Student Affairs or his/her designee. Where possible the ad hoc panel will include a student representative or representatives. When convened the ad hoc panel shall assume the authority equal to the board that otherwise would have heard the referral.

E. Off Campus Jurisdiction:

1. Students are expected to be familiar with and observe all provisions of federal, state and local laws.

2. Those who violate public law while on campus may be subject to disciplinary action through the University judicial system in addition to action that may be taken by civil authorities.

3. In general, students who violate federal, state or local laws while off campus but not with any violation of this Code, will not be subject to University jurisdiction unless the clear and distinct interest of the University is involved or affected or the violation was grave misconduct that demonstrates flagrant disregard for the University community. In such cases, no sanction will be imposed unless the student has been found guilty in a court of law or has declined to contest such charges, although actually admitting guilt (e.g. no contest or nolo contendere).

4. University disciplinary proceedings may be instituted against a student charged with a violation of a law that is also a violation of this Code or University Policies, for example, if both violations result from the same factual situation, without regard to pending civil litigation in court or criminal arrest and prosecution. Proceedings under this Code of Conduct may be carried out prior to, simultaneous with, or following civil or criminal proceedings off-campus.

5. When a student is charged by federal, state or local authorities with a violation of law, the University will not request or agree to special consideration for that individual because of his or her status as a student. If the alleged offense is also the subject of a proceeding before a judicial body under the Student Code, however, the University may advise off-campus authorities of the existence of the Student Code and of how such matters will be handled internally within the University community.

6. The University will cooperate fully with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators.

7. Individual students and faculty members, acting in their personal capacities, remain free to interact with governmental representatives as they deem appropriate.

F. **Residence and Greek Life Jurisdiction.** The Judicial Coordinator may delegate authority to Resident Directors, Assistant Directors or the Greek Affairs Coordinator to conduct administrative hearings to review alleged violations of the living unit. This review may be offered to students who are first time offenders or for less serious violations.

1. Resident Directors and Assistant Directors shall be designated hearing officers and delegated the authority to review alleged violations of residence hall policy and violations of university policy within the residence environment.

2. The Greek Affairs Coordinator may be designated as hearing officer and delegated the authority to review alleged violations of Greek life policy such as rush violations, and violations of University policy or campus Code of Conduct.

3. Sanctions that may be imposed are those other than complete removal from residence living or a Greek house, disciplinary probation or removal from the University.

4. This review will follow policies and procedures consistent with the judicial review process and will be supervised by the Judicial Coordinator.

5. All other cases will be referred to the Office of Judicial Affairs. Records of all judicial proceedings authorized pursuant to this Code of Conduct will be maintained in the Office of Judicial Affairs.

## ARTICLE V: Judicial Procedures

### A. Complaints and Allegation

1. Complaints and allegations of code of conduct violations may be accepted from any person or persons with the direct knowledge of, or a reasonable suspicion of possible violation(s) of public law, university conduct regulations, living group or residence hall regulations involving University of Arkansas students or student organizations.

2. Complaints and allegations should be made to the Office of Judicial Affairs (Arkansas Union, M405).

3. Persons making allegations are expected to provide informa-

tion in writing pertinent to the alleged violation and shall normally be expected to present this information to a judicial board or hearing officer as a complainant.

a. In instances where the University has a specific interest in a violation of any section of the Code, an appropriate University Official may bring an allegation and may file a complaint with the Office for Judicial Affairs.

4. Any complaint or allegation should be made within ten (10) class days after the discovery of the alleged incident.

5. Faculty members shall refer incidents involving alleged academic dishonesty within five (5) working days from the discovery of the incident.

6. The Judicial Coordinator shall provide any necessary information regarding the University judicial process to victims or those referring cases and students accused of code violations.

7. The Judicial Coordinator may conduct an investigation to determine if the charges have merit and are within the jurisdiction of the code. The Judicial Coordinator shall then determine if they can be disposed of administratively or by other forms of conflict resolution by mutual consent of the parties involved on a basis acceptable to the Judicial Coordinator. Such disposition by mutual consent shall be final and there shall be no subsequent proceedings. If no form of resolution can be determined by mutual consent, the Judicial Coordinator will refer the matter to the appropriate Judicial Board.

#### B. Pre-hearing Conference with Respondent

1. Upon receipt of a reported violation, the Judicial Coordinator or hearing officer will provide written notice to the student or students involved that they are required to meet for a pre-hearing conference. This meeting should be scheduled within five (5) working days of notification. If the reported incident involves student organization, an appropriate representative will be notified to schedule and attend a pre-hearing conference.

2. The pre-hearing conference has the following purposes:

- a. Inform the student, students or student group (hereafter termed respondent) of the allegation or charge in writing.
- b. Explain relevant rights and responsibilities.
- c. Permit a preliminary review of the facts alleged so that possible witnesses and/or evidence may be identified.
- d. Determine if University counsel need be present.

3. This preliminary review will assist in determining the manner in which this referral will be resolved and, if appropriate, which judicial board will review the matter. The pre-hearing conference may also serve to notify the respondent of the date, time, location of a hearing, and notice of charges.

4. To document this meeting and its results, a copy of the pre-hearing information form shall be completed and signed by each party. This copy will become part of the case file.

C. Rights and Privileges of Respondents. Judicial procedures assure protection of the following student rights to due process:

1. NOTICE OF CHARGES. Students alleged to have violated university conduct regulations (hereafter respondents) shall be provided notice of the allegation no less than seventy-two (72) hours before the scheduled hearing. Such notice should be of sufficient detail (including names of witnesses and nature of evidence to be presented) to permit the student the opportunity to prepare his or her response.

2. NOTICE OF HEARING. Respondents shall be provided written notification of hearing date, time and location not less than seventy-two (72) hours in advance.

3. APPEARANCE. Respondents are required to appear in person at the scheduled hearing. Except in the case of a student charged with failing to obey the summons of a judicial body or University official, no student may be found to have violated the Code of Conduct solely because the student failed to appear before a judicial body. Failure to

appear will result in the hearing being rescheduled. Failure to appear may result in a charge of contempt as described in Section H. below. In incidents involving more than one respondent, the Judicial Coordinator, at his or her own discretion, may permit a hearing for each respondent to be conducted separately.

#### 4. ADVISER.

a. Respondents are entitled to be accompanied by no more than two advisers of their choice. Adviser(s) must be members of the university community, such as students, faculty or staff, and shall not actively participate in the hearing.

b. Other lay or professional advisers may be permitted to accompany students appearing before the All-University Judiciary at the respondent's expense. Should lay or professional advisers be invited to attend, their number shall not exceed two (2) and they shall not be permitted to actively participate in the hearing.

c. The intent to use advisers shall be indicated to the Judicial Coordinator at the pre-hearing conference.

d. If the respondent chooses to be advised by legal counsel, the University counsel may also be present.

e. The respondent(s) is responsible for presenting his or her own case.

5. EXAMINE AND QUESTION EVIDENCE. The respondents shall be entitled to question the testimony of complainants and witnesses.

6. RIGHT TO FACE OPPOSING PARTY. The respondent has the right to have the complainant present at the board hearing to question statements or evidence. The respondent may waive this right. In the event the respondent requests the presence of the complainant and the complainant is absent from the hearing, the respondent may either waive his or her right or request a delay in the hearing until a time the complainant is present.

7. RIGHT TO AN IMPARTIAL HEARING. It is expected that board members who believe their relationship with the case or individuals involved may affect their ability to participate objectively shall voluntarily decline to participate in deliberations. However, any party (i.e. complainant, respondents, board chair, board member, or board adviser) may challenge the impartiality of a board member on the basis of personal bias. If such an objection is raised and sustained by a majority vote of the board members present, the board member in question shall refrain from participation in deliberation.

8. CONFIDENTIAL PROCEEDINGS. All hearings shall be closed to the public. The complainant and/or the respondent may request permission to admit observers. If both agree, the board will consider this request in executive session and may or may not grant admission.

9. NOTICE OF DECISION AND RATIONALE. Respondents are entitled to a written explanation of the decision and reasoning of the board. A recording of the proceedings will be provided to the Vice Chancellor of Student Affairs or the appellate board should the need arise. This recording is a confidential academic record and the property of the University.

10. BOARD QUORUM. Respondents are entitled to a determination of quorum of impartial board members before a hearing will proceed. If a quorum of impartial board members is not present as determined by the board chair, the hearing will be rescheduled.

11. APPEAL. Appeals of a board decision may be initiated by the respondent as outlined in Section J. below.

D. Pre-hearing Conference for Complainant/Victim. The complainant and the victim may not necessarily be the same person. However, they are both provided the same access to the judicial system under the Code. The University can be a complainant in any action regarding a code violation where a specific University interest is addressed or raised. Therefore, an appropriate University Official shall be afforded the same access to the process under this section.

1. **ACCESS TO INFORMATION.** Complainants/victims shall be provided notice of additional information discovered in any investigation of all allegation by the complainant. Such notice should be of sufficient detail (including names of witnesses and nature of evidence to be presented by the respondent, and use of advisers by the respondent) to permit the student the opportunity to prepare his or her response.

2. **NOTICE OF HEARING.** Complainants/victims shall be provided written notification of a hearing date, time and location not less than seventy-two (72) hours in advance of the hearing.

