

2009-2010 Student and Academic Policies Guide

PURPOSE

The Mesa State College Student and Academic Policy Guide is an important document designed to serve you throughout this academic school year.

You may refer to this guide whenever you have questions or problems concerning services, policies or procedures.

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POLICIES and STUDENT CODE OF CONDUCT

Student Conduct, Rights, and Responsibilities General Statement

The matriculation of a student at Mesa State College implies adherence to policies and procedures inherent to the scholarly and educational pursuits of the academic community. You, the student, assume obligations of performance and behavior reasonably imposed by this institution according to its lawful missions, processes, and functions. The College has a unique charge in allowing for free, reasonable, and rational discourse while establishing an environment conducive to contemplative study and research. Interference in any manner with the public or private rights of other individuals or conduct, which threatens or endangers the health and safety of any person, will not be tolerated by the College. Conduct at all times should reveal mature judgment and a sense of moral, civil, and academic responsibility.

Code of Conduct

You are expected to act as a responsible adult and will be held accountable for your behavior. Mesa State College is a community consisting of students, faculty, support staff, and administrators. The College does not attempt to define all student conduct. It relies on you the student to assume the responsibility and obligation of conducting yourself in a manner compatible with the purpose of the College as an educational institution and the community as a place of learning and residence.

Housing and Residence Life has developed Community Standards for the residence halls and apartments that provide a framework to assist your success in a community living environment. These expectations and subsequent application and enforcement are the responsibility of all members of our housing community. Our Community Standards are in addition to the Student Code of Conduct of Mesa State College and therefore any and all violations could fall in one or both areas.

In addition to College rules and regulations, you are subject to the same local, state, and federal laws as non-students and are beneficiaries of the same safeguards of rights as non-students.

The academic community has a long and cherished tradition of expecting its members to conduct themselves in accordance with the highest standards of personal behavior.

The following are among those acts of misconduct that are not consistent with the educational goals of Mesa State College or with the traditions of the academic community.

These acts are intended to provide guidelines, not prescriptions of behavior, and each individual case will be decided upon its own merits. The Office of the Vice President for Student Services is also available to provide consultations and advocacy on behalf of its students. Student Affairs personnel can advise and assist students with unusual circumstances or with problems not addressed elsewhere in the Student Handbook. Normally, conduct of the following nature is subject to disciplinary sanctions:

1. Academic dishonesty, such as cheating, plagiarism, or knowingly furnishing false information to the College;

2. Forgery, alteration, misuse or mutilation of College documents, records, identification materials, or educational materials.
3. Intentional obstruction, demonstrations, or disruption of teaching, research, administrative, disciplinary proceedings, or other College activities, including public service functions and other authorized activities on College premises;
4. Intentional interference with an individual's rights to free speech, freedom to make academic inquiry, or freedom of conscience;
5. Physical abuse or harassment of any person on College premises or at College sponsored or supervised functions, or any conduct which threatens or endangers the health or safety of any such person or oneself;
6. Attempted or actual theft of, or unauthorized possession of, or damage to, property of the College or of a member of the College community;
7. Unauthorized entry into or use of College facilities, equipment, or materials;
8. Violation of rules governing residence in College owned or controlled property;
9. Failure to comply with the directions of College officials acting in the performance of their duties;
10. Violation of civil law, criminal law, or College regulations concerning the possession and use, or unlawful sale of alcoholic beverages;
11. Violation of civil law, criminal law, or College regulations concerning the use, sale, possession, manufacturing, or distribution of drugs;
12. Disorderly conduct or loud, indecent or obscene conduct that is unwanted, and unreasonable for the area, time or manner that it occurs on College-owned or College-controlled property or at College sponsored functions;
13. Violation of College policies or campus regulations, including the use of College facilities;
14. Weapons of any kind are not appropriate to the College experience and are not allowed on campus (see weapons policy);
15. Unauthorized access and/or abuse of computer functions or equipment or any violations as outlined in the Mesa State College Computer Use Policy;
16. Hazing, defined as an act which endangers the mental or physical health or safety of a student, or which destroys or removes public or private property, for the purpose of

initiation, admission into, affiliation with, or as a condition for continued membership in, a group or organization;

17. Conduct which could be viewed as a violation of federal, state and municipal law, or any other conduct not included above which adversely affects the function of the College and the pursuit of its educational purposes and objectives;
18. Abuse of the Student conduct System;
19. Making a false report. The false reporting of a fire, bomb, assault, or any other emergency either by the activation of an alarm or any other method, and/or reporting of a crime that did not occur;
20. Violations of any of the restriction, conditions, or terms of any sanctions resulting from a previously held disciplinary hearing or housing behavioral contract; and,
21. Misappropriation or misuse of student organization's funds or property.

The College views violations of the Student Code of Conduct separate from the Rule of Law, which govern civil and criminal behavior. The College role in code of conduct violations is to discipline students, not prosecute students. Violations may parallel the laws of society in what they prohibit; however, neither the campus proceedings, the standards of proof required, nor is the discipline imposed even remotely similar in either the nature or substance to criminal procedures, standards of proof, or punishment. In fact, proceedings under the Student Code of Conduct may be carried out prior to, simultaneously with or following civil or criminal off-campus proceedings.

