

# STUDENT HANDBOOK

## 2007-2008



SHAWNEE STATE UNIVERSITY  
DIVISION OF STUDENT AFFAIRS

## Shawnee State University Student Handbook Table of Contents

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Shawnee State University does not discriminate in admission, access, or treatment in programs and activities or employment policies or practices on the basis of race, creed, sex, color, national or ethnic origin, religion, marital status, age, sexual orientation, Vietnam-era or qualified disabled veteran status, or qualified handicap. Accordingly, Shawnee State University complies with Title VI (34 C.F.R. Part 100) and Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972 (34 C.F.R. Part 106), the Age Discrimination in Employment Act of 1967, The Age Discrimination Act of 1975, the Equal Pay Act of 1963, Section 504 of the Rehabilitation Act of 1973 (34 C.F.R. Part 104), the Americans with Disabilities Act of 1990, and other appropriate state and federal statutes, regulations, and/or guidelines as they exist and may be amended from time to time. Inquiries regarding compliance with Title VI, Title IX, and Section 504 may be directed to the Affirmative Action Coordinator, located in the Office of the President, Administration Bldg., Shawnee State University, Portsmouth, OH 45662, telephone 740.354.3205; to the Director, Ohio Civil Rights Commission, 220 Parsons Ave., Columbus, OH 43266; to the Director, Office for Civil Rights, U.S. Department of Education, Region V, 401 S. State St., Chicago, IL 60605; or to the Assistant Secretary for Civil Rights, U.S. Department of Education, Washington, D.C. 20202.

PLEASE NOTE

The policies and practices outlined in this publication may be revised, revoked, or supplemented at the discretion of the University subject to reasonable time notifications. They are in no way to be considered contractual obligations.

## Resolving Problems: *What to do if things go wrong*

Shawnee State University wants to serve students and assist them in reaching their academic and personal goals, providing an open and supportive atmosphere. However, sometimes problems can arise.

### What kinds of problems occur?

There are many Shawnee State offices and staff who can assist you with personal problems, financial aid questions, and many special needs. On occasion, however, you may encounter an academic problem or a difficulty with an office or employee of the University.

If that happens, the first step is usually to attempt to resolve the issue with the individual or office concerned. Here are some useful ideas:

- Look at the problem closely. Consider all aspects and determine the core of the problem. What is wrong? How do you want it changed?
- Do something. Sitting around and wishing for a solution will not make it happen. Don't be discouraged if you can't resolve a problem on the first try. Take positive steps.
- Do something now. Don't procrastinate.
- Go to the source. Ask others to help you identify the key person(s) with whom you should talk. Talk directly to the person who can answer you.
- Remain open and calm. Remember that the persons you are dealing with have other people and problems, too. Be patient.
- Follow up. Keep pushing for answers. Remain active in your pursuit and be sure to thank all those who help you develop a solution.

If you still need assistance, contact Shawnee State's ombudsperson, Dr. Jim S. Settle, vice president for student affairs. His office is on the second floor of the University Center or he can be reached at 740.351.3280.

## Ombudservice at Shawnee State University

### A Service for Students

Effectively facing and solving challenges is a part of life and learning. Your approach to problems in the future greatly depends upon your success in problem solving today. Approaching concerns and conflicts as a learning situation with a positive attitude will improve your skills.

In most circumstances, students should attempt to resolve a grievance, dispute, or disagreement as directly as possible with the individual involved. That is, you should attempt first to resolve any problem with the person or persons most closely involved with the conflict. However, if you are uncertain about the best procedure to follow or the most appropriate persons or office to consult, you may want to seek advice from the university ombudservice.

This service, through the efforts of the ombudsperson, assists students primarily by serving as a single point of contact for information, mediation, and dispute resolution for conflicts that may arise in this part of your life with Shawnee State University. A problem may be related to staff/student conflict, grades, disciplinary procedures, course requirements, parking, financial aid, residence life, facilities, academic misconduct, or any of the many policies and procedures that are part of campus life. Whatever the problem, the ombudservice serves as a confidential and objective third party in times of difficulty.

Usually, the ombudsperson has easy access to university officials and to university records, except medical and counseling treatment records. The ombudsperson attempts to gather all points of view and all relevant information in an effort to determine the legitimacy of a grievance. Then the ombudsperson uses this information to help the various parties move toward accommodation and resolution when these actions seem advisable.

Besides being a very helpful source of information, ombudservices is one of the places on campus where a student can go simply to talk things through. No action goes forward without the permission of the student.

Shawnee State's ombudsperson is Dr. Jim S. Settle, vice president for student affairs. His office is on the second floor of the University Center or he can be reached at 740.351.3280.

## Statement on Academic Rights and Responsibilities

The Shawnee State University Board of Trustees, the University Faculty Senate, the University Administrative Assembly, and the Student Government Association have all approved a Resolution on Academic Rights and Responsibilities.

The adopted resolution promotes the academic freedom of faculty and students and our commitment to valuing and respecting diversity of ideas and opinions including respect for diverse political viewpoints. Neither faculty nor students should be evaluated on the basis of their political opinions. If you feel that you have been penalized for your "viewpoints" in a class you have the following options. You need to follow these processes in the listed order.

The complaint/appeal process:

1. First, discuss your situation/concern with your faculty member.
2. If your concern is not resolved to your satisfaction submit your concern in writing to the faculty member's division chairperson.
3. If the concern is not resolved appeal to the dean of the appropriate college.
4. If the concern is not resolved then the final appeal is to the Provost of the University.

If you have any concerns about the resolution, or the complaint/appeal process please contact the university ombudsperson, Dr. Jim Settle.

## Academic Concerns

You should seek to resolve a grievance concerning a grade or academic practice by speaking first with the instructor or professor and then, if necessary, with the department chair, then the college dean, and then the provost, in that order. If you are unable to resolve the problem to your satisfaction and you wish to make an official complaint, make a written statement about your problem and the steps you have already taken to try to resolve it. Include any documentation, email, or letters that help to explain your problem. An official complaint against a member of the University's faculty bargaining unit, the Shawnee Education Association (SEA), is handled under the complaint procedure in the current negotiated labor agreement between the SEA and the University.

## Formal Procedures for Filing a Complaint

- A. Investigation and findings
  1. Any complaint against a faculty member that is received by any member of the university faculty, staff, or administration shall be referred to the appropriate dean.
  2. The dean shall attempt to informally resolve any matter that does not constitute a serious charge.
  3. The student shall be requested to sign and submit to the dean a written statement detailing the nature of any serious charge, including, but not limited to, unfair grading policies or unprofessional behavior. Such written complaint shall constitute an Official Complaint within the meaning of the agreement between Shawnee State University and Shawnee Education Association, and all provisions of the current agreement apply. Any complaint of alleged misfeasance or malfeasance of duties must refer to actions of the faculty member done in the performance of his or her employment duties.
  4. The dean shall investigate said written complaint within ten (10) working days. If the complaint appears to have merit, then the dean shall discuss the complaint with the faculty member.
  5. After such investigation, the dean shall either:
    - a. dismiss the complaint, or
    - b. take other appropriate action.

Regardless of the disposition of the complaint, the dean shall explain his/her actions to the complainant, either in a personal conference, in the case of minor complaints, or by letter, in serious cases, or at the request of the student. The dean shall also send a copy of his/her letter to the university provost. The dean's decision is final.

#### B. Records

1. All records relating to the complaint and subsequent proceedings shall be retained until final disposition of the matter.

### Appeals Not Related to Grades or Instructors

A student having a concern regarding any academic issue (except grade appeals and complaints against a faculty member) should discuss the issue with the registrar. The Registrar may make corrections or intervene on behalf of the student with other Shawnee State offices if an adjustment is warranted. Areas the Registrar may consider for resolution include: registration difficulty, incorrect fees (including tuition, lab fees, etc.), grade reports, transcripts, withdrawal from SSU, adding and dropping of classes, refund of fees, academic discipline (academic probation, suspension, and dismissal) as well as other related issues.

The decision of the registrar in this regard may be appealed to the Academic Appeals Committee. The committee meets several times each term and considers all appeals (again, except grade appeals and complaints against a faculty member). Appeals must be in writing and must be submitted to the committee chair, Jonica Burke, registrar. The results of the appeal, once decided, will be forwarded to the student in a timely manner. Decisions rendered by the Academic Appeals Committee regarding academic disciplinary action and student fees are final and may not be appealed further. Decisions regarding other areas may be appealed to the provost. Decisions rendered by the provost in such appeals are final and may not be appealed further.