3. **APPEARANCE.** The complainant/victim must appear if requested to do so by the respondent. The complainant/victim is responsible for presenting his or her own case. Should the complainant/victim choose not to participate in any stage of the judicial process, in being present or having their interests expressed in any form, pursuance of the matter may be jeopardized due to lack of evidence or due process.

4. **ADVISER.** Complainants/victims are entitled to be accompanied by no more than two (2) advisers of their choice. These advisers must be members of the University community, such as students, faculty or staff, and shall not actively participate in the hearing. Other lay or professional advisers may be permitted to accompany students appearing before the All-University Judiciary at the complainant's expense. Should lay or professional advisers be invited to attend, their number shall not exceed two (2) and they shall not be permitted to actively participate in the hearing. If the complainant/victim chooses to be advised by legal counsel, the University counsel may also be present.

5. **EXAMINE AND QUESTION EVIDENCE.** The complainant/victim shall be entitled to question the testimony of respondents and witnesses.

6. **CONFIDENTIAL PROCEEDINGS.** All hearings shall be closed to the public. The board shall rule on requests for permission to admit observers. If no objection is raised by the respondent(s) or any member of the board, a request may be granted.

7. **NOTICE OF DECISION AND RATIONALE.** Complainants/victims are entitled to a written explanation of the decision, reasoning, and sanction or sanctions to be determined by the board as permitted by law.

8. **APPEAL.** Appeals of a board decision may be initiated by the complainant/victim as outlined in Section J. below.

E. **Referral for Psychological Evaluation.** If authorized individuals determine that a respondent should undergo a psychological evaluation prior to a hearing before a judicial board or hearing officer, the student should be administratively referred to the appropriate agency for such evaluation according to the guidelines outlined below.

1. Those professional staff members authorized to make an Administrative Referral are the Vice Chancellor for Student Affairs, the Dean of Students, the Director of Housing or Assistant Director of Housing programs.

2. When an authorized professional staff member has reasonable cause to believe that a student is undergoing severe emotional problems, and when the student's continued presence on campus would apparently present danger to himself and/or others, the staff member may direct the student to consult with the Director of the Center for Counseling and Psychological Services (CAPS). In the event the student should refuse, interim action from the University may be invoked (see relevant Guidelines for interim suspension action Section F in this document).

3. Whenever possible, the student who is being administratively referred to the Center for Counseling and Psychological Services will be accompanied by an appropriate professional staff member related to Student Affairs.

4. The Director of CAPS may recommend that the student withdraw from the University to seek psychological/medical treatment. If withdrawal is recommended, the Director will notify the Dean of the College in which the student is enrolled. It is understood that such withdrawal will result in a W for all course work.

5. The Registrar will be directed to place a hold on the student's file so that any re-admission application will come to the attention of the Director of CAPS and the Dean of Students.

6. The Director of CAPS will file a report of any action taken regarding a change in the student's status to the office of the Vice Chancellor for Student Affairs, and Dean of Students. Other appropriate personnel will be notified by this office (e.g. Resident Director if the student is living in a residence hall).

F. **Interim Action.** In certain circumstances the Vice Chancellor for Student Affairs, the Dean of Students or his or her designee may impose restrictions, change of living arrangements, change in class schedule or other action that will insure the safety and welfare of members of the University community. When such action is taken, pending adjudication, it will be reviewed by the judicial board hearing the case and may be continued or modified. The condition of the interim action will be clearly presented to the respondent. In the event that interim action is invoked, the student or student organization will be afforded an informal preliminary hearing by the Vice Chancellor for Student Affairs or the Dean of Students or his or her designee before interim action is implemented. At this hearing the student or student organization shall be given an opportunity to present their reasons why they do not constitute a threat to the safety, health or welfare of other members of the University community. Violation of interim action is a violation against the judicial procedures and may result in further action.

G. **Administrative Hearings.** If, in the shared opinion of the respondent(s) and the Judicial Coordinator, a full-scale judicial board hearing may not be necessary to resolve the matter, a student or student organization may choose to have the facts referred to a single hearing officer for an administrative hearing. In most cases the single hearing officer will be the Judicial Coordinator, a properly trained member of his or her staff, or an official designated by the Dean of Students. This option may be appropriately offered when the relevant facts of a case are sufficiently clear and available or uncontested, and the relationship between the hearing officer and respondent is free from duress or coercion and otherwise conducive to an objective and fair hearing. Administrative hearings will provide respondents with an opportunity to present their view of the allegations and an opportunity to examine evidence used to make a decision. The hearing officer will have the authority equal to the board that otherwise would have heard the referral. All rights of due process previously prescribed will be followed prior to administrative hearings.

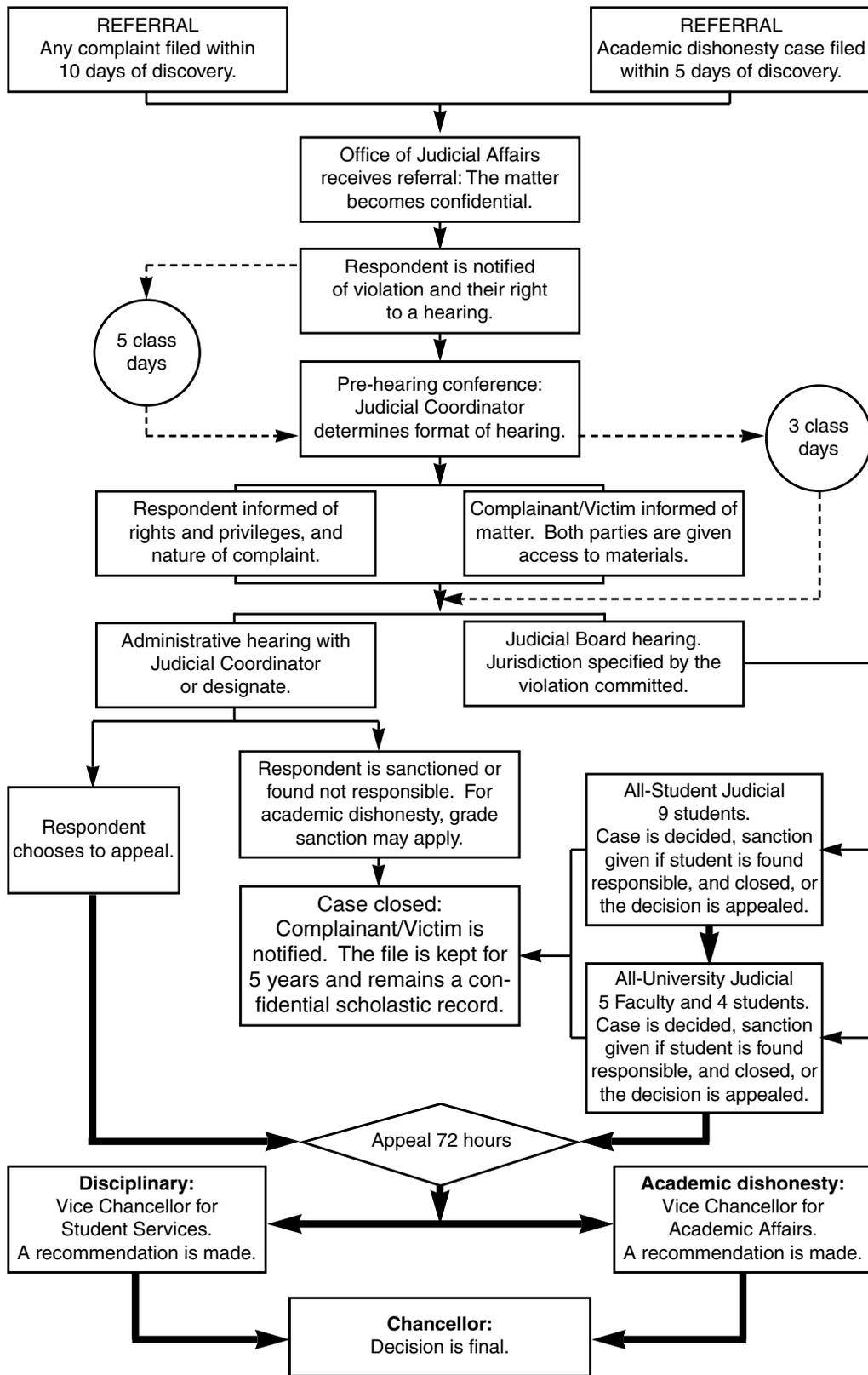
H. **Board Hearings.** Judicial board proceedings are intended to provide complainant and respondent an opportunity to confidentially present and compare evidence related to the incident or allegation. The Board makes a determination of fact regarding whether there has been a violation of University policy, rules and regulations as contained in the Code of Conduct. In order that board members may communicate efficiently and effectively, hearing procedures will be structured only as much as is necessary to insure order, afford, appropriate due process and impartiality of presentation. The following procedural guidelines shall be arranged to accommodate the issues in question and meet the needs of the board:

1. Following a call to order the board chair will facilitate the introduction of board members, complainant, respondent, advisers, and witnesses.

