

# *Student Handbook*

2020-2021



SMU. STUDENT AFFAIRS





# SMU<sup>SM</sup>

*Dear students:*

Welcome to the Southern Methodist University (SMU) Community! Whether you are entering for your first semester or returning to continue your studies, we are glad you are here. If you are a new student, we hope you will quickly find new friends and new opportunities for personal and intellectual growth. If you are a returning student, we are happy to welcome you back to the Hilltop!



The SMU Student Handbook is your guide to information and services available through your affiliation with SMU. It includes information related to your rights and responsibilities as members of the SMU community, both on and off campus. The Handbook includes the Student Code of Conduct, the University Conduct Review Process, Honor Code, and information/expectations that SMU needs to communicate to its students. The most up-to-date version of this handbook can viewed online at <https://smu.edu/studenthandbook> at any time.

**I strongly encourage you to become familiar with the SMU Student Handbook.** You will be held accountable for adhering to the policies and procedures outlined in this Handbook, both on and off campus.

Again, we are pleased that you are a part of the SMU community. We believe SMU offers much to its students, and we hope that you will take full advantage of all SMU has to offer you. We also look forward to what you will contribute to our community.

Pony Up!

K.C. Mmeje, Ed.D.  
Vice President for Student Affairs

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## Cox School of Business

**Dean:** Matthew B. Myers  
200 Fincher Building  
(214) 768-3012  
<https://www.smu.edu/Cox>

## Dedman College of Humanities & Sciences

**Dean:** Thomas DiPiero  
201 Dallas Hall  
(214) 768-3212  
<https://www.smu.edu/Dedman>

## Dedman School of Law

**Dean:** Jennifer M. Collins  
140 Storey Hall  
(214) 768-2621  
<https://www.smu.edu/Law>

## Lyle School of Engineering

**Dean:** Marc P. Christensen  
105 Embrey Engineering Building  
(214) 768-3050  
<https://www.smu.edu/Lyle>

## Meadows School of the Arts

**Dean:** Samuel Holland  
3<sup>rd</sup> Floor, Greer Garson Theatre  
(214) 768-4154  
<https://www.smu.edu/Meadows>

## Perkins School of Theology

**Dean:** Craig C. Hill  
202 Kirby Hall  
(214) 768-2534  
<https://www.smu.edu/Perkins>

## Simmons School of Education and Human Development

**Dean:** Stephanie L. Knight  
247 Annette Caldwell Simmons Hall  
(214) 768-7587  
<https://www.smu.edu/Simmons>

For further information on any school, please refer to either the Undergraduate Bulletin, the Graduate Bulletin, or the SMU web site - <https://www.smu.edu>.

# UNIVERSITY LIBRARIES

The SMU Libraries offer access to several million books and hundreds of online research databases. SMU faculty, students and staff can access these resources both on- and off-campus. There are a variety of study spaces in the six libraries ranging from quiet space to collaborative study areas.

For further information, please visit the SMU libraries website at <https://www.smu.edu/libraries>.