### Student Petition Process

#### I. Petition Design and Circulation

If a student, or group of students, thinks it is necessary to initiate a petition in order to establish that a substantial portion of the student body is sympathetic to the position of the subject stated in the petition, the petitioner shall:

- A. Develop a petition, which includes the information about the subject and the purpose of the petition.
- B. Inform the vice president for student affairs and the director of student activities in writing that a petition is to be circulated, and let the director of student activities review the language of the petition for accuracy and completeness.
- C. Include on the petition the name of the student or group of students that is circulating the petition. Date the petition so that the date of the first day of circulation is noted together with the date of the last day signatures are to be accepted.
- D. Circulate copies of the petition by (1) passing them among the student body, (2) posting copies on the designated bulletin boards, and/or (3) setting up tables where students can sign a copy of the petition.
- E. Collect the petitions at the end of the last day that signatures are collected (the date that is noted on the petition) and turn all petitions in to the vice president for student affairs for validation. Validation shall include a check of the petition signers' full- or part-time student status, the total number of signatures on the petitions, and the grade averages of the students if such is required for the function or action indicated on the petition.

#### II. Validation

In all cases in which a student or group of students circulates a petition through one of the approved methods, the petitions, to be valid, must contain in total the signatures of at least fifteen (15) percent of the student body that registered fall semester of the academic year in which the petitions are circulated. Petitioners may verify the number of signatures required by contacting the director of student activities.

#### III. Action

The vice president for student affairs shall confer with the appropriate professional staff regarding the request indicated on the petitions. A decision regarding the action to be taken about the petitioner's request will be forwarded to the petitioners through the normal administrative process.

### Grievance Procedures for Student Government Association Affairs

The president of the Student Government Association shall present the concern in writing to the advisor, who in turn must take the grievance to the vice president for student affairs within five days. The advisor will arrange a meeting between the president of Student Government Association, the advisor of Student Government Association, and the vice president for student affairs. The vice president must make a decision within seven days from the date of the meeting or the matter automatically elevates to the president of Shawnee State University.

If satisfaction is not obtained from the vice president, the advisor will schedule a meeting with the president of Shawnee State University, the advisor, the vice president for student affairs, and the Student Government Association president. The president will take appropriate action. The action or decision of the president is final and may not be appealed.

### Records on File at Shawnee State

#### Academic/Admission

Application  
High School Transcript(s)  
G.E.D. Transcript  
Previous College Transcripts  
Entrance Test Results (ACT, SAT, etc.)  
Grade Reports  
Physical Examination Reports (certain programs only; must have physician review)  
Letters of Recommendation (certain programs only)  
Biographical Information (supplied by the student)  
Interview Forms (subject to review)  
Residency Documentation (foreign students and students applying for Ohio residency)

#### Career Services

Student resumes  
Credential files for student teachers and education graduates  
Individual student appointment files

#### Financial Aid and Veterans

Applications for Veterans Affairs Educational Entitlement  
Authorizations for Workforce Development; WIA, BVR, and vouchers for area industries  
Birth certificates, divorce decrees, and marriage license (where required)  
Certificates of Eligibility  
Certifications of Enrollment  
DD 214  
Institutional Data Sheet  
Institutional Student Information Record  
Lender's Notification  
Loan agreement  
Student Budget  
Tax forms, W2 forms  
VA Form 22-1990; VA Form 22-1999b; VA Form 22-5495 and 22-1995  
Yearly award form and letter

## Notification of Rights Under the Family Educational Rights and Privacy Act

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

1. The right to inspect and review the student's education records.
2. The right to request the amendment of the student's education records to ensure that they are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights.
3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.
4. The right to file, with the U.S. Department of Education, a complaint concerning alleged failures by the State University to comply with the requirements of FERPA.
5. The right to obtain a copy of the University's student records policy. You can obtain a copy of the policy from the registrar's office.

## Parental and Guardian Notification

In the fall of 1998, Congress created the Higher Education Amendments of 1998 which amended the Family Rights and Privacy Act of 1974 to allow colleges and universities the option of informing parents/guardians of alcohol and drug offenses committed by their students who are under the age of 21. In an effort to form a partnership with parents in supporting development and responsible behavior and to discourage inappropriate behavior, especially concerning alcohol and drug abuse problems, Shawnee State University has developed the following guidelines in regard to parental notification of a student's alcohol or drug violation.

### Alcohol Violations

Parental notification may occur in the following instances involving students under the age of 21:

- Any violation of alcohol policy, based on the decision of the housing officer.
- Medical attention to any person, including the student, is required as a result of the student's alcohol-related behavior.
- Student demonstrates reckless disregard for his or her own personal safety or the safety of others.
- The incident involves nonuniversity authorities brought to campus.
- Behavior of the student or the student's guest requires a significant response from university staff.
- Student or guests are uncooperative or combative with University personnel.
- Student's alcohol-related behavior negatively impacts the learning environment.

### Drugs/Illegal Substances Violations

Parental notification may occur in any instances where students under the age of 21 are found responsible for the use, sale, or possession of drugs or illegal substances.

### Procedure

Parental notification shall take place at the time and manner determined by the hearing officer. Often, notification occurs in the form of a letter stating that their son/daughter has been found in violation of an alcohol or drug policy. No specific information regarding the incident will be reported in the letter. The parent may discuss the situation with their son/daughter and request further details from the University if necessary. Letters will be sent to the permanent address on file in the Office of the Registrar. The hearing officer may also call the parent to provide parental notification. Often, this is done with the student in the office with the hearing officer.

Questions regarding parental and guardian notification should be directed to the Office of Student Activities and Auxiliaries at 740.351.3217.

## Collection, Maintenance, Access to, and Challenge of Student Education Records

In the course of administering student records, the University's collection, review, and release of student education records shall be based upon the principle of confidentiality and the student's right to privacy. Administrative personnel with responsibility for maintaining student education records shall be primarily responsible for the administration of this policy.

### 1.0 Definition of Student

- 1.1 A student is any individual currently or previously enrolled in any university academic offering. This shall not include applicants to any university program.

### 2.0 Definition of Student Education Records

- 2.1 Student education records shall include records maintained by the University concerning a student, including admissions, academic, financial, and placement records and records maintained by a party acting for the University. These are files, records, and documents, which contain personally identifiable information about the student and are maintained by the University or its agents.

### 2.2 Student education records shall not include:

- 2.2.1 Records of instructional, staff, and administrative personnel, which are in the sole possession of the maker and are not accessible or revealed to any individual except a temporary replacement.
- 2.2.2 Records maintained by campus security.
- 2.2.3 Release of disciplinary records, which do not reveal the identity of the perpetrator or the victim, either directly or indirectly, is not prohibited by this policy. However, the results of any disciplinary proceeding conducted by the University against the alleged perpetrator of that crime may be disclosed to an alleged victim of any crime of violence, as that term is defined in Section 16 of Title 18, United States Code.
- 2.2.4 Records of a professional (including but not limited to physician, psychiatrist, or psychologist) or recognized paraprofessional counselor working under the direction of a professional, created, maintained, or used only in connection with the provision of treatment to the student, except that such records may be reviewed by an appropriate professional of the student's choice.
- 2.2.5 The financial records of the student's parents.
- 2.2.6 Confidential letter of recommendation placed in the records prior to January 1975.
- 2.2.7 Alumni records which contain information about a student after he or she is no longer in attendance at the University and which do not relate to the person as a student.
- 2.2.8 Records of deceased students five years after their death.

### 2.3 Occasional Records

- 2.3.1 University staff may maintain occasional records, defined as correspondence and materials not covered in previous definitions.
- 2.3.2 The appropriate official will collect such records, direct the student to the location of the records, or otherwise make the records available for inspection and review.
- 2.3.3 University personnel who maintain such record systems are the official custodian of those records.