2. Complainant and respondents will provide an opportunity to challenge the impartiality of any board member on the basis of personal bias. If such a challenge is made and sustained by a majority vote of the other board members present, the board member whose objectivity is in question shall refrain from participating in deliberation.

3. The board chair will then establish that a quorum of board members is present. In the event a quorum has not been convened respondents will be offered the opportunity to either:

**JUDICIAL PROCESS CHART**



a. Waive their right to a quorum (documenting this waiver with a signature) and proceed; or

b. Re-convene when a quorum can be assembled.

4. The chair will next explain the order of hearing events and read the statements of charges or reason for appeal.

5. The witnesses present will then be excused until such time as their testimony is required.

6. Testimony begins with an opening statement by the complainant including evidence available to support the charge. When affidavits and hearsay evidence are admitted, boards shall be cognizant of the indirect nature of such evidence. Thus, while it would be improper for a party to object to the admission of this form of evidence, it would be proper for a party to question the credibility of the evidence. The respondent's opportunity to make a similar opening statement follows.

7. Following the respondent's opening statement, board members' questions will attempt to reconcile any differences or discrepancies in the facts presented. The testimony of witnesses may be helpful to this end. Given the interest in acquiring a complete and accurate understanding of the incident, all parties will be provided the opportunity to examine, cross examine and rebut any and/or all evidence and testimony. No party shall be permitted to use threatening or abusive language, engage in excessive argumentation, interrupt the proceedings with redundant or frivolous objections or otherwise disrupt the proceedings.

8. When, to the satisfaction of the board members, questioning is complete, both complainant and respondent will be allowed an opportunity to summarize their positions and in their closing statements offer any considerations not covered in previous testimony.

9. Deliberation: with testimony concluded, the Chairperson will excuse all parties and initiate deliberation by the board.

a. Decisions will be reached by consensus or majority vote. The Chair will not vote except in the case of a tie vote.

b. All procedural questions are subject to the final decision of the Chairperson.

c. The judicial board's determination shall be based on the intent, evidence, and testimony indicating whether or not it is more likely that the respondent violated the Code.

d. Decisions of the Board shall require the following:

1) That the burden of proof rest with the complainant.

2) That if a violation has been found, the sanction or remedy will be imposed.

3) Consensus or the vote by a simple majority of board members present.

10. Respondents are entitled to a written explanation of the decision and reasoning of the board. This written decision should specifically address the findings outlined.

I. Failure to Appear/Contempt. In the event a student fails to respond to a request to appear for a pre-hearing conference with the Judicial Coordinator, he or she shall be authorized to place a hold on the registration records of that student. When a properly notified respondent fails to appear at the designated hearing, a charge of contempt will be issued. In considering this charge, the board shall review evidence of notice, and if it is established that the student has been properly notified, as a matter of routine the board is obliged to find the student guilty of the charge of contempt. As a consequence of this finding the student shall be placed on disciplinary probation. It should be noted that this hearing is not a hearing on the original charges, instead evidence and testimony shall relate only to the contempt charge. The Judicial Coordinator or his/her office staff shall then notify the student of the board's action by certified mail. With this letter the respondent is notified of the date, time, and location the rescheduled hearing of facts related to the original charge will occur. Should the student fail to appear for the rescheduled hearing without reasonable cause, the board shall initiate and rule on a second charge of contempt. If the respondent is found responsible on the second occasion, this constitutes a violation of the terms specified in the defini-

tion of disciplinary probation and, without mitigating circumstances, may result in suspension for a minimum period of one semester. If the certified letter prompted by the respondent's first failure to appear successfully compels the student's participation in the scheduled hearing, the board shall first provide the respondent an opportunity to explain the circumstances surrounding his or her earlier failure to appear. The board shall then proceed to hear the facts of the original referral. At the board's discretion, the initial response of disciplinary probation may be continued, modified, or rescinded.

J. Appeals. Appeals may be initiated by any party adversely affected by the original board decision. Any party shall be construed to include complainants or respondents. Appeals should be made in writing to the Judicial Coordinator, within three (3) schooldays of the appealed decision.

1. GROUNDS FOR APPEAL. General policy: It is not the function of the appeals process to permit re-hearing of the factual issues presented to the boards or hearing officer; rather the function of the appeals procedure is to ensure the procedural correctness and fairness of the judicial process. Thus, grounds for entertaining appeals are specifically limited to the following:

a. Irregularities in due process that influenced the outcomes of the original hearing. It is the burden of the party seeking relief to demonstrate the original decision would more probably than not have been different had the irregularity or error not occurred.

b. Demonstrated prejudice against either respondent or complainant on the part of a hearing officer or board member who participated in the hearing. This prejudice must be more than simple opposition to the appealing parties' point of view, instead evidence must show a significant conflict of interest, bias, pressure or influence that prevented a fair and objective hearing.

c. Discovery of new and significant evidence clearly not available at the time of the original hearing.

d. A sanction that is extraordinarily disproportionate to the violation.

2. APPEALS FROM ASJ TO AUJ. Matters in which ASJ decided as the board of original jurisdiction may be appealed to AUJ on the grounds outlined above. The AUJ has the option to affirm, modify, or reverse the ASJ's decision. The AUJ also has the option to remand the case to the ASJ if circumstances warrant.

3. APPEALS OF AUJ DECISIONS. Appeals regarding academic matters should be addressed through the Vice Chancellor of Academic Affairs to the Chancellor. Appeals regarding conduct matters should be addressed through the Vice Chancellor of Student Affairs to the Chancellor. The following instructions for appeal should be followed by respondents or complainants:

a. Respondents and complainants are permitted to appeal a board or hearing officer's finding and sanction to the next higher judicial board or appropriate hearing officer.

b. The respondent wishing to appeal may indicate this by checking the appropriate box on the post-hearing form.

c. To begin the process of appeal, a written request outlining the reasons for appeal must be submitted to the Judicial Coordinator.

d. The Judicial Coordinator's office will forward this request to the appropriate appeal board or Vice Chancellor who will set a date for reviewing the case.

e. Appeals should be based upon limited grounds (outlined above). The board and hearing officer reserve the right to review only that portion of the original hearing that deals with the appeal.

f. The appellate board or hearing officer upon reviewing the case, will have several options. It may affirm, modify, or reverse the original decision. In cases where the original action is inappropriate as a result of issues involved in the appeals, the appeal-late body may, in very rare circumstances, remand the case to the original board or hearing officer, modify the original action, or order a completely new hearing.

K. Discipline Records. A transcript records only information of an academic nature and of disciplinary action that denies the privilege of the student to continue in or return to the University. Other discipline records are kept for five (5) years from the date of the final hearing of the case, after which time they are destroyed. Discipline records for individuals are confidential and are not made available to unauthorized persons except upon consent of the student or in response to legal processes. Discipline records for student organizations are not protected by The Family Educational Rights and Privacy Act.

## ARTICLE VI: Sanctions

When judicial boards or hearing officer has determined that a student or a group of students has violated the University Code of Conduct, policies, rules, and regulations or public law, each is obligated to respond in a manner that will redirect the individual or group's inappropriate behavior, encourage responsible judgment and ethical reasoning, protect the community's property and rights, as well as affirm the integrity of the institution's conduct standards. The type of sanction and the basis for assigning a sanction will be given to the complainant and respondent in a written form. The Boards and Judicial Coordinator are authorized to impose any one or a combination of the following sanctions:

A. Official Reprimand. This reprimand serves as notice to the student that the referred incident reflects behavior unacceptable to the community and inconsistent with University regulations. Use of this sanction is meant to document the experience and warn the student or student group that future violations are likely to result in more severe judicial consequences. A written summary of the reprimand will be given to the student and a copy placed in the case file.

B. Conduct Probation. Conduct Probation is a final warning regarding committed violation and it is an opportunity for the student or student group to demonstrate the lesson learned and to exercise the improved judgment. Conduct probation will be imposed for a time specified by the hearing board or officer. A repeat violation will result in a more severe sanction.

C. Restitution. Restitution is the likely response to situations that involve the destruction, damage or loss of property. When restitution is required, the board obligates the student or student group to compensate a party or parties for a loss suffered as a result of the violation(s). If the respondents are unable to make monetary restitution within the required reasonable time period, the board or its designated representative may arrange alternative means such as commensurate service and/or replacement.

D. Removal of Activity Privileges. This option may be exercised if it is believed by the board that restricting or removing specified activity privileges may more effectively demonstrate the University's disapproval of the violation. It may be particularly useful when the violation is related to an activity, such as a fight during an intramural game or an alcohol violation at a University sponsored event. Restriction or removal of campus-wide activity privileges may be imposed only by the AUJ or interim action.

E. Educational Sanctions. All the consequences of the judicial hearing are intended to be educational. In this context, the term educational sanctions describes those tasks, assignments or experiences that a student is obligated to complete as a result of a board or hearing officer's decision. Educational sanctions may be imposed in combination with or as a condition of probation. Examples of educational sanctions may require the respondent to prepare letters of apology, research an issue related to the offense, or attend a workshop, lecture or meeting, or perform community service.

F. Personal Probation. This sanction requires a student to meet periodically with a designated University official. This may be effective in providing opportunities for the student or student groups to discuss or

explore more appropriate alternative behaviors, measures to prevent situations that may result in additional violations, or instruction in issues related to the incident referred.