Student Conduct Authority

Infractions of College policy governing student behavior should be handled at the first level of authority when possible. If resolution is not achieved at this level, general campus violations should be directed to the Student Conduct Officer (CHO). Violations involving the Housing and Residence Life Community Standards should be directed to the appropriate Residence Life staff member. Generally, College jurisdiction and discipline shall be limited to conduct which occurs on College premises, property owned by the College, all satellite campuses, or at College authorized functions, or which adversely affects the College community and/or the pursuit of its objectives. In those instances where a student displays a body of evidence of poor decisions and behavior both in and outside of the classroom, such as academic dishonesty coupled with other student conduct violations, the vice presidents for student services and academic affairs shall confer on appropriate action.

Student Conduct Policies

1. Any member of the College community may file charges against any student for misconduct. Charges shall be prepared in writing and directed to the Student Conduct Officer (SCO).

2. The Student Conduct Officer may conduct an investigation to determine if the charges have merit and/or can be disposed of administratively by mutual consent of the parties involved on a basis acceptable to the SCO. Such disposition shall be final and there shall be no subsequent proceedings. If the charges cannot be disposed of by mutual written consent, the SCO shall convene a hearing before the Campus Student Conduct Board. The Campus Student Conduct Board is composed of members of the campus community including students, faculty, and staff. *Student representation on the Campus Student Conduct Board will consist of Associated Student Government Justices of the Supreme Court. The Faculty Senate appoints faculty representatives while staff representatives are appointed by the Vice President for Student Services.*
3. All charges shall be presented to the accused student in written form. A time shall be set for a hearing with maximum time limits for scheduling of hearing extended at the discretion of the Campus Student Conduct Board.
4. Hearings shall be conducted by the Campus Student Conduct Board according to the following guidelines:
 - a. Hearings normally shall be conducted in private and conducted on an informal basis. Every effort will be made to arrive at the truth and to insure a fair hearing without the appearance of a court proceeding.
 - b. Admission of any person to the hearing shall be at the discretion of the Campus Student Conduct Board with permission of all involved parties.
 - c. In hearings involving more than one accused student, the Campus Student Conduct Board, by discretion, may permit the hearings concerning each student to be conducted separately.
 - d. The complainant and the accused have the right to be assisted by any advisor they choose, at their own expense. The advisor may be an attorney. However, the complainant and/or the accused is responsible for presenting his/her own case. The advisor may not speak on the student's behalf, but may advise the student.
 - e. The Campus Student Conduct Board, complainant and the accused have the privilege of presenting witnesses, who may be subjected to questioning by involved parties. Pertinent records, exhibits, and written statements may be accepted as evidence for consideration at the discretion of the Campus Student Conduct Board.
 - f. All procedural questions are subject to final decision by the Campus Student Conduct Board. Following the hearing, the Campus Student Conduct Board shall make a determination on the basis of whether there is reasonable certainty that the accused student violated the Student Code of Conduct.

- g. Should a student disregard a notice to appear before the Campus Student Conduct Board, the hearing will continue, a determination shall be made, and sanction(s) imposed if she/he is found in violation of the Student Code of Conduct.
5. There shall be a single verbatim record - such as audio/video/written - of hearing proceedings. The record shall be the property of the College.
6. At the discretion of the Vice President for Student Services (VPSS), in extraordinary circumstances an administrative hearing may be held in lieu of a Campus Student Conduct Board (CSCB) hearing, in which case the VPSS or his/her designee shall conduct the hearing, subject to the equivalent guidelines of a CSCB hearing.

Sanctions

1. The following sanctions may be imposed upon any student found to have violated the Student Code of Conduct:
 - a. Warning - A notice in writing to the student that the student is violating or has violated institutional regulations.
 - b. Probation - A written reprimand for violation of specified regulations. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to be violating any institutional regulation(s) during the probationary period.
 - c. Loss of Privileges - Denial of specified privileges for a designated period of time. This can include placing a disciplinary hold on all academic records and accounts.
 - d. Restitution - Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
 - e. Discretionary Sanctions - Work assignments, service to the College or other related discretionary assignments, which is approved by the SCO.
 - f. College Suspension - Separation of the student from the College for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.
 - g. College Expulsion - Permanent separation of the student from the College.
2. More than one of the sanctions listed above may be imposed for any single violation.
3. Other than College expulsion, disciplinary sanctions shall not be made part of the student's permanent record, but shall become part of the student's confidential record.

4. The following sanction may be imposed upon groups or organizations:
 - a. Those sanctions listed above, a through g.
 - b. Deactivation - loss of privileges, including College recognition for a specified period of time.
5. Following the hearing, the Student Conduct Officer (SCO) shall advise the accused in writing, within five working days, of determination and the sanction(s) imposed.

Interim Suspension

Any College Administrative Officer reserves the right to temporarily suspend a student without prejudice pending the outcome of a Campus Student Conduct Board Hearing under the following circumstances:

1. Interim suspension may be imposed only:
 - a. To ensure the safety and well being of members of the College community or preservation of College property;
 - b. To ensure the student's own physical or emotional safety and well being;
 - c. If the student poses a definite threat of disruption of, or interference with, the normal operation of the College.
2. During the interim suspension, students shall be denied access to the campus, including classes and/or all other College activities or privileges for which the student might otherwise be eligible, as determined by the Office of the Vice President for Student Services.