### 3.0 Maintenance, Retention of, and Access to Records

- 3.1 Accessibility to student records shall be on a need to know basis and be limited to university officials who have a legitimate educational interest in the record.  
A university official is:

- a person employed by the University in an administrative, supervisory, academic, or support staff position.
  - a person serving as a Trustee of the university.
  - a person/agency employed by or under contract to perform a special task (i.e. auditor or attorney).
- A legitimate educational interest is:
- performing a task that is specified in his or her position description or contract.
  - performing a task related to a student's education.
  - performing a task related to the discipline of a student
- 3.2 Such records shall be maintained only by university administrative personnel assigned responsibility for each of the types of records.
- 3.3 All persons granted access to such records shall be informed of the confidential nature of such information and their responsibilities as a result of such access through procedures established by the department.
- 3.4 Only qualified personnel responsible for maintaining the files shall be permitted to insert information in a file. The student or designee may initiate such insertion through procedures established by the department.
- 3.5 Each record keeping office shall establish and make available reasonable guidelines regarding the retention of records after the separation of the student from the University. Where legal statutes govern retention, such guidelines shall be in accordance with these statutes.
- 3.6 Records of Access, Requests, and Disclosures.
- 3.6.1 The University shall maintain a record of each request for access to, and disclosure from, an educational record.
- 3.6.1.1 The record of such requests/disclosure must be maintained as a part of the student's educational record.
- 3.6.1.2 The record must include the parties who have requested or received information from records.
- 3.6.1.3 The record must include the legitimate interest parties had in receiving information.
- 3.6.1.4 The record keeping requirement does not apply if the request is from, or the disclosure was made to:
- the student
  - a properly designated school official
  - a party with written consent from the student
  - a party seeking directory information
  - a party with a law enforcement subpoena or court order, which specifies that the existence or contents of the subpoena or court order not be disclosed.
- 3.6.2 When disclosing information from educational records to one of the parties listed under 3.0, the University will inform the receiver that the information may not be further disclosed, except as provided in this policy. All questions concerning further disclosure should be directed to the Registrar.
- 3.6.2.1 Exceptions —
- Disclosed to eligible student
  - Directory information
  - Court order or subpoena
  - Receiving party releases data to others permitted access under 3.0
- 3.7 External Disclosure of Student Education Records
- 3.7.1 No one external to the University shall have access to, nor will the University

- disclose any information from, such records without the written consent of the student except as noted below:
- 3.7.1.1 In connection with a student's application to or receipt of financial aid, as necessary to determine eligibility, amount or conditions of the financial aid, or to enforce the terms and conditions of the aid.
- 3.7.1.2 To parents or legal guardian of a student under age 18.
- 3.7.1.3 To government officials as required by statute, rule, or regulation.
- 3.7.1.4 To auditing organizations.
- 3.7.1.5 Pursuant to a court subpoena after a reasonable attempt to notify the student regarding the disclosure.
- 3.7.1.6 To organizations or individuals conducting studies for or on behalf of local and state educational agencies or institutions for the purpose of developing, validating, or administering student aid programs and improving instruction.
- 3.7.1.7 In any emergency to protect the health or safety of the student or other individual.
- 3.7.1.8 To an alleged victim of any crime of violence of the results of any institutional disciplinary proceeding against the alleged perpetrator of that crime with respect to that crime.
- 3.7.1.9 Designated "directory information" may be disclosed freely unless the student notifies the University, in writing, not to release such information.
- 3.7.2 Consent to disclose Student Education Records
- 3.7.2.1 The student, age 18 or over, (or the parent/legal guardian if under age 18) may authorize the disclosure or release of the contents of his/her education records by:
- Submission of a "Consent to Release Records" form available in the Office of the Registrar.
  - Submission of a personal letter containing the same information as listed on the "Consent to Release Records" form.
- 3.7.2.2 Consent to release records is valid on case-by-case basis only and authorizes the release of the entire contents of the education record. The disclosure of selected portions of the educational record is prohibited.
- 3.7.2.3 Directory information at the University normally shall include:
- 1) Student name
  - 2) Local address and phone number
  - 3) Major field of study
  - 4) Class rank (freshman, sophomore, etc.)
  - 5) Dates of attendance
  - 6) Degree(s) and awards received
  - 7) Participation in officially recognized activities and sports, including weights and heights of members of the athletic teams.
  - 8) The most recent previous educational agency or institution attended by the student.
  - 9) Date and place of birth
  - 10) E-mail address
- 3.8 Holds on Release of Student Education Records
- 3.8.1 Unsettled university financial obligations or pending disciplinary cases may result in a hold being placed on the release of records.

- 3.8.2 The department originating the hold shall inform the student in writing that it has initiated such action.
- 3.8.3 Copies of hold notices shall be maintained by the originating office or agency and shall serve as verification that written notification has been provided to the student.
- 3.9 Other information from student education records may be obtained with a written student release and upon clearance by the responsible university administrator.

#### 4.0 Annual Notification

Students will be notified of their FERPA rights annually in the Student Handbook or, additionally, in other publications available to students.

##### 4.1 Types, Locations, and Custodians of Educational Records.

Types	Location	Custodian
Admission Records	Office of the Registrar	University Center
Academic Records	Office of the Registrar	University Center
Financial Aid	Business Affairs Office	Controller, Admin. Bldg.
Placement Records	Placement Office	Director, Placement
Disciplinary Records	Student Affairs Office	Vice President, Student Affairs, University Center
General Counsel's Office	General Counsel	Administration Bldg.
Progress Records	Department office at each department	Chairperson or Faculty

#### 5.0 Inspection and Challenge of Student Education Records

Students attending Shawnee State University shall have the right to inspect and review their own education records and the right for a hearing to challenge the contents of those records. The Office of the Provost shall be responsible for administering the inspection and review procedures relating to student education records.

##### 5.1 Inspection and Review of Student Education Records

- 5.1.1 A student shall request, in writing, the opportunity to inspect and review his/her records. (a form is available at the Office of the Registrar)
  - 5.1.1.1 The request shall be directed to the registrar. The request may then be channeled to the department in which the records are on file.
- 5.1.2 Such a request shall be granted within a reasonable period of time but no later than 45 calendar days following the request.
- 5.1.3 The right of inspection shall include access to a university official capable of providing any necessary explanation or interpretation of the data contained in the record. Records shall be inspected and reviewed by the student in the presence of the Registrar or his designee.
  - 5.1.3.1 Records may not be changed or deleted during the process of inspection or review.
  - 5.1.3.2 The student shall be advised of his/her right to challenge any portion of the record and the procedures to be followed to do so.
- 5.1.4 When education records contain information about more than one student, the University shall permit access only to that part of the record that pertains to the inquiring student.
- 5.1.5 Upon written request, a student may have copies made of his/her education records except that certified transcripts shall be available only if the outstanding obligations to the University are paid or excused. Copies of the records shall be made at the student's expense at prevailing rates established by the University.

##### 5.2 Challenge of Student Education Records

- 5.2.1 Students who believe that their education records contain information that is inaccurate, misleading, or is otherwise in violation of their privacy or other

rights may request, in writing, an opportunity to challenge the record's contents. (A form is available at the Office of the Registrar).

- 5.2.1.1 The request shall be made to the Office of the Provost. The provost or his/her designee will appoint a hearing officer within three working days.
- 5.2.1.2 The request should include the following:
  - 1) Identification in specific terms of the portion(s) of the record being challenged.
  - 2) Statement of the reason(s) for challenging the portion(s) of the record so identified.
  - 3) Statement of the remedy sought (i.e., addition, alteration, or deletion of specific information under challenge).
- 5.2.1.3 The written challenge shall be maintained as part of the record on file in question until the hearing has been conducted.

##### 5.2.2 The Hearing

- 5.2.2.1 General Provisions:
  - 1) The hearing normally shall be granted within 10 working days after the request has been received.
  - 2) The hearing shall be limited to consideration of a specific portion or portions of the record being challenged.
- 5.2.2.2 The hearing officer shall conduct the hearing. He/she shall inform the student and the coordinator (the person representing the record) of the date, place, time of the meeting, and the specific portion(s) of the record being challenged.
- 5.2.2.3 During the hearing, the student and the coordinator may present evidence and witnesses relevant to the issues raised.
  - 1) The student shall have the right to be assisted by an advisor of his/her choice.
  - 2) The burden of sustaining the challenge shall rest with the student.
- 5.2.2.4 The hearing officer shall provide the student with a written notification of the disposition of the challenge including the following:
  - 1) Written statements summarizing the evidence.
  - 2) The reasons for the disposition.
  - 3) The action to be taken:
    - a) The record may stand.
    - b) The record may be corrected.
    - c) The record may be deleted.

##### 5.3 Appellate Rights

- 5.3.1 A student may appeal the outcome of the challenge to the contents of their student education records.
- 5.3.2 A student may file a written appeal with the Provost within 15 calendar days after the hearing officer's notice of deposition is mailed to the student or hand delivered to them.
- 5.3.3 The provost will act on the appeal 30 days after the appeal is filed.

### **The Rules: The Program of Disciplinary Proceedings, Student Affairs, Policies, and Regulations**

Attendance at Shawnee State University is a privilege granted by the State of Ohio. The student, by matriculation, pledges to abide by and uphold those philosophies and ideals of scholarship and character by which the University guides and regulates its activities. To preserve the integrity of its stated mission and to safeguard the interest of all its members, the

University reserves the right to dismiss any student at any time that their presence is considered disruptive to the educational mission of the University.

SSU assumes that each student is a mature, responsible individual who has entered this institution by voluntary registration for educational advancement. While working toward this goal, the University requires that each student maintain a pattern of social behavior in keeping with good taste and high moral standards.