G. Removal From a Living Unit. In imposing this sanction, boards may require a student to vacate a particular residence hall, Greek living unit or all university housing and facilities. Use of this sanction may effect a number of results. For example it can separate students from environments where evidence suggests adjustment has been difficult. Circumstances in the environment such as conflicts with supervising personnel, peer pressure, or an unwillingness to recognize and respect the rights of others may indicate the use of this sanction. Besides affirming the rights of other residents in the living unit, this sanction may provide the offending student an opportunity to make a fresh start in a new setting.

H. Disciplinary Probation. The imposition of this sanction affects the student's good standing with the University for the duration of the probation period. Further violations that come to the attention of a judicial board are likely to result in suspension.

1. This probation prohibits the student or group from:

a. Applying for, campaigning for, or receiving consideration for elected or appointed positions in student organizations and/or University governance.

b. Consideration of good standing, thereby becoming ineligible for University awards or honors and ineligible to accept a bid to pledge a social fraternity or sorority.

2. At the discretion of the board any or all of the following conditions of disciplinary probation may be added:

a. The student or student group may be prohibited from representing the University in inter-university events or activities.

b. The student may be prohibited from holding elected or appointed positions in student organizations and/or University governance (This may require the student to resign from positions held at the time the probation is imposed).

I. Removal from University. The sanctions of suspension, indefinite dismissal or expulsion may be imposed only by the All-University Judiciary, the Vice Chancellor for Student Affairs, a hearing officer or ad hoc hearing panel authorized by the Vice Chancellor for Student Affairs. In the event the ASJ concludes that one of these sanctions is warranted, it may forward its findings of fact, its recommended sanction, and reasoning to the AUJ for review. If the All-University Judiciary's review results in an approval of the recommendation it may then impose any one of suspension, indefinite dismissal or expulsion.

1. SUSPENSION. For the specified period the student suspended is not permitted to enroll or continue to be enrolled in classes; he or she must remain off University premises except when an appointment with a University official has been arranged. Suspended students are not permitted to live or board in University facilities or approved student organization housing (i.e. facilities owned by the University and leased to a student organization). Students suspended may not receive credit for University work completed by correspondence or in residence at another university without permission from the Vice Chancellor for Student Affairs.

2. INTERIM SUSPENSION. Interim suspension may be invoked only when University officials have reasonable cause to believe that a student's continued presence on University premises would pose a threat to persons or property. Potential or threatened danger may be grounds for interim suspension; however there must be more than an unsubstantiated fear and apprehension of a possible disturbance. When invoking interim suspension, the following procedures will be followed:

a. Interim suspension may be invoked only by the Chancellor or Vice Chancellor for Student Affairs or his or her designee, in consultation with other appropriate University officials.

b. If applicable, the student should be warned of the intention

to apply interim suspension if their action is not ceased.

c. In the event that interim suspension is invoked, the student must be afforded an informal preliminary hearing by the Vice Chancellor for Student Affairs or his or her designee of the University before interim suspension takes place. At this hearing, the student shall be given an oral or written notice of the charges against him or her, the previously promulgated regulation under which such charges are brought, and the nature of the evidence against him or her. The student at this time shall be given the opportunity to present his or her side of the case and to attempt to persuade this official that interim suspension should not be imposed.

d. Under circumstances which render the preliminary hearing impossible or unreasonably difficult, interim suspension may be invoked as long as the preliminary hearing is provided as soon as those circumstances change or disappear.

e. Following interim suspension, a full University hearing, judicial or administrative, with all appropriate procedures and rights, shall be provided as expeditiously as possible. The student being considered has the burden of proving his or her intentions and ability to control their behavior consistent with the code and University Regulations.

J. Indefinite Dismissal. Intended for use in response to a serious violation, indefinite dismissal suspends the student until such time as the individual can demonstrate to the AUJ that a change in behavior patterns or rehabilitation has occurred to a degree sufficient to justify re-admission. A specified minimum period must lapse between the date of dismissal and a re-application for re-admission.

K. Expulsion. Expulsion is an appropriate judgment for the student who is believed to be incorrigible or who has committed an act or series of acts so objectionable that a permanent separation from the institution is believed necessary. Imposition of sanctions that deny a student or students the privilege to continue or re-enroll at the University should be communicated to the Registrar and noted as part of the student's transcript.

L. Group Sanctions. The following sanction options have all been developed with the specific interest of addressing an activity that violates public law or University regulations and is defined as related to a registered student organization.

1. REGISTRATION PROBATION: This probation is intended to warn a group that: if it is found to be responsible for subsequent violations during the period of probation, the University recognition of the organization and accompanying privileges may be restricted or revoked.

2. REGISTRATION RESTRICTION: Not unlike removal of activity privileges, this sanction may restrict a group's ability to benefit from recognition as a registered University student organization, including but not limited to use of the University's name, use of University property or facilities, and appearance in University publications such as the yearbook. The board or hearing officer imposing this sanction is expected to specify the privileges or benefits restricted and the length of time they are restricted.

3. REMOVAL OF REGISTRATION: The intention of this sanction is to revoke the offending student organization's affiliation with the institution. This revocation may be indefinite or for the duration of a specific period of not less than one semester.

## STUDENT ORGANIZATIONS AND ACTIVITIES

The Committee on Student Relations is a Campus Faculty committee responsible for developing and interpreting policies outlined in the Student Handbook. Responsibility for implementing the policies of this section has been delegated to the Office of Vice Chancellor for Student Affairs. The Vice Chancellor, in turn, has delegated much of this responsibility to the Office for Student Involvement & Leadership under the aegis of the Director of the Arkansas Union.

The Arkansas Union functions as the major program agent for the

entire campus community. In this capacity, it coordinates student activities, including the registration of student organizations; scheduling of student-sponsored events; the use of facilities; maintaining a master calendar of all campus events; and assisting in the resolution of scheduling and/or facility conflicts.

### Definition of Student Organizations

Student organizations or student committees are groups in which the membership is (1) composed of University students, faculty, staff, and other appropriate persons, e.g., student spouses; and (2) entirely responsible for the conduct of various sponsored activities as well as the daily affairs of the group. Student organizations may extend membership to non-students. In such organizations, however, non-students have non-voting status. Officers of the group must be students unless documentation from the national organization is provided that indicates otherwise. Seventy-five percent of the membership of the group must be University students.

A student organization can further be distinguished as (1) a registered University student organization—one that successfully completes the registration requirements and receives financial support from University sources; or (2) a registered independent student organization—one that successfully completes the registration requirements and receives no financial assistance of any kind from University sources.

Residence hall, fraternity, and sorority governing bodies are considered student organizations and are expected to complete the registration process before facilities other than their own specific living unit can be used. Additional regulations for the establishment and operation of fraternity and sorority groups (entitled University of Arkansas Regulations for the Establishment and Operation of Nationals Requiring Colonization Prior to Chartering Fraternity and Sorority Groups) are available in the Office of Student Affairs, ARKU M-405.

Groups such as faculty-initiated academic interest groups, faculty/student governing committees, musical organizations, athletic teams, and theatrical activities are not student, but University organizations, and, as such, are directed or chaired by a regular University staff member responsible to the academic or administrative authorities. Membership in University organizations is subject to various internal requirements and regulations. The University staff member, by virtue of his or her expertise, is responsible for directing the organization. Students, however, have the right to participate in the organization's decision-making process.

Registration of such groups through the Arkansas Union is not required; however, they are subject to general University procedures, for example, non-discrimination, fund-raising, outdoor event and trademark policies.

### Conditions of Membership

Membership in organizations must be open to the entire student body. In selecting its membership, no organization may discriminate on the basis of age, disability, ethnic origin, marital status, race, religious commitment, sex, or sexual orientation except for single-sexed social sororities and fraternities and residence halls exempted from Title IX. (See Campus Council statement on page 224.) All student participants and officers of the organization must meet the requirements of the Eligibility Code. Officers of the organizations are held responsible for seeing that this condition is met. Students who, as individuals or as members of organizations, represent the University in public must also meet the requirements of the Eligibility Code.

### Eligibility for Co-Curricular Participation

The major concern of the University of Arkansas for its students is their academic achievement. One mark of academic achievement is orderly progress toward a degree. Students should complete and pass 15-17 hours of course work each semester. Each student is therefore

advised to balance a desire to progress in a systematic fashion toward a degree and the desire and ability to participate and/or lead in co-curricular activities. After a student has assessed the abilities and interests she/he may have, the student may then choose to participate or not (taking into consideration the qualifications required by the various activities and organizations). To assume leadership, elective and/or appointive positions, the student must meet the University requirements listed below:

**Specific requirements:** The minimum requirements that the University sets for students to assume elective and appointive positions in co-curricular activities include: enrollment and continuance in a minimum of six hours of on-campus course work, a 2.25 or better cumulative grade-point average, and the absence of academic or disciplinary probation.

**Additional requirements:** Organizations or groups may make, with the consultation of the Office for Student Involvement & Leadership, such additional eligibility requirements as they deem necessary. These additional requirements cannot be in conflict with the University policies on discrimination.

**Athletic requirements:** NCAA and athletic conference rules will govern participation in intercollegiate athletics for men and women.