## Library Administration

**Dean:** Holly Jeffcoat

<https://www.smu.edu/libraries>

Phone: (214) 768-2401

## Bridwell Library (Perkins School)

**Director:** Anthony Elia

<https://www.smu.edu/bridwell>

Phone: (214) 768-1866

## Business Library (Cox School)

**Director:** Sandy Miller

<https://www.smu.edu/libraries/business>

Phone: (214) 768-4107

## DeGolyer Library (Special Collections)

**Assistant Dean for Collections & Director:** Russell L. Martin III

<https://www.smu.edu/libraries/degolyer/>

Phone: (214) 768-3637

## University Archives

**Archivist:** Joan Gosnell

<https://www.smu.edu/libraries/degolyer/archives>

Phone: (214) 768-2261

## Fondren Library (Main Library)

**Director & Head of Research Services:** Elizabeth Killingsworth

<https://www.smu.edu/libraries/fondren/>

Phone: (214) 768-2329

## Hamon Arts Library (Meadows School)

**Director:** Jolene de Verges

<https://www.smu.edu/libraries/hamon/>

Phone: (214) 768-2894

## Underwood Law Library (Dedman Law)

**Associate Dean & Director:** Gregory Ivy

<https://www.smu.edu/law/library/>

Phone: (214) 768-3383

## Ft. Burgwin Library (SMU-in-Taos)

<https://www.smu.edu/libraries/burgwin>

Phone: (575) 737-0163

# ACADEMIC SUPPORT SERVICES

## University Advising Center

### Director:

Ellen Richmond erichmond@smu.edu 408M Blanton 8-2116

### Administrative Assistant:

Melissa Dale mdale@smu.edu 408 Blanton 8-2291

<https://www.smu.edu/Provost/ProvostOffice/SAES/UAC>

Academic advisors assist students in planning course schedules, and in focusing on long-range planning and curricular design to help achieve multiple goals. Students may arrange individual advising appointments and advisors welcome drop-in visits.

### Academic Advisors

|                        |                    |              |        |
|------------------------|--------------------|--------------|--------|
| Dr. Scott Bartlett     | sbartlet@smu.edu   | 408H Blanton | 8-1526 |
| Josh Beaty             | jbeaty@smu.edu     | 408Q Blanton | 8-4009 |
| Dr. Susan Harris (UHP) | sharris@smu.edu    | 408C Blanton | 8-2305 |
| Janet Hopkins          | jhopkins@smu.edu   | 408K Blanton | 8-1272 |
| Beth McConville        | bmconville@smu.edu | 408D Blanton | 8-2815 |
| Sheumona Miller        | swmiller@smu.edu   | 408P Blanton | 8-4143 |
| Dee O'Banner           | obanner@smu.edu    | 408E Blanton | 8-1516 |
| Dania Ortiz            | daniao@smu.edu     | 408B Blanton | 8-2625 |
| Dr. Alyssa Reiman      | areiman@smu.edu    | 408F Blanton | 8-1970 |
| Jeanene Renfro         | jeanene@smu.edu    | 408J Blanton | 8-2103 |
| Weston Simmons         |                    | 408N Blanton |        |
| Prisna Virasin         | pvirasin@smu.edu   | 408L Blanton | 8-4959 |

### Pre-Law Advising

Janet Hopkins jhopkins@smu.edu 408K Blanton 8-1272

### Transfer Student Specialist

Kate Bell-Miller kebell@smu.edu 8-4194

### Achievement Advisor

Daphne Shipowitz dshipowitz@smu.edu 8-1916

### Office of Pre-Health Advising

#### Director:

Pamela McNulty pmcnulty@smu.edu 135 Dedman Life Sci 8-4604

#### Program Coordinator:

Gwen LaCroix glacroix@smu.edu 135 Dedman Life Sci 8-4604

### Lyle School of Engineering

#### Office of Undergraduate Advising and Student Records

#### Director:

Dr. LaDonna Moore lrmoore@smu.edu 253 Caruth Hall 8-1732

#### Academic Advisors:

Misti Compton mcompton@smu.edu 253 Caruth Hall 8-3415

### Office of Information Technology (OIT)

**Chief Information Officer:** Michael H. Hites

<https://www.smu.edu/oit/> Fondren Library West Help Desk: (214) 768-4357

## Student Academic Success Programs (SASP)

<https://www.smu.edu/sasp/>

**Executive Director:** Sue Bierman, PhD.

Ph. (214) 768-1047

*The Altshuler Learning Enhancement Center (LEC) and The Academic Center for Excellence (ACE)*

**LEC** 202 Loyd Center

**Director:** Adreana Julander Ph. (214) 768-1044

Student Appointments: (214) 768-3648

Business Office: (214) 768-6725

Student Academic Success Programs area offers many different opportunities for students to maximize their learning effectiveness. Students may register for HDEV 1110: Reading and Learning Strategies, a for credit 1 hour class devoted to developing students' reading rate, comprehension, and learning strategies. The LEC and ACE provide free drop-in workshops to allow students to improve their study skills and tutoring is provided by SMU undergraduate and graduate students for most first- and second-year courses. For students who want help with a problem in studying a particular text or preparing for a test, Learning Specialists offer individual appointments.

**Writing Center** 202 Loyd Center

<https://www.smu.edu/WritingCenter>

**Director:** Lydia Allen Ph. (214) 768-1006

The Writing Center, staffed by English department faculty, provides students with assistance in the process of developing and drafting papers for SMU courses. The Writing Center faculty will not edit or proofread work, but they will answer any specific questions the student may have about their draft. Appointments are necessary in order to reserve a half-hour tutorial and can be made through Canvas. Drop-in lab assistance is also available.