Any action on the part of a student which fails to show respect for good order, for moral standards, for personal integrity, for rights of others, or for the care of property shall be cause for disciplinary action against the offender. Any employee or student of the University may report alleged misconduct to the Office of the Vice President for Student Affairs.

SSU is dedicated, not only to learning and the advancement of knowledge, but also to the development of ethically sensitive and responsible persons. The University seeks to achieve these goals through sound educational programs and policies governing student conduct that encourage independence and maturity.

Every student who is privileged to matriculate at SSU is obligated at all times to assume a sense of responsibility for his or her actions, to respect constituted authority, to conform to the ordinary rules of good conduct, to be truthful, to respect the rights of others, to protect public and private property, and to make the most effective use of time in securing an education. Students are subject to university rules and regulations whether they are on or off campus as long as they are enrolled at Shawnee State University.

The University distinguishes its responsibility for student conduct from the control functions of the wider community. When a student has been apprehended for the violation of a law of the community, the state, or the nation, the University will not request or agree to special consideration for the student because of status as a student. Ordinarily, the University will not impose university sanctions after law enforcement agencies or the courts have disposed of a case, unless the offense was against students or employees of the University, occurred on campus, or involved property of the University.

The University may apply sanctions or take other appropriate action when a student's conduct interferes with the University's: (a) primary educational responsibility to ensure the opportunity of all members of the university community to attain their educational objectives, or (b) subsidiary responsibilities of protecting property, keeping records, providing living accommodations and other services, and sponsoring nonclassroom activities such as athletic events, lectures, concerts, and social functions.

Due process and procedural fairness are basic to the proper enforcement of all university rules. No disciplinary sanction shall be imposed unless the student has been notified in writing of the charges against him/her and has had an opportunity to: (a) appear alone or with another (student, parent, or university staff member and, in case of dismissal, legal counsel) to advise or assist him/her before an appropriate committee, or official; (b) know the nature and source of the information against him/her and to present information in his/her own behalf. Appeals of the decision of the conduct officer or the conduct board must be made within five class attendance days after receipt of the notification (verbal or written) of the decision. Sanctions affecting the conduct of students shall be based on the general principles of fair and equal treatment.

### **Student Conduct Code**

#### *Statement of General Principles*

It is expected that students will conduct their affairs with proper regard for the rights of others and of the University. All members of the university community share a responsibility for maintaining an environment where actions are guided by mutual respect and integrity.

College regulations, local ordinances, and state and federal laws govern all members of the University. Individuals in violation of state and federal law are subject to prosecution by appropriate state and federal authorities regardless of whether the activity occurs on or off campus. In addition, the student may be subject to disciplinary action by the University pursuant to this Code. The severity of the imposed sanctions will be appropriate to the violation.

In seeking to encourage responsible attitudes, the University places much reliance upon

personal example, counseling, and admonition. In certain circumstances where these preferred means fail, it must rely upon the rules and procedures described in this Code.

#### I. Jurisdiction

The Shawnee State University Student Conduct Code shall apply to the following:

- A. Any person that has applied for admission or is enrolled in any course or program offered by the University at the time of the alleged violation.
- B. Any recognized student organization, which is responsible for compliance with University policy, rules, and regulations.
- C. The conduct code shall be applied only in cases of inappropriate conduct:
  1. Occurring on university real property, or
  2. Involving university personal property, or
  3. Occurring at activities pursued under the auspices of the University, or
  4. Regardless of where it occurs when clearly indicating that the presence of the student or organization at the University results in a substantial danger of physical harm to persons or property in the university community.

#### II. Definitions

- A. Property includes property held in any manner including, but not limited to, owned, rented, chartered, or licensed.
- B. Activities pursued under the auspices of the University include any activities specifically sponsored or participated in by the University or by any university organization.

#### III. Violations

Violations include those activities which directly and significantly interfere with the University's (1) primary educational responsibility of ensuring the opportunity of all members of the university community to attain their educational objectives, or (2) community, maintaining and protecting property, keeping records, providing living accommodations and other services, and sponsoring nonclassroom activities such as lectures, concerts, athletic events, and social functions.

Upon satisfactory proof that a student or student organization has violated a university policy, rule, or regulation, the organization may be subject to disciplinary action. The violations listed below are considered in the context of the student's responsibility as a member of the academic community. The following violations indicate categories of inappropriate conduct or activity. Those listed have been delineated in such a way as to give reasonable notice to students that such conduct or attempted conduct is inappropriate.

##### A. Interference with the Educational Mission

1. Violation of a published and/or promulgated professional code of ethics to which the student is bound, i.e., behavior that demonstrates good taste and high moral and ethical behavior.
2. Unauthorized representation of the University, a university officer, or a university employee.
3. Tampering with or falsifying official records.
4. Failure to Comply or Identify. Failure to comply with directions of university officials, security, or any other law enforcement officers acting in the performance of their duties or failure to identify one's self to these persons when requested to do so.

##### B. Offenses Harmful to the Safety and Environmental Health of Others

1. Physical assault.
2. Harassment, intimidation, or stalking.
3. False Report of Emergency. Causing, making, or circulating a false report or warning of fire, explosion, crime, flood, or other emergent circumstances.
4. Unauthorized use or possession of explosive components, chemicals, etc., such as fireworks, firearms, weapons, explosives, gas or compressed air, or violation of regulations concerning possession of firearms.

5. Lewd, vulgar, or indecent behavior.
6. Disorderly Conduct. Interferes with university-authorized activities, including teaching, research, administration, or other activities conducted, sponsored, or permitted by the University.
7. Violations of alcoholic beverage regulations.
8. Possession, distribution, use, or sale of illegal drugs as defined by Ohio or federal law and the SSU Drug Free Policy.
9. Creation of a fire hazard or other dangerous condition.
10. Restriction of normal traffic flow into or out of university facilities.
11. Hazing (defined as any action taken or situation created intentionally by an organization or with the knowledge or consent of an organization) to produce mental or physical discomfort, embarrassment, harassment, or ridicule to any member or prospective member.
12. Placing a person or persons in reasonable fear of imminent physical harm.
13. Sexual harassment.
14. Sexual assault.
15. Communication of a threat (verbal abuse).
16. Committing or attempting to commit any misdemeanor or felony offense.

#### C. Offenses Against Property

1. Theft or attempted theft or the unauthorized use or possession of university property or services or the property of others while on university premises.
2. Possession of Stolen Property. Possessing property known to be stolen that may be identified as property of the University or any other person or business.
3. Misuse, destruction, or defacement of university property as defined above, or that of other people, while located on university property.
4. Forcible Entry to Trespass. Forcible or unauthorized entry into any building, structure, or facility, or unauthorized entry to or use of university grounds.
5. Tampering with fire and safety equipment.
6. Misuse or Abuse of Computers. Misuse or abuse of any computer, computer system, service, program, data, network, cable television network, or communication network. Unauthorized access to University networks, theft or attempted theft or the unauthorized access, use or possession of University computers or other equipment, programs, or data.
7. Attempting to commit any violations of the rules/regulations listed above.

#### D. Conduct Code

1. Failure to comply with a sanction(s) imposed by the conduct officer or conduct committee.
2. Interference with an investigation or other procedures defined in this Code.
3. Continued infractions of this Code.
4. Knowingly assisting in the violation of any provisions of this Code.
5. Violations of other university policies.

#### IV. Sanctions

If a student or student organization admits to a violation of this Code to the conduct officer or the conduct committee (hereinafter referred to as “officer” or “committee,” respectively) or upon determination by the officer or conduct committee that the student or organization has committed a violation of the Code, one or more of the following sanctions may be imposed in accordance with the provisions of this Code (see Section V):

- A. Dismissal. Permanent separation from the University. However, a student may be readmitted if, at some future time, it can be demonstrated that another opportunity to attend is warranted.

- B. Suspension. Separation from the University for a stated period of time up to one academic year and/or until a stated condition(s) is (are) met.
- C. Disciplinary Probation. The loss of one or more privileges, normally for no more than one academic year.
- D. Official Censure or Admonition. A warning.
- E. Restitution. Up to the replacement value of the items damaged (but not to exceed same).
- F. Such other action as the committee or officer, within reason, may deem appropriate (e.g., suspension of organization’s official campus recognition, community service, fines, and payment of costs for educational programs).

#### V. Procedures

The vice president for student affairs, or designee, shall perform the functions of conduct officer and he/she shall establish the conduct committee. The officer shall not be a member of the committee.