**Compliance requirements:** The above stated requirements must be met in order to: (1) apply or receive consideration for an appointive or elective office; (2) campaign for an elective office; (3) hold an elective or appointive office; (4) receive special honors; (5) receive an appointment to serve on an all-campus (student or faculty-student) committee or governing-organization (RIC, IFC, Panhellenic, etc.) or on the staff of any University or student publication; and (6) participate in intercollegiate athletics.

Individuals should be aware of their eligibility status at all times. They shall inform the concerned organizations of their status when seeking or desiring to continue in positions of leadership as described above.

Each University or student organization, with the assistance of the adviser, is responsible for compliance with these requirements.

**Waiving requirements:** Any student who does not meet the aforementioned requirements and is still interested in an appointive or elected position can request a review by the Director of Student Involvement & Leadership or designated representative. Any student wishing to appeal a decision regarding eligibility to be an officer must do so in writing to the Director of Student Involvement & Leadership.

### **Affirmative Action Policy for Student Organizations**

It is the policy of the University of Arkansas, including all organizations and groups that are affiliated with or exist because of the University:

1. To provide equal opportunity to all students.
2. To prohibit discrimination against any member or prospective member because of age, disability, ethnic origin, marital status, race, religious commitment, sex, or sexual orientation. (See Campus Council statement on page 224.)
3. To promote the realization of equal opportunity through affirmative action.
4. The University of Arkansas Affirmative Action Policy for Student Organizations will be accomplished in a manner constitutionally (U.S.) permissible and not in violation of the First Amendment rights of student organizations.

#### **Areas Covered by the Policy**

All student organizations shall be responsible for compliance with the Affirmative Action Policy for Student Organizations. The University recognizes two types of student organizations:

1. A registered University student organization—one that successfully completes the registration requirements and receives financial support from University sources; and

2. A registered independent student organization—one that successfully completes the registration requirements and receives no financial assistance of any kind from University sources.

In addition to student-led organizations, the policy also applies to University-sponsored groups such as choral groups, bands, and cheer-leading squads. Certain groups, such as social fraternities and sororities, governing organizations in single-sex residence halls, and other organizations specifically exempted from Title IX of The Education Amendments of 1972, may rightfully exclude men or women.

#### **Communication of the Policy**

1. The affirmative action policy for student organizations or groups shall be published annually in the Student Handbook (Catalog of Studies, Appendix C).

2. All official University publications shall carry the statement that The University of Arkansas is an equal opportunity/affirmative action institution.

3. Special meetings will be held for student organizations or groups and especially for officers and advisers in the fall semester of each year to explain and discuss the implications of the policy.

#### **Implementation**

The concept of affirmative action signifies a positive, continuing, result-oriented program developed for student organizations to ensure that meaningful and equal opportunities for involvement and participation are available to all segments of the student body. Each student organization or group is responsible for arranging an appropriate and effective procedure for compliance with the Affirmative Action Policy for Student Organizations, especially in the areas of recruitment, selection of membership, and leadership. Organizations that desire to affiliate with the University, use the University name or facilities, or receive support and assistance from the University staff or faculty shall register and sign a statement of compliance with the Affirmative Action Policy for Student Organizations.

Each student organization will be asked annually to fill out a report indicating the race and sex of its local membership and officers, its methods of recruitment, and special efforts it has made during the year to reach persons whose sex (if applicable) or racial/ethnic group may have been under-represented in the organization in the past.

Residence halls and social fraternities or sororities may request that the University use its records to provide the organization with a list of its student members. The results will be verified by the organization and will partially fulfill the reporting requirements of the University.

The Office of Human Relations will review these reports and submit a detailed summary and appropriate recommendations to the Vice Chancellor for Student Affairs. Additional information for interpretation of the Affirmative Action Policy for Student Organizations is available from the Dean of Students.

An individual having a complaint, grievance, or questions concerning selection, conditions of membership, or treatment by an organization or groups shall take the matter to the Human Relations Office. If, in the opinion of the Director of Human Relations, the grievance concerning the organization's or group's practices has merit, the matter will be referred to the Human Relations committee for review. A recommendation for appropriate action will then be forwarded to the Vice Chancellor for Student Affairs.

### **Registration of Student Organizations**

When and if any student organization wishes to engage in a sustained program and use facilities on a regular basis, registration of the group as a student organization is required. The Arkansas Union Office for Student Involvement & Leadership, acting for the Committee on Student Relations, will assist the group in completing the appropriate registration forms. The Committee on Student Relations shall rule when there is a question as to whether a given organization intends to engage

or is engaging in a sustained program. A student organization wishing to conduct a sustained program must be registered in order to:

1. Use University facilities;
2. Be listed in University publications and newsletters;
3. Use the University name in publicity and press releases;
4. Use University logos and trademarks;
5. Apply for and expend University funds as distributed through the Associated Student Government or University departments;
6. Apply for and occupy office space in a University building;
7. Participate in Student Involvement & Leadership programs as an organization;
8. Participate in any information fairs;
9. Apply for University recognition for organizational achievement;
10. Apply for catering funds.

The purpose of the registration procedure is to guarantee that organizations enjoying the above privileges of association with the University:

1. State their purpose, officers, adviser, and activities;
2. Are in keeping with the goals and purposes of the University.

Registration does not imply that the viewpoints of the organization are those of the University.

#### **Procedures**

A group wishing to be registered as a student organization must complete the appropriate registration forms provided by the Office for Student Involvement & Leadership. The following information must be completed.

1. Name of organization (No organization shall register a name identical to or closely similar to the name of a previously registered organization nor can the University of Arkansas precede any Organization name);
2. A constitution of the organization; which includes a declaration of the purposes, goals, activities, etc., must be resubmitted every year; University of Arkansas policies supercede an organization's constitution or bylaws;
3. A list of officers or official representatives of the organization;
4. Registration attests that the local organization agrees:
  - a. To provide equal opportunity to all students;
  - b. To prohibit discrimination against any member or prospective member because of age, disability, ethnic origin, marital status, race, religious commitment, sex, or sexual orientation (See Campus Council statement on page 224.);
  - c. To promote the realization of equal opportunity through affirmative action. Certain groups, such as social fraternities and sororities, governing organizations in single-sex residence halls, and other organizations specifically exempted from Title IX of the Education Amendments of 1972, may rightfully exclude men or women.
5. The name of a faculty or staff adviser. (Part-time faculty and staff qualify as advisers if they are not simultaneously pursuing a graduate degree.) Resident directors are considered full-time staff. Advisers must actively participate in the organization and regularly attend meetings of the organization. In case of severe hardship the Committee on Student Relations is authorized to waive this requirement for a reasonable period of time.

Registration certifies that local organizations affiliated with a national organization must have a local constitution and/or by-laws that are in accordance with and do not conflict with University of Arkansas, Fayetteville, policies and procedures. National constitutions/by-laws imposed upon the local organization may not conflict with the University of Arkansas policies and procedures. If there is any question involving any of the above-stated conditions in the Procedures section, the registration of the group seeking to register will not be completed until it is referred to the Committee on Student Relations for review. Otherwise, registration becomes official after compliance with the above.

To keep the organization's registration current, it must be renewed in the Office for Student Involvement & Leadership by the third Friday of the fall semester each year. This renewal consists of providing names of current officers or representatives, adviser, and a current constitution. Should this renewal of registration not occur, all privileges extended to the organization will be withdrawn.

#### **Appeal of Registration Procedures**

Decisions concerning registration denial may be challenged by submitting a written statement in the Office for Student Involvement & Leadership. The Office for Student Involvement & Leadership Director will review the statement in light of the guidelines established herein.

If the challenge is validated by the Office for Student Involvement & Leadership Director, the procedures outlined in steps 1 through 3 below will be followed. If the challenge is not validated by the Office for Student Involvement & Leadership Director, the challenging party may refer the statement directly to the Committee on Student Relations and step three will apply.

1. Representatives of the challenged organization and the challenging party will be asked to resolve informally the point(s) in question.
2. If resolution of differences does not occur, the challenging party will notify the Office for Student Involvement & Leadership Director. The challenge will be forwarded to the Committee on Student Relations for resolution.
3. During this process the registration of the challenged organization will remain effective.

#### **Termination of Registration**

The Committee on Student Relations reserves the right to cancel registration of any organization that fails to observe the understanding outlined in this section. Furthermore, it shall be assumed that an organization is no longer registered if it fails to complete these requirements.

### **Group Responsibility**

Student groups and organizations planning and carrying out their activities and conducting their affairs bear the responsibility for doing so in accordance with University regulations and the law. Failure to accept the responsibilities of group membership/sponsorship may subject the organization to permanent or temporary suspension of charter, cancellation of University registration and/or support (use of facilities, etc.), probation, or other appropriate action.

#### **Definition of an Activity Related to an Organization**

An activity is considered to be related to an organization when one or more of the following circumstances exist:

1. The activity being sponsored was planned in an official meeting of the organization.
2. The context of the activity (the presence of the group's officers, the presence of a significant proportion of the group's members, publicity identifying the event, for example) indicated that it was the product of the organization per se.

The parent organization shall be responsible for the actions of pledge classes, residence hall wings or floors, or other subgroups carrying official status. Events planned for numbers of nonmembers are also the responsibility of the group or organization in question.