Appeals

1. A decision reached by Campus Student Conduct hearing or a sanction imposed may be appealed by accused students within five (5) working days of the decision. Such appeals shall be in writing and shall be delivered to the Vice President for Student Services or his/her designee.
2. Except as required to explain the basis of new evidence, an appeal shall be limited to review of the verbatim record of the initial hearing and supporting documents for one or more of the following purposes:
 - a. To determine whether the original hearing was conducted fairly in light of the charges and evidence presented, and in conformity with prescribed procedures giving the complaining party a reasonable opportunity to prepare and to present a rebuttal of those allegations;

- b. To determine whether the decision reached regarding the accused student was based on substantial evidence, that is, whether the facts in the case were sufficient to establish with reasonable certainty that violation of the Student Code of Conduct occurred;
 - c. To determine if the sanction(s) imposed were appropriate given the violation of the Student Code of Conduct which the student was found to have committed;
 - d. To consider new evidence, sufficient to alter a decision, or other relevant facts not brought out in the original hearing, because such evidence and/or facts were not known to the person appealing at the time of the original hearing;
 - e. All sanctions will be considered in full effect during the appeal process; that is, students will be expected to abide by all sanctions and in spite of the appeal process.
3. The Campus Student Conduct Board will hear all appeals in which the initial adjudication results include either a College expulsion or College suspension.

Interpretation and Revision

1. Any question of interpretation regarding the Student Code of Conduct shall be referred to the Vice President for Student Services or his/her designee for final determination.
2. It is reasonable to expect that some students will not agree with established policies; and means to implement change are available to students via student government representation and/or formal proposals for policy change to the College Administration. However, until a particular policy is administratively altered, students are responsible to abide by published policies or risk being held accountable student conduct for misconduct.
3. The Student Code of Conduct shall be reviewed at least once every five years under the direction of the Vice President for Student Services or his/her designee.

Access to Student Educational Records

FERPA provides current, former students, and parents of dependent students the right to inspect, review, and challenge their educational records.

Parents may challenge a student's denial of consent to access by producing the most current copy of their Internal Revenue Form 1040 showing the student in question is a dependent.

- Students are permitted to inspect and review their educational records within a maximum of 45 days after the request is received.
- Students may not review financial information received from their parents or guardians, confidential letters, and recommendations placed in their files prior to January 1, 1975, academic records containing information regarding other students, administrative, disciplinary, law enforcement, student health

records, and/or records which are maintained in the sole possession of the maker.

- While students who have a financial hold or past due account (all holds included) have a right to inspect their academic records, no transcript will be released to the student or other party until holds are reconciled. Bankruptcy, however, removes any financial obligations the student has to Mesa State College.

Please contact the Registrar's Office if you have any questions regarding this policy.

Alcohol and Drug Policy

As a public institution and state agency, Mesa State College expects all members of the College community to be responsible for their own behavior within the context of state and federal law and College regulations.

Mesa State College is dedicated to instilling positive change in students' lives. The College believes the abuse of alcohol and drugs is counterproductive to this goal and has established campus policies and programs, which support the following:

Reduce consumption by those who use alcohol heavily;

Responsible consumption for those who occasionally drink alcohol.

The Campus Policy Regarding Alcohol/Drug Use:

1. Alcoholic beverages are not allowed on campus except for events pre-approved by the President's Office. Otherwise, the possession and consumption of alcoholic beverages on the campus grounds and in all campus buildings, including the residence halls and apartments, is not permitted by students, faculty, staff, or guests regardless of whether those individuals are of legal age or not.
2. Illegal use, possession, or distribution of drugs on campus will result in disciplinary action and probable arrest.
3. All controlled substances on campus in violation of state laws, local ordinances will be confiscated or destroyed and may be subject to criminal action.
4. Visible intoxication and any disruptive behavior conducted on campus or at campus sponsored events off campus resulting from the use of alcohol or other drugs may result in disciplinary actions.
5. Furnishing alcoholic beverages to persons under the legal age or possession and consumption of alcoholic beverages by those under the legal age will result in disciplinary action and probable arrest.
6. Use of College funds to purchase alcoholic beverages is not allowed.

The disciplinary actions for violations of the campus alcohol/drug policy are intended to accomplish the following objectives: To deter students from further violations of campus policy; to educate students concerning the health effects of alcohol/drug abuse.

Disciplinary actions may include:

- Referral for confidential personal counseling,
- Referral for confidential treatment of chemical dependencies,
- Required signing of a behavioral contract,
- Parental (guardian) notification,
- Termination of Housing and Dining Contract with full payment due,
- Permanent or temporary suspension from Mesa State College,
- Expulsion from Mesa State College.

Students are responsible for observing College policy, state and federal regulations pertaining to alcohol and controlled substances. Students who are in violation of the College policy will be subject to the following disciplinary review:

1. Incidents, which occur within the residence halls or apartments, will be reviewed by the Assistant Director of Housing – Student Development. Depending on severity of the incident, the student may be required to report to the Student Conduct Officer.
2. The Student Conduct Officer will handle incidents that occur on campus but not within the residence halls or apartments.
3. In addition to review of infractions of campus policies by the College, violations of local, state, and federal laws will be reported to law enforcement officials for possible prosecution.
4. A student that is convicted in a criminal court for possession of illegal drugs or substances can lose all financial aid assistance.

Canvassing

Students may conduct canvassing (surveys, petitions, and questionnaires) on campus after obtaining authorization from the College.

For canvassing to be conducted in the classroom, the Office of the Vice President for Academic Affairs must give approval.

For canvassing in all other areas; the Director of Student Life must give approval.

For surveys or questionnaires conducted on campus as part of a student research project, authorization must be obtained from the college through the Human Subjects Committee. Please contact the Director of Sponsored Programs 248-1424, for procedural and approval processes.

Chalking

The sidewalks within the boundaries of the College may be used as billboards to advertise specific events open to the campus community. Notice of events should be placed no more than five days prior to an event and removed the day after the event.