**Administration and interpretation of the Student Conduct Code shall be solely within the jurisdiction of the conduct committee and the president or his/her designee, such interpretation being pursuant to the procedures of this Code.**

##### A. Responsibilities of conduct officer.

1. The officer shall initiate, investigate, or supervise the investigation of alleged violations of this Code that are brought to his/her attention by university officials, faculty, employees, students, or members of the general public.
2. Upon concluding the investigation, the officer shall notify the student of the charge(s), the complaint(s), the date(s) of alleged occurrence(s), the Code section(s) which is (are) alleged to have been violated, the maximum possible sanction which may be imposed, date of hearing, and the student’s rights of appeal.
  - a. This notice shall indicate if the hearing is to be before the officer or committee.
  - b. This notice may be given personally, by telephone call, or by written letter to the student, mailed to the last known address. If notice is given by means of a personal meeting or telephone conversation, the student shall be informed that a written notice will be mailed to the student at the last known address or to some other address specified by the student.
  - c. If the hearing is to be before the committee, this notice will afford the student the opportunity to meet with the officer at a designated time and place for a pre-hearing meeting.

##### B. Hearing(s) Before Conduct Officer

1. During the hearing(s) with the student, no party present shall be accompanied by legal counsel. The student may be accompanied by an advisor who may be a parent(s), legal guardian(s), another student, faculty, or staff member.
2. During the hearing(s), the officer may hear and consider any relevant information.
3. The officer shall summarize the information; and
  - a. Dismiss the case, or
  - b. Impose appropriate sanctions. Sanctions shall become operative within five days after notice (verbal or written) thereof has been given to the student. Sanctions shall be stayed in the event the student appeals to the committee in accordance with this Code (see Section C below), or
4. If the officer determines that the presence of the student at the college results in possible danger of physical harm to person or property at the University, the officer may immediately suspend the student until the committee convenes to hear the case. The maximum period of such an interim suspension shall be five working days. Imposition of an interim suspension shall not occur without a prior preliminary hearing unless it is impossible or unreasonably difficult to accord it prior to the interim suspension. An interim suspension shall be operative immediately upon re-

receipt of notice (verbal or written) by the student of the suspension and the reasons therefore (Section 3345.24 ORC).

- a. If the accused student is found not responsible for the charges, he/she will receive an excused absence for the interim suspension period.

#### C. Right of Appeal Beyond Conduct Officer

1. The student may appeal to the committee any finding or action of the officer.
2. Such appeal shall be submitted to the officer in writing and shall state the specific ground(s) for the appeal and shall request a review by the committee. This written appeal must be received by the officer within five (5) working days after the student has received notice (verbal or written) of the findings.  
The officer shall promptly forward the appeal to the committee.
3. The committee will review the appeal request and determine whether or not to grant the appeal. Requests for appeals of suspension or dismissal actions by the conduct officer will automatically be granted by the committee.

#### D. Responsibilities of the Conduct Committee

1. After written notification from the officer, the chairperson of the committee shall, as soon as practicable:
  - a. Notify, in writing, the officer and the student of a date, place, and time for hearing with the hearing normally to be held not earlier than three (3) working days, no later than five (5) working days after issuance of notification by the committee.
  - b. List the names of members of the committee in the notice to the student.
  - c. Make arrangements for the keeping of a record of the proceedings of the committee hearing. In cases of appeal, the principals may have access to the record for purpose of review relating to the appeal. Such record shall be kept by the officer until all appeal rights have been exhausted at which time such records will be destroyed.
2. Composition of Committee
  - a. The committee shall consist of five members: two faculty members and one alternate faculty member appointed by the Committee on Committees of the University Faculty Senate, two student members and one alternate student member appointed by the Student Government Association, and one administrative staff member and one alternate administrative staff member appointed by the University administrative Assembly. The committee will select one of the faculty members to serve as chairperson of the committee. The committee will select a vice-chairperson to serve in the absence of the chairperson. At least one (1) student and two (2) of the other four (4) members must be present to hear a case. Each committee member will serve a two-year term commencing at the time of appointment. If an alternate member permanently replaces a member of the committee, he/she shall serve the remaining unexpired term.
  - b. The student accused of the violation, the officer, and the complaining witness have the right to challenge for cause any member of the committee submitting to the committee chairperson a written memorandum stating the grounds for this challenge at least two (2) days prior to the scheduled meeting. Removal of members for cause shall be within the authority and at the discretion of the chairperson of the committee or the vice chairperson if the chairperson is unable to exercise that function or is challenged for cause.
3. Hearing Preliminaries
  - a. At any proceeding before the committee, the officer, the student, or other party to the hearing may have the assistance of an advisor. If the case involves suspension or dismissal, the student may have legal counsel present. Such assistance will be at the option of the student. That is, if the student chooses such assistance,

the officer or conduct committee shall have the right to similar assistance. The role of legal counsel and/or advisors is explained in V.D.4.f.

- b. The hearing shall be open except at the request of the accused student, or the complainant, to close the hearing. The committee chairperson may close the hearing in order to protect complaining witnesses or other parties.
  - c. If the student or the charging party (either the officer or a complaining witness) is not present at the time appointed for the hearing, the committee shall first attempt to determine the reason for that person's absence. The committee may proceed in a normal manner or may continue the hearing to a later date. The committee may not consider the absence of a party as relevant to whether the accused committed the alleged violation of the Code.
- #### 4. Hearing Procedures
- a. The responsibility for recognizing and calling persons to speak lies with the chairperson.
  - b. Persons disruptive to any stage of the hearing may be evicted at the reasonable discretion of the chairperson.
  - c. The officer shall first present the results of the investigation and/or the charges against the student.
  - d. The officer and/or the complaining witness may present oral testimony and/or written statements from any person including the accused student.
  - e. The student may then present a written documentation or oral testimony from the student and/or other witnesses.
  - f. At any time during the proceedings, members of the conduct committee may question witnesses or parties to the proceeding; witnesses or parties may ask questions at the discretion of the chairperson. Legal counsel or advisors may only serve in an advisory capacity to the accused student in such cases. Legal counsel or advisors may not speak on behalf of the student or otherwise participate directly in the proceedings.
  - g. After the presentation of all the information to the committee, each party may present statements to the committee on the applicability of this Code or the interpretation of any sections herein. At this time, the officer and the student may make recommendations to the committee as to the appropriate sanctions should a violation(s) be found to have been committed.
  - h. During the hearing the committee may consider any relevant information, shall not be bound by the strict rules of legal evidence, and may take into account any information, which is of value in determining the issues involved. Efforts will be made to obtain the most reliable information available.
  - i. After all parties present their respective information, the committee shall go into executive session to determine whether the student has committed the alleged violation and, if so, the sanction(s) to be imposed. A member should vote against the accused student only if convinced by the preponderance of the information presented that the accused student has committed the act(s) as charged. A majority vote of the committee members present and voting shall prevail. The committee chairperson is entitled to a vote.
  - j. Within three (3) days after the hearing is closed the committee shall inform the student in writing of the decision through the conduct officer. Any disciplinary sanctions imposed by the committee shall be operative immediately unless otherwise specified.
  - k. The notice to the student of the finding of the committee shall include:
    - (1) The facts found to be true.
    - (2) The section of this Code found to have been violated.
    - (3) The disciplinary sanction imposed or other sanction to be taken.

(4) The student's right to appeal and a statement of the expiration date for the filing of that appeal.

#### E. Right of Appeal Beyond Conduct Committee

In the event the committee approves a sanction of suspension or dismissal, the student may request review by the president or his/her designee. A request for review must be made within three (3) working days as stated in the letter of notification of the sanction. The appeal shall be in writing and limited to:

1. Review of the procedures followed.
2. Appropriateness of the sanction.

The president may or may not elect to review a decision. The president or designee may mitigate any sanction to a lesser penalty. The decision of the president or his/her designee shall be final and shall be communicated to the student in writing.

#### Student Rights at Hearings

The hearing shall be coordinated in compliance with the Student Conduct Code; consequently, the student shall comply with the Student Conduct Code. The student shall be guaranteed the following protections:

- a. The student shall be presumed not responsible until proven responsible by a preponderance of the information.
- b. The accused student has the right to have an advisor with him/her, but such advisor may not be a person other than a parent or guardian, a full-time student at SSU, or a member of the faculty or staff of SSU, and legal counsel if the case involves suspension or dismissal.
- c. The accused student shall be entitled to be present throughout the presentation of information and presentation of testimony of witnesses. Victims of any offense are entitled to be present at all proceedings.
- d. The accused student shall not be required to speak.
- e. The student shall have the right to present witnesses and information in his/her behalf.
- f. The accused student shall have the right to review all material information and question the presenter.
- g. In cases involving the appeal of the sanctions of suspension or dismissal, the student has the right to have legal counsel present at the hearing (students retain attorneys in such cases at their expense).
- h. The student shall be entitled to an expeditious hearing of the case.
- i. No accuser will be permitted to participate in a judicial body that is hearing a case except as a witness.
- j. Recommendations and actions of the conduct officer or the conduct committee must be placed in the mail to the student and the vice president for student affairs no later than three attendance days after the hearing.