#### **Dealing with Infractions**

When (1) sufficient preventive measures have not been employed (confiscation, non-admittance, removal, or other control) and (2) action to refer individual cases to appropriate authorities and/or judicial boards is not taken by the group, the group may be held liable. This liability shall be tempered only by the extent/effectiveness of preventive measures and the extent-effectiveness of dealing with such violations during and immediately following the activity. Members and non-members of a group at the event or activity are included in the expectation of the group's responsibility and appropriate measures must be employed to prevent or deal with problems and violators.

Each group or organization has the responsibility and is expected to deal with individuals allegedly in violation of University regulations or laws.

Each group or organization is expected to refer such individual(s) to the appropriate University authorities (i.e., University Judicial Coordinator) for violations of the student code of conduct or to the Director of Office for Student Involvement & Leadership or his or her designee for constitution violations, and/or to the University of Arkansas Police Department for removal, arrest, and/or judicial action. Should such judicial referrals appropriately fall to the major governing group, or the judicial board of the group or organization in question (for example-IFC, Panhellenic, RIC), the decision of the board is expected to be relevant to and consistent with the nature of the violations. The group or organization must show good faith in dealing with the individual(s), especially their own members allegedly in violation of University regulations or laws. The degree to which the group or organization carries out this overall responsibility will have bearing on the extent to which it may be held liable for the actions of the individual(s).

If, in the judgment of the University Judicial Coordinator, sufficient question has been officially raised (a complaint, UAPD reports, etc.) the group or organization shall be referred to the appropriate judicial board that shall rule on group responsibility for a given event or activity. The parent organization may or may not be vicariously liable for the subgroup's actions, which shall be determined by the appropriate judicial board.

#### **Housing**

No student organization may build, buy, rent, or lease a house without the approval of the Vice Chancellor for Student Affairs and the Vice Chancellor for Finance and Administration. Each organization permitted to operate a house must employ an acceptable resident host/hostess, house parent, or adviser. Exemptions may be requested through the Vice Chancellor for Student Affairs.

#### **Banking Arrangements**

Student organizations must deposit their funds with the University. A small charge is made against each independent organization to cover operating expenses of its account. National social fraternities and sororities are exempted from this regulation.

#### **Expending Funds**

Registered independent organizations may expend their monies for organizationally related activities. All expenditures are subject to review by the University Controller, who retains the right to question the propriety of the expenditure.

Registered University student organizations' expenditure of funds is subject to purchasing policies and regulations. Organizations receiving ASG allocations must present an annual budget to the Student Senate and all expenditures must be based upon the prescribed budget format approved.

#### **Associated Student Government Allocations**

Registered student organizations that wish to receive a portion of their budget from the general University funds are required to present an annual budget request to the Student Senate. All organizations receiving funding must agree to (a) abide by State regulations in all purchasing and budget control activities; (b) expend funds only for University-related purposes; (c) maintain organization funds in a university account; and (d) carry over from year to year not more than 5% of the initial allocation plus other funds deposited (with the exception of the Traveler, the Razorback, and University Programs). Any funds the organization raises outside of their ASG allocation should be deposited into the organization's University checking account, which is maintained by the UA Treasurer's office. Compensation for the regular employment of persons working in other than University facilities is not allowed. The University's Associate Vice Chancellor for Finance and Administration serves as fiscal adviser for all organizations receiving University-allocated funds.

Decisions concerning financing of student organizations may be appealed to the Vice Chancellor for Student Affairs.

#### **Unexpended Balances of Inactive Independent Student Organizations**

Any student organization, required by the University to bank with the University's Financial Affairs Office/Treasurer's Office, which does not register for four consecutive years will have their funds transferred to the ASG B Fund Account.

#### **Entertainers, Speakers and Performers**

Information on acts, both local and national, who may be available for entertainment at social events are located in the Arkansas Union Office for Student Involvement & Leadership. It is strongly recommended that any student organization or group wishing to engage entertainment groups contact the Arkansas Union Office for Student Involvement & Leadership, ARKU A665, for specific advice as to the contracting procedures. Any registered student organization entering into a contractual relationship must have prior approval from the organization's adviser before asking for the contract and must have the adviser authorize the contract on behalf of the organization, following all contractual procedures as required by the University.

Arrangements for speakers and performers are to be made in keeping with the University speaker and performer policy. (See Use of University Facilities and Protest Activities and Demonstrations in this handbook for a full presentation of the University position.)

#### **Concert Policy**

The University of Arkansas community should be offered the opportunity to attend a diversified and balanced series of musical programs. A concert policy, as well as procedures to implement the policy, are available in the University Programs Office. The policy applies only to musical events of such magnitude as to be held in Barnhill Arena.

### **Solicitation and Fund Raising**

The buildings and grounds owned by the Board of Trustees of the University of Arkansas exist for, and are exclusively devoted to the organized and approved University program of higher education. As such, they are committed to being used for the non-profit, tax-exempt use of the official program of the University. Therefore, private unsolicited business activities are not permitted on University premises. However, in certain limited areas, the University contracts with private firms to provide needed on-campus services for students, faculty, and staff that contribute to the accomplishment of the University's educational purposes.

Apart from prohibiting profit-making commercial business activities, the University also regulates, within limits, under separate policies, and consistent with the above policy, any use of its buildings and grounds for solicitation, including fund raising activities. Fund raising activities must not violate state law by including a drawing, raffle, lottery, game of chance, or any scheme for distribution of prizes among persons who are paying for a chance to obtain a prize. The Arkansas Constitution, Article 19, Section 14, states:

Lotteries Prohibited-No lottery shall be authorized by this State, nor shall the sale of lottery tickets be allowed.

Arkansas Statute 41-2025 specifically supports this Article.

Inquiries relating to any of these policies should be directed to the Office for Student Involvement & Leadership, ARKU A665.

#### **Solicitation Policy**

Merchants or students may sell goods and/or services to residence halls, sororities, and fraternities on specific occasions when the organization in question has requested a particular service or when such service is directly relevant to the purpose of that organization. Under no circumstances is door-to-door selling/soliciting of any item or service permissible. Upon such request the Office of Student Affairs or, in the case of residence halls, the Residence Life and Dining Services Office

will issue the merchant an official pass identifying him or her as a legitimate campus solicitor in keeping with the above policy. (Failure of a solicitor to receive appropriate identification to sell on University premises may lead to requested action by civil authorities.) Specific procedural guidelines should be sought from the Dean of Students.

The suitability of life insurance programs for college students is regulated by law in cases of premium deferment by a premium financing arrangement. Insurance agents and companies offering this type of insurance need to receive approval of the suitability of their programs under Regulation 14 of the State of Arkansas Insurance Department prior to solicitation of students. Any agent or company wishing to sell premium financed life insurance to college students must register with the Office of Student Affairs, ARKU M-407.

### **Raising Funds for Student Organizations**

1. All fund raising activities by registered student organizations (including occasions when admission is charged or donations are requested), whether on or off campus, must be registered in advance with the Arkansas Union Office for Student Involvement & Leadership. Fund raisers must be registered at least two weeks in advance of the planned fund-raising event. Such projects must be handled through the organization's University bank account and will require a detailed operating statement (expenditure and income). This operating statement must be presented to the Associate Vice Chancellor for Financial Affairs no later than two weeks after the project is concluded.

2. Registered student organizations may charge membership dues at meetings and conduct fund raising projects on the campus. These activities must support the program of the organization as stated in that organization's registration material, the educational purposes of the University community, and/or a philanthropic purpose (see three below).

3. Fund raising projects for philanthropic purposes must be directed to nonprofit, tax-exempt organizations and not made directly available to an individual or individuals.

4. Speakers may be invited to the campus to discuss political issues. However, political party membership may not be solicited, nor political candidates financially supported or opposed. Moreover, money may be raised only for projects or activities that directly support the program of the local organization.

5. Use of University facilities and premises for fund raising activities is permitted only at the designated locations under the following specified conditions:

**Arkansas Union** — Use is in the building and on the Union Mall only. Use is subject to scheduling arrangements, and fund raising may be conducted only if the project does not duplicate the services already provided by the Arkansas Union (the selling of the same book titles as in the UA Bookstore, etc.). Decisions relating to such projects should be referred to the Director of the Arkansas Union.

**Science-Engineering Auditorium** — Use of the facility is scheduled through the Dean of Fulbright College of Arts and Sciences.

**Barnhill Arena** — Use is limited to times when there is no athletic event; use of facility is scheduled through the Director of Women's Athletics.

**East side of Vol Walker Hall** — Use is limited to such activities that do not involve hawking of wares.

**Within common-use areas of living units** — Use is limited to (1) such activity that is initiated, planned, and executed by that living unit and adheres to established approval procedures, and (2) such activity or service that is specifically requested by that living unit. Under no circumstances is door-to-door selling/soliciting of any item or service permissible.

6. Requests for fund raising activities at locations other than those specifically named above must receive (1) approval for fund raising from the Office for Student Involvement & Leadership Director, and (2) approval of the site by the Director of the Physical Plant and the

person responsible for the facility requested.

7. The Committee on Student Relations shall rule on cases brought to their attention where there is some question as to whether the above conditions are met.