The College allows expressive chalking within a stretch of sidewalk between Tomlinson Library and Wubben Hall, as a place where students can express their thoughts. We ask that this area be a continuation of the Academy's mission – a conversation to the greater community, a conversation of respect and civility.

This area is open from Monday at 12:00 a.m. until Thursday at 11:59 p.m. The zone will be cleaned regularly to allow new comments.

Chalking should remain on sidewalks, not on College buildings. Students found to be defacing College property may be charged through the campus discipline process.

Directory Information

Mesa State College may, without the consent of the student, release to persons outside the institution information designated as Directory Information in accordance with the provision of the Family Educational Rights and Privacy Act (FERPA).

Directory information shall include information in an educational record that would not generally be considered harmful or an invasion of privacy if released, including but not limited to:

1. Student name, address, local telephone number;
2. Mobile/Cell Phone number
3. Date and place of birth;
4. Major field of study;
5. Participation in officially recognized activities and sports;
6. Weight and height of athletic team members;
7. Photograph;
8. Dates of attendance to include enrollment status (i.e. full-time or part-time);
9. Degrees and awards received;
10. Most recent educational institution attended; and
11. E-mail address.

Annually, the College publishes a student directory both in book form and electronically. The Campus Phone Directory contains student name, telephone number and email address. The Electronic Campus Directory contains name and email address. **Should you wish not to be included in either or both of these campus directories, please notify the Registrar's Office, in writing, no later than September 10th.** Making an election to specifically exclude your name from either directory only affects the specific campus directory and does not restrict disclosure of directory information as detailed above.

NOTE: *Should you wish to restrict all directory information, you may submit an official request to the Registrar's Office that directory information not be released to other parties without your*

written permission. This request will be honored until you request, in writing, that directory information be disclosed. Personally identifiable information may not be released without your consent except as provided by FERPA, i.e., members of the College faculty and staff with a legitimate educational interest, et al.

Educational Records

Mesa State College has the responsibility of maintaining and protecting the confidentiality of students' official educational records. Educational records are records directly related to a student and maintained by the College or by a party acting for the College. The term does not include those records specifically excluded by Section 99.3 of the Family Educational Rights and Privacy Act (FERPA). Mesa State College also supervises the access to and/or release of educational records of its students. FERPA also provides students the right to inspect, review, and challenge their educational records. FERPA covers enrolled and former students, including deceased students, who have matriculated at Mesa State College. Students who are not accepted to Mesa State College have no rights under FERPA.

Electronic Mail

Whenever you send electronic mail, your name and user ID are included in each mail message. You are responsible for all electronic mail messages originating from your user ID. Therefore:

1. Forgery (or attempted forgery) of electronic mail messages is prohibited.
2. Attempts to read, delete, copy, or modify the electronic mail of other users are prohibited.
3. Attempts at sending harassing, obscene and/or other threatening e-mail to another user are prohibited.
4. Attempts at sending unsolicited junk mail; "for-profit" messages or chain letters is prohibited.
5. Displaying sexually explicit, graphically disturbing, or sexually harassing images or text in a public computer facility or location that can potentially be in view of other individuals is prohibited.

Immunization Policy for Measles, Mumps, and Rubella

Colorado State Immunization Law states that after July 1, 1992 all college students born since January 1, 1957 must have two (2) measles, two (2) mumps, and two (2) rubella doses. If the student received a second measles dose prior to July 1, 1992 the second mumps and rubella are not required. Written evidence of titers (blood test) showing immunity to measles, mumps, and rubella is acceptable. If the student completes an exemption form and an outbreak occurs, the student will be subject to exclusion from the school. Students must prove compliance within 60 days from the beginning of the first semester of their attendance, or they will not be allowed to register for the next semester.

Each new, incoming freshman student residing in College housing is required by Colorado Statute to complete a form upon check-in indicating whether or not the Student as received a meningococcal vaccination. The vaccination is **voluntary**; the decision to vaccinate is on the student, parent(s), or guardian(s) should make in consultation with their family health care provider.

- Meningococcal disease is a serious disease.
- Meningococcal disease is a contagious, but a largely preventable, infection of the spinal cord fluid and the fluid that surrounds the brain.
- Scientific evidence suggests that college students living in dormitory facilities are at a modestly increased risk of contracting meningococcal disease.
- Immunization against meningococcal disease decreases the risk of contracting the disease.

Vaccinations may be available through your family health care provider, Mesa State College Student Health Center, or your county health department. Please check with your health insurance to see if the vaccination is covered by your policy.

Mesa State College Computer Use Policy

Mesa State College is responsible for securing its network and computing system in a reasonable and economically feasible manner against unauthorized access and/or abuse, while making them accessible for authorized and legitimate users.

This responsibility includes informing users of expected standards of conduct and the punitive measures for not adhering to them. Any attempt to violate the provisions of this policy will result in disciplinary action, which may include revocation of user accounts.

Violations of the Mesa State College Computer Use Policy are considered infractions of student behavior. Suspected violations will be handled by the Associate Director of Computing and Network Systems. Students who violate this policy may be referred to the Student Conduct Officer depending on the severity of the infraction.

The users of the network are responsible for respecting and adhering to local, state, federal and international laws. Any attempt to break those laws through the use of the network may result in litigation against the offender by the proper authorities. If such an event should occur, Mesa State College will fully comply with the authorities to provide any information necessary for the litigation process.