#### Victim's Rights at Hearings

The hearing shall be held in compliance with the guidelines in the Student Conduct Code. The victim shall be guaranteed the following rights/protections:

- a. The victim may have an advocate appointed by the Vice President for Student Affairs to assist the individual in understanding the rights and options available as well as provide support throughout the disciplinary hearing process.
- b. The victim shall be entitled to be present throughout the presentation of information and the presentation of testimony of witnesses at the conduct hearing.
- c. The victim shall not be required to testify.
- d. The victim shall have the right to present witnesses and information through the conduct officer.
- e. The victim shall have the right to review all material information presented in the hearing.

- f. The victim is entitled to a written copy of the disciplinary action taken as a result of the hearing.
- g. The victim has no right of appeal of the decision of the Conduct Committee.
- h. If there is an appeal of the decision of the Conduct Committee to the President of the University the victim may submit a written statement to the President.

#### Disciplinary Sanctions For Violations of the Student Code of Conduct

Violation of the Student Code of Conduct/University Policies may result in sanctions, including fines, being assessed for the below listed behaviors. Fines are in addition to restitution and additional sanctions that may result from disciplinary action. The fines are designed to provide deterrents to prospective violators, and to assign accountability to actual violators. The violations in the following list represent behaviors that contradict the mission of the University and often result in damage to University property or hazards to individual safety. This list is not exhaustive, and may be amended at the discretion of the vice president of student affairs.

- Moving a fire extinguisher or tampering with any safety related system, i.e. fire suppression system, sprinkler heads, smoke detectors, carbon monoxide detectors, etc. **\$500.00**
- Discharging a fire extinguisher. **\$500.00**
- Creating a false fire alarm. **\$500.00**
- Misuse of University telephone system (e.g. unauthorized use of an access code, telephone harassment, obscene greetings or messages on voice mail, etc.). **\$100.00**
- Misuse of University campus computer network (e.g. unauthorized use of passwords, e-mail harassment, unethical conduct, computer lab violations, etc.). **\$100.00**
- Violation of cafeteria rules and regulations. **\$100.00**
- Defacing University property (e.g. painting on walls, etc.). **\$50.00 – \$400.00**
- Failure to follow proper check-in/check-out or room change procedures. **\$150.00**
- Violation of visitation policy. **\$25.00**
- Violation of alcohol policy. **\$50.00 fine for first violation, in addition to the costs for educational programming. The fine increases by \$100.00 increments for each additional violation.**
- Violation of noise policy. **\$25.00 fine for first violation, increasing by \$50.00 increments for each additional violation. For noise violations in the residence halls, authorized full-time University staff may confiscate equipment or property interfering with the noise policy.**
- Pets in campus living units. **\$35.00 (per day of violation)**
- Failure to properly dispose of trash inside living quarters or in the immediate outside area. **\$25.00 – \$100.00**

*Subject to change with 14 day notice to all students.*

#### Academic Misconduct

Academic misconduct is defined as any activity that tends to compromise the academic integrity of the institution or subvert the education process.

Examples of academic misconduct include, but are not limited to:

1. Violation of course rules as contained in the course syllabus or other information provided the student;
2. Providing or receiving information during exams and quizzes or providing or using unauthorized assistance in the laboratory, at the computer terminal, or on fieldwork;
3. Plagiarism, whether it occurs in the classroom (i.e., through the use of term papers or laboratory reports from any source other than the student's own work) or anywhere else within the Shawnee State community;

4. Serving as, or enlisting the assistance of, a “ringer” or substitute for a student in the taking of examinations;
5. Alteration of grades or marks by the student in an effort to change the earned grade or credit;
6. Alteration of university forms used to drop or add courses to a program or unauthorized use of those forms; and
7. Failure to report incidents of academic misconduct.

Any charge of plagiarism outside the classroom may be brought by the administrator, faculty advisor, or faculty representative affiliated or otherwise involved with the organization or activity within which the plagiarism allegedly took place.

When a faculty member decides to bring a charge of academic misconduct, the faculty member shall notify the chairperson of his/her department, or if no chairperson exists, his/her dean, before entering the charge against the student. Such chairperson or dean shall be available to consult with and advise the faculty member throughout the subsequent proceedings.

Academic misconduct may result in dismissal from a class with appropriate grades or a major program depending on the individual case and the decision of the faculty member. A student charged with academic misconduct may appeal the decision of the faculty member to an appeals committee.

The appeals committee is composed of five faculty members representing the College of Arts and Sciences and the College of Professional Studies. Three faculty members will represent the college in which the student is enrolled and two committee members represent the remaining college. The appeals committee also includes the provost (or designee) who will act as chairperson and who will have tie breaking voting power.

If the student disagrees with the committee's decision, the student may request a hearing before an Academic Misconduct Hearing Panel.

## **Constitution of the Student Government Association of Shawnee State University**

### *Preamble*

We, the students of Shawnee State University, in recognizing our role and accepting our responsibility of self-government within the organization framework of the Shawnee State community, seek to promote the intellectual, social, and cultural opportunities available to this community by representing the interests and addressing the concerns of the student body and by promoting the diversity of and giving voice to the student body, do hereby establish the Student Government Association of Shawnee State University.

### **Article 1 Name**

The name of this organization shall be the Student Government Association of Shawnee State University (SGA).

### **Article 2 Membership**

Membership of SGA shall be limited to registered, full-time (at least 12 hours) students of Shawnee State University.

### **Article 3 Structure**

SGA shall be comprised of the following branches of governance: Executive Council (executive branch), Student Congress (legislative branch).

### **Article 4 Executive Council**

#### Section 1 Purpose

The purpose of the Executive Council shall be to coordinate the efforts of all branches of SGA in order to more effectively meet the needs of the student body, to insure the execution of all administrative responsibilities of the SGA, and to foster communication between the SGA and the Shawnee State University community.

#### Section 2 Positions

The Executive Council shall be comprised of the following positions: SGA President, SGA Vice President, SGA Secretary, SGA Treasurer, Inter-Club Council Chair, Public Relations Coordinator, Student Programming Board President, Greek Council President, and Residence Life Council President.

#### Section 3 Officers

##### A. President

1. Must have served in SGA for one full term of office prior to taking office.
2. Is the elected representative of the students and is vested with the executive power of the Student Government Association.
3. Shall sit, ex-officio, non-voting on any committee, council, board, or agency of the Student Congress or Executive Council.
4. Shall have the power to call the Student Congress and/or Executive Council into special session.
5. Shall act as the official representative of the student body at all official functions.
6. Shall serve as the chair of the SGA Executive Council.
7. Shall serve as the chief officer for the SGA and assume final responsibility for the proper execution of the decisions and desires of the Executive Council and the Student Congress.
8. Shall take direct responsibility for activities and policies in the area of student relations and shall initiate appropriate legislation on such, with the assistance of the Executive Council.
9. Shall call and preside at all weekly Executive Council meetings.
10. Shall present all Executive Council matters to the Student Congress for consideration.
11. Shall sign all legislation passed by the Student Congress.
12. Will co-sign, with SGA Treasurer, all approved disbursements.
13. May veto any undesirable legislation passed by the SGA by submitting a formal letter to that body within one week of passage, stating the reason for veto.
14. Shall initiate actions necessary for the execution of the acts of SGA.
15. Shall include, as an agenda item, any member's violation of the attendance code for further action.
16. Retains the right to review the financial transactions of any organization that is funded through the SGA.
17. Must attend a minimum of one SGA President Forum each semester.
18. Shall create and appoint ad hoc committees and University-wide committees, with approval of Executive Council.
19. Must post and keep 5 hours a week in the SGA Office.
20. Must attend all scheduled student activities staff meetings and regular meetings with the SGA Advisor.
21. Shall receive a quarterly stipend equal to 65% of tuition.

##### B. Vice President

1. Will be an elected representative of the student body.
2. Shall call and preside at meetings of the Student Congress.
3. Shall assume the duties of the President when the President is absent.
4. Shall become President when the office is vacated due to resignation or impeachment.
5. Shall serve as an ex-officio member of the Student Congress committees and aid the Chair when necessary.
6. Shall have direct responsibility for activities and policies in the area of off campus, state, and national affairs.

7. Must post and keep 5 hours a week in the SGA Office.
8. Will receive a quarterly stipend equal to 50% of tuition.
9. Shall recommend to SGA President Student Congress members to be appointed to University-wide committees.
10. Shall schedule all student representatives on University-wide committees to speak at Student Congress meetings.
11. Shall perform any other duties, as directed by Executive Council.