## **Use of University Facilities**

### **Statement of Principles**

The University of Arkansas has an obligation to its students and to the larger society of which it is a part to provide the fullest opportunity for a free exchange and critical evaluation of diverse viewpoints. This means freedom to teach, freedom to learn, freedom to discuss, and freedom to expose ideas to the critical analysis appropriate to the University setting. In order to accomplish this mission, the administration, faculty, and students have continuing responsibility for preserving the properly directed use of the institution's freedom to teach, to discuss, and to explore.

The University's dedication to the spirit of free inquiry requires the examination and evaluation of controversial viewpoints, but obviously does not require the endorsement of such viewpoints. Divergent points of view must be recognized, but at the same time kept within a framework of orderly conduct in accordance with human dignity, respect for the individual, and the responsibilities of the University. The University is not available for exploitation, and special interests out of harmony with its educational objective are not to be served.

### **Policy Statement of the Board of Trustees**

University facilities exist for the primary purpose of serving a planned and scheduled program of educational activity. At times when not required in the regularly planned educational program, the University facilities may be made available for co-curricular use to colleges, departments, and other organizational units of the University; to organizations composed exclusively of faculty and staff; to organizations that exist solely for the benefit of the University; and to recognized student organizations with the approval of the faculty/staff adviser.

University facilities under the law cannot be made available to other organizations for their own purposes. However, when a facility is in use neither for a regularly scheduled educational activity nor for an extra-curricular event by one of the University organizations listed above, the President or Chancellor is authorized to approve the use of the facility when such use serves the educational objectives of the University.

It is an objective of the University to provide opportunities for University and broader communities to see and hear major leaders from throughout the state, nation, and world. Speeches and debates by or on behalf of candidates for major state or national offices may be scheduled in University facilities under arrangements that allow reasonable opportunities for opposing candidates or points of view. It must be made clear that the University neither supports nor opposes the views stated by and/or the candidacy of such individuals.

### **Procedures for Use of Facilities By Student Organizations**

Any registered student organization may use University facilities for open or closed meetings or performances subject only to local campus scheduling regulations.

If an off-campus speaker or performer is to be invited to address an open meeting of a recognized student organization, the faculty/staff adviser, or in the absence of an adviser, a tenured faculty member, must give his or her approval prior to the time that an invitation is extended and publicity is released. The University administration may properly inform an organization concerning its views on any proposed meeting to which an off-campus speaker or performer has been invited but will leave the final decision concerning the meeting to the organization and its adviser.

Publicity and communications concerning any meeting shall clearly identify the sponsoring organization and shall carefully avoid any stated or implied University sponsorship. In all open meetings at which an off-campus speaker will speak, a tenured faculty member shall serve as

moderator and a reasonable period shall be reserved for questions from the audience.

An invitation to a speaker does not necessarily imply approval or disapproval of the speaker or his or her views by either the University or the student organization. In case a request for the use of a University facility by a recognized student organization cannot be granted, it is the responsibility of the University officer to whom the request was made to notify promptly in writing the organization making the request stating the reasons for the denial.

Speakers may be invited to the campus to discuss political issues. Recognized student organizations may solicit memberships and dues at meetings. However, political party membership may not be supported or opposed, money may not be raised for projects not directly connected with a University activity, and private business may not be conducted in University facilities.

#### **Scheduling Events**

A registered student organization may use University facilities for meetings and programs subject only to fund raising, legal, reservation, and scheduling considerations. In the interest of minimizing conflicts, all co-curricular events (i.e., dances, concerts, speakers, workshops, etc.) sponsored by student organizations and held outside a campus living unit are to be placed on the University calendar in the I.D. and Information Office after the facility has been reserved with the person or office responsible for the facility. Decisions relating to fund-raising projects of registered student organizations shall be determined by the Office for Student Involvement & Leadership Director or designated representative according to the fund-raising policies found earlier in this section.

Activities for which various facilities may be used are as follows:

#### Concerts

Fine Arts Concert Hall  
 Fine Arts Theater  
 Chi Omega Greek Theater  
 Fine Arts Open Air Theater  
 Arkansas Union  
 All auditoriums  
 Barnhill Arena

#### Dances

Arkansas Union  
 Residence halls

#### Lectures and Convocations

Arkansas Union  
 Bell Engineering Center  
 Old Main  
 Waterman Hall  
 Fine Arts Concert Hall  
 Barnhill Arena  
 Science-Engineering Auditorium  
 Chi Omega Greek Theater  
 HPER Building gymnasiums  
 All auditoriums  
 Razorback Stadium  
 Broyles Athletic Complex

#### Meetings and Study Halls

Arkansas Union  
 All auditoriums  
 Fine Arts Concert Hall  
 Fine Arts Theater  
 Chi Omega Greek Theater  
 classrooms

#### Recreational

Arkansas Union  
 HPER Building  
 Chi Omega Greek Theater  
 Intramural Fields

Barton Pavilion (Agri Park)  
 Barnhill Arena  
 Track/Tennis Center  
 University Track

#### **Reserving Facilities**

Facilities for any event or meeting must be reserved with the person or office responsible for the facilities to be used as listed below:

Administration Building Conference Rooms Chancellor  
 Animal Science Auditorium Department of Animal Sciences  
 Arkansas Union Arkansas Union Reservationist  
 Barnhill Arena Director of Intercollegiate Athletics  
 Barton Pavilion (Agri Park) Director , Agricultural  
 Experiment Station  
 Bell Engineering Center Dean, College of Engineering  
 Business Administration Auditorium Dean, College of Business  
 Chemistry Auditorium Chair , Department of Chemistry  
 Chi Omega Greek Theater Director , Physical Plant  
 Classrooms Registrar  
 Continuing Education Center Dean, Division of Continuing Ed.  
 Engineering Hall Auditorium Dean, College of Engineering  
 Fine Arts 213 (Lecture Hall) Chair , Department of Art  
 Fine Arts Concert Hall Chair , Department of Music  
 Fine Arts Theater Chair , Department of Drama  
 Graduate Education Auditorium Dean, College of Education  
 Home Economics Auditorium Head, Department of Home Ec.  
 HPER Building Gymnasiums Head, Department of Health  
 Science, Kinesiology, Recreation, and Dance  
 Kimpel Hall Auditoriums Dean, Fulbright College  
 Leflar Law Center Dean, School of Law  
 Mullins Library Seminar Rooms Director , Libraries  
 Old Main Auditorium Dean, Fulbright College  
 Ozark Hall Auditorium Dean, Graduate School  
 Residence Halls Assistant Directors, Residence Hall Directors,  
 University Housing  
 Science Engineering Auditorium Dean, Fulbright College  
 Science Engineering Center Dean, Fulbright College  
 Vol Walker Hall Auditorium Dean, School of Architecture  
 Others Arrange through the responsible person or agency.

#### **Service Charges**

1. With the exception of the Arkansas Union Building, Barnhill Arena, and Barton Pavilion (Agri Park), no routine service charge will be made for use of facilities identified herein. However, any special services provided by the Physical Plant or other departments will result in appropriate charges to the using groups.

2. Ordinary maintenance requirements-i.e., scheduled refinishing of floors, painting, etc.-will be assumed by the University even though this schedule may be advanced due to the extra use of such facilities.

Reservation forms are available at the Office for Student Involvement & Leadership in the Arkansas Union, the Office of the Director of the Physical Plant, and in the offices of University officials having authority to approve requests. The forms are to be filled out in quintuplicate by the representative of the group or organization requesting the use of the facilities, then submitted to the person responsible for approving the request.

Scheduling should take place sufficiently in advance of the using date to permit necessary adjustments and arrangements. Two weeks is the normal time required for activities requiring special services. It is expected that major events will be scheduled as far in advance of the activity date as possible.

#### **Use of Union Facilities**

Room Reservation: Requests to use meeting rooms in the Arkansas Union will be honored for officially registered student organizations, University departments, non-University official guests, and official guests of the University (as approved by the Vice Chancellor for Student

Affairs). Reservations for space are made by the Reservations Office, ARKU M-411. The reservations should be made at least 24 hours prior to the event. Larger events must be scheduled at least two weeks in advance. University scheduled classes for credit may not be held in the Union.

Student groups that are spontaneous in nature, or are forums on current campus events may use Union meeting rooms with the approval of the Arkansas Union Director. These groups shall have the privileges of an officially registered student organization with the exception of fund-raising activities.

Groups reserving rooms in the Union are granted exclusive use of such rooms for the time period reserved.

**Non-University Groups:** Non-University group requests to reserve space in the Union are approved by the Vice Chancellor for Student Affairs.

**Information Tables:** Requests to use information/display tables in the Arkansas Union will be honored by students, student organizations, and University departments. The Arkansas Union Reservations Office, Room 411, will make all arrangements.

1) All table activities must carry the identification of the sponsoring organization.

2) A representative of the sponsoring organization must be present at the table at all times.

3) Organizations may reserve table space in five-day increments. If table space is available at the end of this five-day period, requests for extension will be honored in two-day increments.

4) Promotions may take the form of ticket sales, collection of funds, handing out of literature, etc.

5) Tables must be kept neat and orderly. Materials must be removed at the end of each day.