The use of any computing resources on any Mesa State College campus, or connected to any Mesa State College network, signifies an acceptance of the following policies:

- 1. Student, faculty, and staff of Mesa State College have priority in the use of all computing resources.**
- 2. Computing resources in public areas may not be used for recreational chats, games or display of images that creates a visibly hostile environment.**
- 3. All use is subject to the Mesa State College Electronic Communications Policy: <http://www.mesastate.edu/it/acceptableuse/introduction/index.htm> in addition to other College policies, common carrier policies and all applicable state and federal laws.**

Software Copyright and Compliance Policy

1. Mesa State College computer users shall use software in accordance with the license agreement. Software used at Mesa State College is licensed from a variety of outside companies. Mesa State College, unless authorized by the software developer, does not have the right to reproduce software or related documentation.
2. The unauthorized copying of software, music, movies, etc, which is licensed or protected by copyright, is illegal. Mesa State College reserves the right to administer disciplinary and/or legal action as deemed appropriate.
3. No institutional-owned computer resources should be used for unauthorized commercial purposes.
4. Respect for the intellectual work and property of others has traditionally been essential to the mission of Colleges. Plagiarism and the unauthorized copying of software including program applications, databases, and code are forbidden. Employees or students acquiring or using copies of computer software will be disciplined as appropriate under the circumstances.
5. Mesa State College recognizes its obligation to provide continuing guidance as to what constitutes academic honesty and to promote procedures and circumstances that will reinforce this principle. U.S. Copyright Law (Title 17) recognizes that intellectual work such as software programs, data, or pictures are automatically covered by copyright unless it is explicitly noted to the contrary. According to U.S. Copyright Law, illegal reproduction of software can be subject to civil damages of \$50,000 or more on behalf of the copyright owner; and criminal penalties including fines and imprisonment.

Network Security

As a user of the network, you may be allowed to access other networks (and/or the computer systems attached to those networks). Therefore:

1. Use of systems and/or networks in attempts to gain unauthorized access to remote systems is prohibited.
2. Use of systems and/or networks to connect to other systems in evasion of the physical limitation of the remote system/local is prohibited.
3. Decryption of system or user passwords is prohibited. The copying of system files is prohibited.
4. Intentional attempts to "crash" network systems or programs are punishable disciplinary offenses.
5. Any attempts to secure a higher level of privilege on network systems are punishable disciplinary offenses. The willful introduction of computer "viruses" or other disruptive/destructive programs into Mesa State College's network or into external networks is prohibited.

Proof of Identification

Before access is allowed to educational records, you must display some form of personal identification. At a minimum, this identification should include your photograph. Personally identifiable information includes:

1. Your name, your parent(s), or other family member;
2. Your address;
3. A personal identifier such as your social security number or student ID number;
4. A list of personal characteristics; or
5. Other information, which would make your identity easily traceable.

Record - Any information or data recorded in any medium, including but not limited to handwriting, print, tapes, film, microfilm, and microfiche.

Retention of Student Conduct Records

A student's student conduct record is maintained for a specified period of time. If a student is found not responsible, the file is destroyed immediately. If the charges are dropped due to insufficient evidence (while in the investigation phase) the file is kept for seven years from the date of the incident. Cases in which a student is expelled from the institution are kept indefinitely. All other student disciplinary files are kept for seven years from the date of the incident.

Sales and Solicitations

Sales and solicitations by recognized student organizations must be approved in advance by the Assistant Vice President of Auxiliary Services or designee. Non-Student group sales and solicitations are prohibited in the College Center and on all of campus unless approved by the Assistant Vice President of Auxiliary Services. The College reserves the right both to restrict sales on campus as well as to invite sales as deemed beneficial to the College community.

Sexual Assault, Rape, Date Rape, etc.

Mesa State College is committed to providing a living environment in which students can live, work, and study free from sexual harassment, sexual intimidation, and sexual exploitation. In order to fulfill our obligation, Mesa State College will quickly activate the student conduct process should sexual harassment reports be given. All matters of the incident(s) will be held confidential.

Sexual Harassment can be defined as un-welcomed sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature, made by someone from or in the work or educational setting, under any of the following circumstances:

- Coercion of sexual activity by threat of punishment, either implicit or explicit;
- Solicitation of sexual activity or other sexual oriented behavior by promise of reward;
- Offensive and unwelcome invitations to sexual activity not accompanied by threat of punishment or promise of reward; or
- Verbal abuse of a sexual nature including graphic commentaries about an individual's body and/or sexually degrading words used to describe an individual, unwelcome and offensive sexual flirtations, advances, propositions; and the display in the classroom, office or work place of sexually suggestive objects or pictures for other than an educational purpose.

The behavior must satisfy these three (3) legal requirements. The behavior must be:

1. Unwanted;
2. Unsolicited (prior behavior and dress are not indications or solicitations);
3. Deliberate (it is important to understand that sexual harassment need not be repeated. A one time only offense may constitute harassment).

Sexual assault is defined as engaging in any sexual contact other than intercourse with another person without that person's consent or cognizance.

Rape/Date rape is defined as engaging in sexual intercourse (oral, anal, or vaginal) with another person without that person's consent or cognizance.

Rape may be accomplished by forcing or coercing the victim to have sexual intercourse against his or her will, including the use or threat of physical force, or any behavior that is designed to intimidate and induce fear in the victim.

Rape can also occur when a victim is under the influence of alcohol, or other drugs, is undergoing physical or emotional trauma, or is incapable of denying or giving consent, or being in a state of unconsciousness.

Sexual Harassment

It is the policy of Mesa State College to maintain a campus environment free from sexual harassment. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when submission to or rejection of this conduct explicitly or implicitly affects or interferes with a student's work or academic performance, or creates an intimidating, hostile or offensive academic or work environment.