#### C. Secretary

1. Will be an elected representative of the student body.
2. Shall record all proceedings of all meetings of the Student Congress and Executive Council.
3. Shall distribute a copy of the SGA minutes to the members.
4. Shall notify members of all Student Congress meetings, stating items that will be considered and voted upon at future meetings.
5. Shall keep attendance and make appropriate notifications for absences to SGA President.
6. Shall maintain, with their consent, a list of all SGA members, their addresses, phone numbers, and class schedules, plus a record of their tenure of office and their status (whether elected or appointed).
7. Shall perform any other duties, as directed by the Executive Council.
8. Must post and keep 5 hours a week in the SGA Office.
9. Will receive a quarterly stipend equal to 35% of tuition.

#### D. Treasurer

1. Will be an elected representative of the student body.
2. Shall serve as an ex-officio member of the Student Congress Business and Finance Committee.
3. Can request, at any time, an audit of any organization funded by the SGA.
4. Shall maintain a current record of all funds allocated to recognized organizations.
5. Shall hold budgeting procedures for clubs/organizations in the spring of each year for the following academic school year.
6. Will present, for approval, a projected budget for the following academic year to the Executive Council/Student Congress and the approved budget to the advisor.
7. Will co-sign, with SGA President, all approved disbursements.
8. Shall attend all Student Congress meetings as an ex-officio member.
9. Shall keep account of the income, expenditures, and allocations of all funds under the control of SGA.
10. Shall audit all SGA funds at the end of the fiscal year and submit a written report to the SGA President before the fifth week of the fall semester.
11. Shall have the authority to freeze the SGA funding of any organization with the approval of the Executive Council.
12. Must post and keep 5 hours a week in the SGA Office.
13. Will receive a quarterly stipend equal to 35% of tuition.
14. Shall perform any other duties, as directed by the Executive Council.

#### E. Inter-Club Council (ICC) Chair

1. Will be an elected representative of the student body.
2. Will work with clubs and organizations and concentrate on issues important to the students of Shawnee State University.
3. Will oversee the recognition process of clubs and organizations as stated in the "Application Packet for Registration of New Student Organizations" and recommend clubs for recognition to Student Congress.

4. Shall preside over monthly Inter-Club Council, an organization comprised of a member from each SSU club.
5. Shall coordinate the collection of annual rosters from clubs and organizations.
6. Shall compile constitutions from all clubs and organizations.
7. Shall coordinate annual "Parade of Clubs and Organizations."
8. Shall review status of clubs, including the recommendation of possible removal of recognition to Student Congress.
9. Shall assist Treasurer with budget allocations to SGA recognized clubs.
10. Shall keep a list of club meeting times for student viewing.
11. Must post and keep 5 hours a week in the SGA Office.
12. Will receive a quarterly stipend equal to 35% of tuition.
13. Shall perform any other duties, as directed by the Executive Council.

#### F. Public Relations Coordinator

1. Will be an elected representative of the student body.
2. Shall have the chief responsibility to oversee the SGA's communications and relations with all of the University's communities.
3. Shall distribute copies of Executive Council and Student Congress minutes and important announcements to student body and designated faculty/staff.
4. Provide press releases of recent and future SGA business.
5. Coordinate updates of SGA web page.
6. Coordinate photographs of SGA members for necessary publications.
7. Responsible for selection of an Executive Council approved Election Board.
8. Responsible for coordinating SGA elections and announcing election results.
9. Must post and keep 5 hours a week in the SGA Office.
10. Will receive a quarterly stipend equal to 35% of tuition.
11. Shall perform any other duties, as directed by the Executive Council.

#### G. Student Programming Board President

1. Shall serve on Executive Council by virtue of their position.
2. Shall represent SPB at all SGA meetings and functions.
3. Will receive a quarterly stipend equal to 15% of tuition.
4. Shall perform any other duties, as directed by the Executive Council.

#### H. Greek Council President

1. Shall serve on Executive Council by virtue of their position.
2. Shall represent Greek Council at all SGA meetings and functions.
3. Will receive a quarterly stipend equal to 15% of tuition.
4. Shall perform any other duties, as directed by the Executive Council.

#### I. Residence Life Council President

1. Shall serve on Executive Council by virtue of their position.
2. Shall represent RLC at all SGA meetings and functions.
3. Will receive a quarterly stipend equal to 15% of tuition.
4. Shall perform any other duties, as directed by the Executive Council.

#### Section 4 Membership

All elected SGA Executive Council members must have a cumulative 2.5 GPA to be eligible for and to remain in office. In addition, members must have a semester GPA of 2.0 and maintain full-time (12 hours) status as a student. Members may serve no more than four full or partial terms in SGA. Members of the Executive Council may hold no more than one Executive Council office during one term.

#### Section 5 Meetings

Executive Council shall meet weekly at a consistent time set by SGA President. The meeting

must be held prior to the Student Congress meeting. Meetings will be run in accordance with Parliamentary Procedures. A quorum shall be necessary to conduct business. A quorum consists of 50% of all members plus one.

#### Section 6 Attendance

Members of the Executive Council may miss no more than three scheduled meetings per semester. If any member misses more than three meetings per semester, he or she will be subject to review and/or removal by the Student Congress.

#### Section 7 Terms of Office

- A. Executive Council members shall serve from the day after spring semester graduation to spring semester graduation.
- B. The Executive Council shall have a training period during the last three weeks of spring semester for new incoming officers.

#### Section 8 Voting Rights

All SGA members of Executive Council shall have voting rights during Executive Council meetings.

### Article 5 Student Congress

#### Section 1 Purpose

The Student Congress shall serve as the legislative body for matters of concern to all students. The Student Congress may initiate legislation and referenda on behalf of the student body of Shawnee State University.

#### Section 2 Membership

The Student Congress shall consist of fifteen (15) members elected by the student body. All elected Student Congress members must have a cumulative 2.25 GPA to be eligible for and to remain in office. In addition, members must have a 2.0 semester GPA and maintain full-time (12 hours) status as a student. Members may serve no more than four full or partial terms in SGA. The SGA Secretary shall be responsible for all Student Congress minutes. All Executive Council members will serve as ex-officio members of the Student Congress. Student Board of Trustees representatives shall serve as ex-officio members of the Student Congress. In the event that the Student Board of Trustees representative is an elected member of Student Congress, he or she will have full voting rights.

#### Section 3 Chair

The SGA Vice President shall chair all Student Congress meetings. In the event of the Vice President's absence, the SGA President will serve as chair of Student Congress.

#### Section 4 Meetings

Student Congress shall meet weekly on Wednesday at 5:30 p.m. In addition, members must attend any special meeting called by the SGA Vice President. Meetings will be conducted in accordance with Parliamentary Procedures. A quorum shall be necessary to conduct business. A quorum consists of 50% of all members plus one.

#### Section 5 Attendance

Members of the Student Congress may miss no more than three scheduled meetings per semester. If any member misses more than three scheduled meetings per semester, he or she will be subject to review and/or removal by the Student Congress.

#### Section 6 Terms of Office

- A. Student Congress members shall serve from the day after spring semester graduation to spring semester graduation.
- B. The Student Congress shall have a training period during the last two weeks of spring semester for new Congress members.

#### Section 7 Voting Rights

All SGA members of the Student Congress shall have one vote. Presidential veto may be overridden by a two-thirds vote of the current Student Congress.

### Section 8 Committees

All Student Congress members must serve on either a University-wide or Student Congress committee. Student Congress committees shall include, but are not limited to, Student Life, Business and Finance, and Academic Affairs.

- A. Student Life. This committee shall study all basic policy changes affecting students.
- B. Business and Finance. This committee shall review proposals from the SGA Treasurer and recommend funding requests to the Student Congress for approval.
- C. Academic Affairs. This committee shall review all policy changes affecting academic degrees, majors, programs, etc.
- D. Once a basic policy has been introduced, the Chair of the Student Congress shall designate which committee shall review basic policy changes and shall forward legislation to the respective committee. The committee shall review each piece of legislation and support or oppose the policy and all other measures it deems necessary. The committee may originate legislation in its respective field.

### Article 6 Filling Vacancies

#### Section 1 Replacement of Member

In case of a Student Congress or Executive Council opening, the SGA Executive Council will hold an interview process to fill the vacancy. The Executive Council will recommend the replacement to the Student Congress for approval.