6) All table activities are limited to the confines of the table. Traffic flow through the hallways cannot be restricted. Information table activities cannot interfere with the rights of others operating other information tables.

7) Hawking of the customers of the Arkansas Union or loud and boisterous activity will not be allowed.

8) Fundraising activities must be approved prior to reserving an information table. Fundraising is the collection of money in any form for any reason. The Arkansas Union Student Involvement and Leadership Office in accordance with University regulations must approve fundraising activities in any form.

Non-University related groups may reserve information/display table space if:

1) The use of the booth would result in a service to the University community that is needed and is of measurable benefit, i.e., telephone service, travel information, etc.

2) The use of information/display table space is a recruitment of ACTION, the U.S. Armed Forces recruiting teams, or other government agencies sponsored by the Career Services Office.

Arkansas Union Reservations are made in Room 411 (4th Floor). A Union Reservationist can be reached at 575-2146, Monday-Friday, 8 am — 4:30 pm.

#### **Physical Arrangements of Campus Facilities**

Alteration or modification of property owned or leased by the University is not permitted unless specific permission is received from the Physical Plant Department. All work done on buildings, grounds, and other fixed facilities of the University must be accomplished by the Physical Plant Department unless other arrangements have explicitly been approved by the Vice Chancellor for Fiscal Affairs.

If decorations and/or special facilities are to be utilized, they must be inspected and approved for safety in advance by the Physical Plant Department. If the decorations or special facilities are declared unsafe, corrective measures must be taken before the event can be held.

Any offending group or individual is subject to being charged for

any damage involved, for returning the property to its original state, and for possible disciplinary action.

Further information should be sought from the Office of Student Affairs.

#### **Publicity and Literature**

The campus is open to the distribution of literature and petitions, and student-use bulletin boards have been provided in all University buildings. Generally, all organization publicity, handouts, etc., are governed by the following regulations, which do not include the additional restrictions of the Election Code, available in the ASG office, Arkansas Union.

1. Signs will not be attached to trees, interior or exterior surfaces of academic or administrative buildings or surfaces of University equipment (trash cans, light poles, etc.). This specifically includes gummed or pressure sensitive material and is applicable to windows and other glass surfaces.

2. Signs not exceeding four square feet in area may be placed on stakes in the ground provided the stakes are not larger than one square inch.

3. Publicity campaigns and literature signs must not obstruct traffic, create a safety hazard, restrict normal physical plant activity such as ground care, or interfere with academic or business functions of the University.

4. All signs must carry the name of the sponsoring organization.

5. All signs and leaflets must be removed and the area completely cleaned up on the day following the final day of the event being publicized. All remaining signs will be cleaned up by the appropriate University personnel and charges billed to the sponsoring organizations.

6. Campaign publicity must follow the guidelines set out in the Election Code in addition to those outlined above.

7. Signs posted in the Arkansas Union must be dated in the Office for Student Involvement & Leadership and are subject to Union Governing Board guidelines.

8. All residence halls have one general bulletin board to which free access for posting signs is available. Students should check with a Resident Assistant or the Hall Manager to find its location. Permission to post notices on floor bulletin boards or in any other areas of the hall must be approved by the Director of Housing.

9. Campaigning for election will not be allowed in the dining rooms. Tables for selling or solicitation for petition signatures may beset up in the lounge area at Brough Commons only.

10. A city ordinance prohibiting putting handbills on vehicles without the owner's permission does apply to the campus. Clearance for such activity must be obtained from the Office of Student Affairs and the University of Arkansas Police Department.

#### **Printed Materials**

Printed matter may be sold or distributed free on the campus and in the following University buildings: the foyer of Barnhill Arena (when there is no athletic event), the Union (in areas designated by the Union Governing Board), the lower lobbies of Brough Commons, and other areas in residence halls or food service units designated by the Director of Residence Life & Services. Such sale or distribution is subject to the limitation that it must not disrupt classes, food service, or the free flow of faculty, staff, or students, and that sales persons may not hawk their wares.

### **RESOURCES FOR STUDENTS**

Listed below is information concerning many services available to students at the University of Arkansas. For resources provided by the Division of Student Affairs, see page 57 in this catalog.

**BASKETBALL TICKET POLICY** For current policy on men's basketball tickets, check with the ASG Office, ARKU-511, 575-5205.

**BOOKSTORE** The University Bookstore is located on the sec-

ond and third floors of the Arkansas Union. The Bookstore is charged with supplying required textbooks and school supplies for the U of A student. Additional items are stocked as space and demand require. Prices are maintained as low as good business policies dictate. Services provided include: free check cashing, special ordering of books and supplies, photo processing, and a magazine subscription service.

**BUS SERVICES** The Transit Department operates eight buses on five routes, without fares, for University students, staff, and faculty living on and off campus. Each route is color designated and runs every class day during the Fall and Spring semesters. A night route runs every class day except Friday from 6 to 10 p.m. Schedules are available at the Arkansas Union street level entrance, the Administration Building lobby, and on each bus.

Physically disabled students may apply for special van transportation at the University Health Center, or at the Transit Department at 155 Razorback Road, 575-3500.

**CHECK CASHING, U OF A** The University Bookstore will cash personal checks free with proper identification. The limit is \$50 per person per day per check.

**HPER BUILDING USE** The Health, Physical Education, and Recreation (HPER) Building is available to all currently-enrolled UA students with six hours or more. Students taking less than six hours may purchase a \$15.00 membership per semester. This four-level structure is the center of recreational activity on campus and contains four gyms, an indoor jogging track, two ultra-modern dance studios, ten racquetball courts, a fitness-weight training center, and a uniquely-designed Olympic sized swimming pool.

Most of the HPER Building activity areas are available for open recreation any time the building is in operation except when scheduled for classes, intramural-recreational sports, or special events. The swimming pool is open only during scheduled times and the racquetball courts are available on a reservation basis only. Reservations may be made by calling 575-6382 for next-day reservations or same-day reservations.

Students taking more than 6 hours are eligible to use the HPER building. Other students must pay a \$15.00 membership fee per semester. Family memberships cost \$9.00 per semester (includes spouse and dependent children). Students must be prepared to show a current University of Arkansas I.D. to use the facilities. Lockers may be rented on a semester basis.

**LEGAL AID CLINIC** Free legal advice is available to University students who qualify financially at the clinic. The Clinic is staffed by third-year law students. Law Programs Center, room 110, 575-3056.

## Libraries

**MULLINS LIBRARY** The main library houses four levels of open book stacks, an audiovisual collection (sound recordings, compact discs, microforms, tapes, filmstrips, and microfiche of U.S. and foreign college and university catalogs), a collection of unpublished manuscripts, rare books, special folklore, a collection of Arkansas materials, telephone directories, a new book display, rental typewriters in private rooms, group study rooms, and study carrels for graduate students. The student loan period for check out of library materials is four weeks subject to recall after two weeks, usually with unlimited renewal by phone, 575-4101. All students should be familiar with the reserve room where professors place materials to be read by the entire class. Also in this room are course exam files and current journals.

**GROUPS AND THE LIBRARY** Organizations and groups are reminded that Mullins Library is designed primarily for individual study. The congregation of groups disrupts the use of study areas by disturbing those properly using the facilities

and by denying access of use by others, and, therefore, is prohibited. Student organizations and their individual members are responsible for compliance with this regulation, and offending persons and groups are subject to disciplinary action.

**LAW LIBRARY** Located in the Leflar Law Center; contains reports and statutes of the 50 states and several countries. The library has two computer systems, LEXIS and WESTLAW, for legal research purposes. The library is also a limited Federal Depository for Government Documents.

**FINE ARTS LIBRARY** Fine Arts Building, Room 103, 575-4708.

**CHEMISTRY LIBRARY** Located in CHEM-21 1, 575-4601.

**PHYSICS LIBRARY** Located in PHYS 102, 575-2506.

**CAREER LIBRARY** Career Services, located in the Arkansas Union, has an extensive library of career information as well as company and agency literature, 575-2805.

**LEARNING RESOURCES CENTER** Peabody Hall, third floor, 575-5444.

**PARKING** A current University parking permit is required to park on campus. Campus visitors may obtain a parking permit from Transit and Parking Office for a small fee or park at parking meters. Campus parking permits, parking maps, and copies of the parking and traffic regulations are available at the Transit and Parking Office, 155 Razorback Road, 575-3507.

**POST OFFICE** Students, staff, and faculty may lease boxes and purchase stamps, aerograms, and money orders. The Post Office is closed on legal holidays. ARKU-second floor, 575-2650.

**PUBLIC SAFETY** The University of Arkansas Police Department is charged with the responsibility for law enforcement on campus. The department provides vehicle, bicycle and foot patrol, criminal investigation, crime prevention lectures and information, property engraving services, medical assists, and escort services.

Officers and staff are encouraged to promote a safe environment in which to live and work. UAPD operates 24 hours a day, seven days a week, and is located at 155 South Razorback Road. Telephone 575-2222.

**VETERAN S BENEFITS** Veterans and their dependents are entitled to many benefits. The Veterans Certification Officer, HUNT 146, will be glad to answer questions about benefits, but students should be sure to bring along their file number (if possible) since specific questions usually cannot be answered without it.