Sexual harassment can occur in a variety of circumstances, including but not limited to the following:

- The victim as well as the harasser may be a woman or a man. The victim does not have to be of the opposite sex.
- The harasser can be another student, staff member, faculty member, or a non-employee.
- The victim does not have to be the person harassed but could be anyone affected by the offensive conduct.
- Unlawful sexual harassment may occur without economic injury to or discharge of the victim.
- The harasser's conduct must be unwelcome.

Reporting sexual harassment may help you in coping with the situation, as well as assist you with resources to insure that you, and others, can attend college in a safe and comfortable environment. Report any instances to the Affirmative Action Coordinator, Barbara Case King, Lowell Heiny Hall 240, or call 248-1266.

Reporting Sexual Assault

Mesa State College is committed to providing a living environment in which students can live, work, and study free from sexual harassment, sexual intimidation, and sexual exploitation. In order to fulfill our obligation, Mesa State College will quickly activate the student conduct process should sexual assaults reports be given. All matters of the incident(s) will be held confidential.

(1) Any person (actor) who knowingly inflicts sexual intrusion or sexual penetration on a victim commits sexual assault if:

(a) The actor causes submission of the victim by means of sufficient consequence reasonably calculated to cause submission against the victim's will; or

(b) The actor knows that the victim is incapable of appraising the nature of the victim's conduct;

or

(c) The actor knows that the victim submits erroneously, believing the actor to be the victim's spouse; or

(d) At the time of the commission of the act, the victim is less than fifteen years of age and the actor is at least four years older than the victim and is not the spouse of the victim; or

(e) At the time of the commission of the act, the victim is at least fifteen years of age but less than seventeen years of age and the actor is at least ten years older than the victim and is not the spouse of the victim; or

(f) The victim is in custody of law or detained in a hospital or other institution and the actor has supervisory or disciplinary authority over the victim and uses this position of authority to coerce the victim to submit, unless the act is incident to a lawful search; or

(g) The actor, while purporting to offer a medical service, engages in treatment or examination of a victim for other than a bona fide medical purpose or in a manner substantially inconsistent with reasonable medical practices; or

(h) The victim is physically helpless and the actor knows the victim is physically helpless and the victim has not consented.

Sexual Harassment

It is the policy of Mesa State College to maintain a campus environment free from sexual harassment. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when submission to or rejection of this conduct explicitly or implicitly affects or interferes with a student's work or academic performance, or creates an intimidating, hostile or offensive academic or work environment.

Sexual harassment can occur in a variety of circumstances, including but not limited to the following:

- The victim as well as the harasser may be a woman or a man. The victim does not have to be of the opposite sex.
- The harasser can be another student, staff member, faculty member, or a non-employee.
- The victim does not have to be the person harassed but could be anyone affected by the offensive conduct.
- Unlawful sexual harassment may occur without economic injury to or discharge of the victim.
- The harasser's conduct must be unwelcome.

Reporting sexual harassment may help you in coping with the situation, as well as assist you with resources to insure that you, and others, can attend college in a safe and comfortable environment. Report any instances to the Affirmative Action Coordinator, Barbara Case King, Lowell Heiny Hall 240, or call 248-1266.

Sexual Harassment and/or Discrimination

If a student feels that he/ she is the victim of sexual harassment and/or discrimination, he/she should file a grievance in accordance with the college's Affirmative Action Policy. The student should contact the college's Affirmative Action Officer, Barbara Case King, Lowell Heiny Hall 240, or call 248-1266 for information on the grievance procedure.

Changing Living and Academic Situations

If a Mesa State College student, who is a survivor of a sexual assault, harassment, and/or relationship violence, requests a change in his or her living arrangements or academic schedule, the Vice President of Student Affairs and Outreach or his designee will assist the student. In conjunction with the Vice President for Student Services and Outreach's office, the appropriate Chair and/or the Director of Housing and Residence Life will make changes to a student's academic or living arrangements, as long as those changes are reasonably available.

Mesa State College staff are required to report any instances to the Affirmative Action Coordinator, Lowell Heiny Hall 240, or call 248-1266.

Weapons Policy

Weapons are not appropriate to the college experience. Weapons of any kind, functional or not, may not be carried or brandished on Mesa State College property. Specifically prohibited items include, but are not limited to, the following:

- ammunition
- explosive or incendiary devices
- sheath knives
- stilettos
- switch-blades
- dirks or daggers with blades over three and one-half inches long
- firearms of any description
- BB or pellet guns
- bow and arrows
- crossbows
- any device capable of propelling a projectile
- as well as any other item or object deemed to be potentially harmful by the Grand Junction Police Department.

WHEN IN DOUBT CONTACT THE GRAND JUNCTION POLICE DEPARTMENT FOR CLARIFICATION.

On-campus residents under housing contract may possess sporting rifles or shotguns in accordance with housing policies and may store sporting rifles, shot guns, and bow and arrows along with the ammunition for the same in the weapons safe located at the Police Department substation.

Handguns are not allowed on campus except when used in a demonstration in a classroom setting, then only with prior authorization from the GJPD.

No weapons of any kind may be placed within the residence halls or Walnut Ridge.

ACADEMIC INTEGRITY

Statement of Principle

The faculty, administration, and students of Mesa State College support the principle that all individuals associated with the academic community have a responsibility for establishing, maintaining, and fostering an understanding and appreciation for academic integrity.