#### Section 2 Removal from Office

- A. The Student Congress shall have the power to remove any elected Executive Council officer, congressperson, or committee appointee. Such proceedings are to be incurred only in the instances of proven negligence, incompetence, and/or violation of Constitutional duties. The proceedings are as follows:
  - I. To bring charges before the Student Congress seeking removal, a member of SGA should initiate such charges.
  - II. If such charges are brought before the Student Congress, a simple majority vote must pass to continue further investigation.
  - III. A two-thirds vote of the Student Congress will result in the removal of any member of SGA.
- B. In all matters of impeachment, the official in question will have the opportunity to present his/her defense at a hearing during the next scheduled Student Congress meeting. If the Vice President's position is in question, the SGA President shall preside over the hearing.

### Article 7 Election Procedures

#### Section 1 Voting Procedures

- A. The Executive Council and Student Congress elections shall be held the same day and at the same time. There will be separate ballots.
- B. Applications for both branches will be available the second Monday in March and due by the second Monday in April.
- C. The election shall begin the third Monday in April.
- D. A student shall vote for 15 separate students for the Student Congress.
- E. A student shall cast one vote for each position of SGA President, SGA Vice President, SGA Secretary, SGA Treasurer, Inter-Club Council Chair, and Public Relations Coordinator.
- F. Voting will take place during two consecutive days.
- G. The Coordinator of Public Relations shall recommend an election board to the SGA President.
- H. Students must present a student I.D. in order to vote.
  - I. Two SGA members are necessary at the election table at all times.
  - J. The election committee shall be responsible for counting ballots.

K. The director of student activities shall be present during ballot counting to ensure validity.

L. All ballots will be counted a minimum of two times to ensure accuracy.

## Section 2 Campaign Regulations

A. Students cannot campaign within 100 feet of the election site on the election day.

B. Students may speak about issues at a candidates' forum organized by the public relations coordinator.

C. Students must follow the posting policies outlined in the *Student Handbook* and coordinated by the Office of Student Activities for all signs and banners.

## Section 3 Election Board

The election board shall have jurisdiction over all elections, special or regular, and shall settle all controversies relating to such elections. The election board must use this constitution as a basis for such decision. Or, if any issue is not covered by this constitution, the election board's decision must be compatible with this constitution. All decisions of the election board in these matters are final.

## Article 8 Advisor

The director of student activities and auxiliaries shall serve as advisor to the Student Government Association and countersign all disbursements.

## Article 9 Recognition and Funding of Student Clubs and Organizations

### Section 1 Recognition

Recognition of clubs shall be coordinated by the ICC Chair according to the "Application Packet for Registration of New Student Organization." The ICC Chair will recommend, for recognition approval, to the Student Congress all student organizations seeking recognition. Student Congress shall submit all recommendations for recognition to the director of student activities. The Student Congress shall also have authority to remove recognition status of any organization to be found not operating in Shawnee State University's best interest. The ICC Chair will recommend removal of recognition of any organization to Student Congress for approval.

### Section 2 Funding

SGA Treasurer shall recommend to Student Congress all student organization annual and special funding allocations. Once approved, allocations will be made to the organization's university account. If deemed appropriate by SGA, funds allocated by SGA can be frozen.

## Article 10 Amendments

Proposed amendments to these bylaws must be submitted in writing to the Student Congress at a regular meeting of Student Congress. The proposed amendments must be considered by Student Congress at the next regular meeting after which the proposal for amendment was submitted. To be adopted, an amendment must receive a two-thirds (2/3) vote at the regular Student Congress meeting immediately following the Student Congress meeting at which the proposal for amendments was submitted.

## Article 11 Approval

This constitution shall supersede all previous Constitutions of the Shawnee State University student government and shall become effective spring of 1998, upon receiving a two-thirds (2/3) affirmative vote of Student Senate.

## Solicitation Policy

The purpose of this policy is to establish reasonable regulations as to time, place, and manner of speech on the University to allow the free exchange of ideas without disrupting the educational and administrative functions of the University. These regulations are not intended to regulate the content of any publication, but are intended to reduce litter and visual pollution on the campus, and to keep harassment of students, faculty, and employees to a minimum.

1.0 Solicitation and distribution activities by nonemployees or outside organizations:

1.1 An organization or nonemployee intending to solicit or distribute literature on campus must, each visit:

1.1.1 Give advance notice of forty-eight hours of such intention by contacting the director of physical facilities.

1.1.2 At the time the advance notice is given, provide a list of the names of the persons or alternates who wish access to the University.

1.1.3 In the event two or more requests for access to a facility for the same or overlapping times has been made, the director of physical facilities should attempt to provide alternate designated areas. In the event that no alternate designated area is available, the director of physical facilities will grant access to the available designated area on a rotating basis with equal time for its use.

1.1.4 If the designated areas are unavailable due to a prior reservation, then the director of physical facilities shall notify the requesting party of such conflict.

1.1.5 Literature may be deposited in designated containers or locations in public areas for pick-up by University personnel. The University may dispose of literature after 10 days.

1.2 An organization or nonemployee may solicit or distribute literature only in nonworking areas. Only employees on nonworking time may be solicited. Designated areas are determined by the director of physical facilities and a list of such areas will be made available upon request.

1.3 An organization or nonemployee may neither distribute literature nor solicit employees in any work area, regardless of the fact that the employees may be on nonworking time.

1.4 An organization or nonemployee shall be permitted to submit notices for posting to the director of physical facilities. Such notices must be a reasonable size so as not to obstruct any other notices. All organizations or nonemployees will have equal rights to any designated posting area. A list of the designated posting locations will be made available upon request.

1.5 Any disagreements regarding these rules should be directed to the director of physical facilities for final resolution.

2.0 Solicitation and distribution activities by employees:

2.1 An employee may solicit or distribute literature to other employees in nonworking areas only to employees who are on nonworking time, and it is not disruptive to employees who are on working time.

3.0 Disruptive conduct

3.1 The director of physical facilities reserves the right to regulate any solicitation or distribution activities by anyone or any organization that disrupts or interferes with the normal workflow at the University.

4.0 Solicitation and distribution activities by students

4.1 Solicitation, sales, and distributions on-campus sponsored and conducted by registered student organizations, students, or student groups must be registered in advance with the director of student activities and carried out only in designated areas. Solicitations are prohibited in employee work areas.

In order to ensure availability of the desired facility, arrangements should be made as far in advance of the event as possible. Use of all University Center facilities must be scheduled with the University Center scheduling office. Use of athletic-related facilities must be scheduled with the athletic director and the director of physical facilities. All other campus facilities must be scheduled in the director of physical facilities' office.

4.2 Students or registered student organizations may not solicit for funds from any on-campus group and/or agency unless granted permission by the vice president for student affairs or designee.

4.3 No student or group/organization shall engage in, or invite any firm or corporation to

engage in, the business of selling or advertising any services or products or take orders or make contracts for the delivery of services or products on university premises without the prior approval of the vice president for student affairs or designee.

4.4 No student or group/organization shall solicit for funds under the university name off-campus unless the project has been approved in advance by the director of development and the vice president for student affairs.

5.0 Nothing in this policy prohibits the distribution of publications to individuals who have subscribed to them.

#### 6.0 Definitions

6.1 Designated area. Means any facility location to be determined by the director of physical facilities.

6.2 Designated parking lot. Means an area to be determined by the director of physical facilities where employees and/or visitors park motor vehicles.

6.3 Organization. Means a body of persons established for a specific purpose.

6.4 Facility. Means any work or nonwork area comprising one worksite, which is governed by and under the control of the Shawnee State University Board of Trustees.

6.5 Director of physical facilities. Means person designated by the president to be contacted regarding solicitation or distribution activities conducted at any facility under the jurisdiction of the appointing authority.

6.6 Nonemployee. Means any person not employed at SSU or any person not in an active work status.

6.7 Nonwork area. Means an area to be determined by the director of physical facilities, and generally includes lobbies, cafeterias, public areas, or designated parking lots.

6.8 Nonworking time. Means approved leaves, lunch periods, and before and after scheduled working hours.

6.9 Solicitation. Means any activity conducted for the purpose of advertising, promoting, fund raising, buying or selling any product or service, encouraging membership in any group, association, or organization, or distributing handbills, newspapers, or other printed material.

6.10 Work area. Means an area to be determined by the director of physical facilities, and generally includes offices, work stations, conference rooms, and corridors leading directly thereto which are used as an integral part of performing work and any area where the employee performs his/her official duties.

6.11 Working time. Means that time when an employee's duties require that he or she be engaged in work tasks, but does not include an employee's own time, such as meal periods, vacations, and time before or after a shift.

6.12 Registered student organization. Means an organization of enrolled students that is recognized by the Student Government Association.

6.13 Student. An individual registered and enrolled in Shawnee State University.

6.14 Student group. A group of enrolled students that is not recognized by Student Government Association, but have some identifying characteristics, which imply separateness from other students.