Student Responsibility and Expectations

Mesa State College is a community of scholars sharing similar academic values and expectations. The primary academic responsibility of the College is to seek and state the truth as it is understood. To this end, faculty will present course content in a balanced manner that honors different viewpoints, exercises self-discipline and judgment in using, extending and transmitting knowledge, and practices intellectual honesty.

A value fundamental to the principle of independent learning is the requirement of honesty and integrity in the performance of academic assignments, both inside and outside the classroom. By submitting work which is not your own, you may forfeit the opportunity to continue as a student. Each student accepts the responsibility of maintaining honor in all aspects of academic study and the support of this principle as it applies to others.

You, as a student, accept the following statements as a part of your obligation to the Mesa State College academic community:

1. Never intentionally represent the works or ideas of others as your own without proper acknowledgment. Examples include a submission of purchased research papers as one's own work, paraphrasing and/or quoting material without properly documenting the source be it from a hard document or internet web page;
2. Never use unauthorized material, falsified, altered, or fabricated information in an academic assignment or campus related activity;
3. Never take someone else's ideas during a discussion or from a lecture without citing the individual and the circumstances of the lecture or discussion;
4. Never infringe upon the rights of other students by removing material from the library without authorization, defacing or destroying library materials, or similarly abusing library privileges. Such acts are considered to be academic dishonesty and will be treated as such;
5. Never give or receive assistance on an examination, quiz, term paper, or project unless specifically authorized by the instructor to do so;
6. Never forge an academic document;

7. Never misrepresent your identify or allow others to represent you when communicating electronically (e.g., email messages; distance-based classes), through mail, or over the phone concerning any academic-related activities including homework, examinations, papers, etc.
8. Never submit in whole or substantial portions of either written or oral academic work which has previously earned credit, when submission is made without instructor authorization;
9. Respect the rights of other students in the area of computer usage. Specifically, every student has a right to privacy and a fair share of resources. Any abuse of these rights or unauthorized access to another student's computer program is considered academic dishonesty.
10. Take appropriate action, as dictated by personal honor, upon becoming aware of a violation of academic integrity. This includes reporting the violation to the faculty member, the department head, confronting the student(s) involved, or exerting some form of peer pressure or social sanction.

Definition of Academic Dishonesty

The protection of academic integrity requires clear and consistent standards and definitions, as well as confrontation and sanctions when individuals intentionally violate those standards. The most important of the definitions is that of academic dishonesty. Academic dishonesty undermines the educational experience, lowers morale by engendering a skeptical attitude about the quality of education, and negatively affects the relationship between students and faculty.

Academic dishonesty is the intentional act of fraud, in which an individual seeks to claim credit for the work and efforts of another or uses unauthorized material or fabricated information in any academic exercise. Academic dishonesty also includes, but is not limited to:

1. Forgery/fabrication/falsification/plagiarism of academic documents
2. Intentionally impeding or damaging the academic work of others
3. Assisting others in acts of academic dishonesty
4. Cheating in the classroom
5. Unauthorized attendance
6. Multiple submissions
7. Unauthorized collaboration

Sanctions for Academic Dishonesty

Students who have been sanctioned as a result of academic dishonesty should understand that they have violated the Mesa State College Code of Conduct and are subject to appropriate disciplinary actions under that Code which may include suspension from Mesa State College.

When acts of academic dishonesty occur, appropriate members of the academic community must understand and investigate to determine the facts and, if there has been academic dishonesty, decide on the degree of dishonesty and the sanction(s) that should be imposed.

Faculty members have the authority to impose sanctions for academic dishonesty. Incidents of

academic dishonesty include, but are not limited to, plagiarism (submitting another's work as one's own) and cheating during exams (consulting a textbook, internet, notes, and/or other sources without permission). Professors have the leeway to handle such incidents as they see fit; they are not required to involve parties other than the offender(s). The penalties that lie within a professor's prerogative include giving a reduced grade or failing the student for the plagiarized assignment/compromised exam, or failing the student for the course.

Incidents of academic dishonesty entailing a punitive action that is either uncontested by the student, or contested unsuccessfully, should be recorded and submitted through the Department Head to the Office of Academic Affairs. The Office will keep these reports on file. The sole purpose of the file is to determine whether a student, reported for academic dishonesty, has committed comparable infractions in another class or classes during his/her academic career. A student's record in the file will be expunged once s/he has graduated or a period of five years has passed since the reported incident.

Students have the right to appeal decisions against them. If the matter was handled between student and professor alone, the student can direct an appeal to the department chair. If the matter was handled by an Academic Dishonesty Committee, the appeal is directed to the Vice President for Academic Affairs.

Students who observe or believe that there is academic dishonesty in a course may file a written complaint with the responsible faculty member. In instances when this is not possible or the faculty response does not resolve actions that are deemed to involve academic dishonesty, the written complaint should be then filed with the responsible Department Head.

In instances when actions that involve academic dishonesty can not be resolved within the appropriate department, the written complaint should be directed to the Academic Dishonesty Committee. The point of contact for that complaint is the Assistant Vice President for Academic Affairs.

Appeal Procedure for Sanctions for Academic Dishonesty

Students have the right to appeal sanctions for academic dishonesty made against them.

Step 1 – Instructor Level: Meet with the Instructor

It is always best to try to resolve the dispute at the lowest possible level. The student is encouraged to discuss the incident with the course instructor, as well as direct their appeal in writing to the faculty member who imposed the sanction. (For example, it is possible that the situation was misunderstood, in which case the instructor will rectify the error.)

The written appeal must include:

1. A description of the incident
2. A description of what occurred during the informal resolution process;
3. Any relevant documents the student would like to be reviewed as part of the appeal process;

Step 2 – Department Head (or designee) Level: Meet with the Department Head (or designee)

If the student is dissatisfied with the instructor's response, or is unwilling to approach the instructor, the student may appeal the decision to the department head in writing. The department head will serve as a mediator between the instructor and the student to resolve the dispute. The department head will conduct an investigation and make a recommendation based upon mediation.

Step 3 – Academic Dishonesty Committee: Meet with the Academic Dishonesty Committee

When the decision regarding the appeal is not resolved to the satisfaction of either the student or the instructor, either the student or the instructor may appeal in writing to the Academic Dishonesty Committee (ADC). The committee is to protect the rights of both the student and instructor when such situations arise. The point of contact for that complaint is the Assistant Vice President for Academic Affairs.

To conduct an appeal to the ADC, the student or instructor must submit his/her case in writing to the Assistant Vice President for Academic Affairs, chair of the ADC, within one month of the initial adverse decision. The ADC will consist of the chair, three members of the College's faculty, and a student representative appointed by the Associated Student Government (ASG). No later than two additional calendar weeks from the filing of the appeal, a hearing will be convened that includes the student, the instructor, the authority to whom the appeal was directed. All materials reviewed by the ADC are protected, where appropriate, by Family Educational Rights and Privacy Act (FERPA) regulations.

When cases occur during summer or the January Term, the ADC will consist of three faculty members at-large. The committee can rule as to the gravity of the incident and the corresponding degree of punishment. Penalties up to and including expulsion of the student from the College may be imposed.

A decision will be issued no later than one calendar week from the date of the hearing. (Note: The above timeline may be subject to change should the procedure, or a portion thereof, include school breaks. That said, the intent of the College is always to reach a decision in as timely a manner as possible.

Step 4 – The Vice President of Academic Affairs (VPAA) Level

In instances when the ADC issues a sanction that is being appealed, the appeal should be directed to the Vice President for Academic Affairs. The student who wishes to have an appeal considered by the VPAA must submit an appeal within one calendar week following the adverse decision of the ADC. There is no appeals process beyond the level of the Vice President for Academic Affairs.

Student Grade Appeal Procedure

It is accepted as academic principle that the grade assigned by an instructor is inviolable and not generally available for appeal. If a student feels that he or she has been unfairly graded, the student may appeal. The burden of proof rests upon the student.

The student must demonstrate in writing that the grade was unfair based upon one or more of the following conditions.

1. The grading decision was based on something other than course performance, (unless the grade was a result of penalty for academic dishonesty).
2. The grading decision was based on standards that were unreasonably different from those applied to other students in the same section of that course.
3. The grading decision was based on standards that differed substantially and unreasonably from those previously articulated by the instructor.

Step 1 – Instructor Level: Meet with the Instructor

It is always best to try to resolve the dispute at the lowest possible level. The student is encouraged to talk about the grade with the course instructor, as well as direct their appeal in writing to the faculty member who imposed the sanction. (For example, it is possible that the grade was assigned based on a computational miscalculation, in which case the instructor will rectify the error. Correcting such mistakes is not considered a grade change under this policy.)

The written appeal must include:

- a. A statement addressing how the appeal meets one or more of the three criteria necessary for a formal grade appeal;
- b. A description of what occurred during the informal resolution process;
- c. Copies of all graded materials from the course that are in the student's possession;
- d. Any relevant documents the student would like to be reviewed as part of the appeal process;
- e. A copy of the course syllabus.

Step 2 – Department Head (or designee) Level: Meet with the Department Head (or designee)

If the student is dissatisfied with the instructor's response, or is unwilling to approach the instructor, the student may appeal the grade to the department head in writing. The department head will serve as a mediator between the instructor and the student to resolve the dispute. The department head will conduct an investigation and make a recommendation based upon mediation.

Step 3 – Academic Grade Appeal Committee: Meet with the Academic Grade Appeal Committee

When the decision regarding the grade appeal is not resolved to the satisfaction of either the student or the instructor, either the student or the instructor may appeal in writing to the Academic Grade Appeal Committee (AGAC). The committee is to protect the rights of both the student and instructor when such situations arise. The point of contact for that complaint is the Assistant Vice President for Academic Affairs.

To conduct an appeal to the AGAC, the student or instructor must submit his/her case in writing to the Assistant Vice President for Academic Affairs, chair of the AGAC, within one month of the initial adverse decision. The AGAC will consist of the chair, three members of the College's faculty, plus the College's Registrar. No later than two additional calendar weeks from the filing of the grade appeal, a hearing will be convened that includes the student, the instructor, the authority to whom the appeal was directed. All materials reviewed by the AGAC are protected, where appropriate, by Family Educational Rights and Privacy Act (FERPA) regulations.

When cases occur during summer or the January Term, the AGAC will consist of three faculty members at-large. The committee can rule as to the gravity of the incident and the corresponding degree of punishment. Penalties up to and including expulsion of the student from the College may be imposed.

A decision will be issued no later than one calendar week from the date of the hearing. (Note: The above timeline may be subject to change should the procedure, or a portion thereof, include school breaks. That said, the intent of the College is always to reach a decision in as timely a manner as possible.

Step 4 – The Vice President of Academic Affairs (VPAA) Level

In instances when the AGAC issues a sanction that is being appealed, the appeal should be directed to the Vice President for Academic Affairs. The student who wishes to have an appeal considered by the VPAA must submit an appeal within one calendar week following the adverse decision of the AGAC. There is no appeals process beyond the level of the Vice President for Academic Affairs.