### *Disability Accommodations & Success Strategies (DASS)*

<https://www.smu.edu/dass>

202 Loyd Center

Ph. (214) 768-1470

**Director:** Alexa Taylor

Ph: (214) 768-1918

#### **Disability Accommodations Coordinators:**

Michelle Bufkin

Ph: (214) 768-1232

Tomasine Sam

Ph: (214) 768-2075

Karen Turbeville

Ph: (214) 768-4557

**Learning Disabilities Specialist:** David Tylicki

Ph: (214) 768-4773

**Administrative Coordinator:** Candy Brown

Ph. (214) 768-1470

DASS is the primary contact for all SMU students with disabilities. This office assists students with disabilities to effectively utilize resources they may need and helps them work with professors and staff in obtaining appropriate and reasonable accommodations.

### *Student Persistence and Achievement (SPA)*

<https://www.smu.edu/spa/>

Armstrong Commons

Ph. (214) 768-4032

**Director:** Matt Robinson

Ph: (214) 768-4009

Recognizing that everyone comes to college with different educational experiences, the Academic Center for Excellence (ACE) sponsor programs focused on those who identify as first-generation college students, may need assistance in adjusting to an urban city, or seek assistance in fully utilizing campus resources, be they academic, financial, or social. ACE is also the home of SMU's Rotunda Scholars program.

## SMU Bookstore

**Manager:** Mary Mebus  
3060 Mockingbird Lane  
<https://smu.bnccollege.com>

Ph: (214) 768-2435

## Dining Services

**Senior Director:** Todd Robison  
**Registered Dietician:** Rachel Kolm  
Umphrey Lee Building, Rm 101  
<https://smu.campusdish.com>

Ph: (214) 768-4351

Ph: (214) 768-4349

Ph: (214) 768-2367

## Financial Aid

**Director:** Marc Peterson  
Blanton Student Services Bldg, 1st Floor  
<https://www.smu.edu/financialaid/>

Ph: (214) 768-3417

## Mail & Copy Central

**Director:** Patrick Cullen  
6210 N. Central Expressway  
<https://www.smu.edu/mailcentral>

Ph: (214) 768-3400

## Parking & ID Card Services

**Director:** Mark Rhodes  
Hughes-Trigg Student Center- 2nd Floor  
<https://www.smu.edu/parkingid>

Parking: (214) 768-7275

ID Cards: (214) 768-7669

## Postal Center

**Manager:** Marcus Smith  
Hughes-Trigg Student Center - 2nd Floor  
<https://www.smu.edu/mailcentral>

Ph: (214) 768-4450

## SMU Police Department

**Chief:** Jim Walters  
Patterson Hall, 2nd Floor  
<https://www.smu.edu/pd/>

EMERGENCY: Call 911

Dispatch: (214) 768-3388

(Non-Emergencies)

## Student Employment

**Coordinator:** Jennifer Gomez  
Blanton Student Services Bldg, Rm 119A  
<https://www.smu.edu/StudentEmployment>

Ph: (214) 768-3384

## Student Financial Services / Bursar

**Executive Director & University Bursar:** Albert Jabour  
Blanton Student Services Bldg, Rm 220  
<https://www.smu.edu/bursar/>

Ph: (214) 768-3417



# DIVISION OF STUDENT AFFAIRS

## OFFICE OF THE VICE PRESIDENT

**Vice President for Student Affairs:** Dr. K.C. Mmeje

Perkins Administration Building, Suite 203

<https://www.smu.edu/studentaffairs/>

Ph: (214) 768-2821

The Division of Student Affairs is responsible for the oversight of educational and developmental programs in and out of the classroom settings at the University. The initial purpose of the Division is to support academic endeavors, however, it also works to extend what is learned in the traditional classroom into the free time and recreational activities of students. The Division is staffed by masters and doctoral degree professionals and a number of clerical and service personnel. Many students are also employed by the Division in positions of leadership in the residence halls and other areas. The sense of community for students is critical to student success inside and outside of the classroom. The many programs and services which are sponsored by the Division are directed towards the creation of a very close and lasting sense of community, which allows students to support each other while they grow through their shared college experiences.

## CAREER DEVELOPMENT

### *Hegi Family Career Development Center*

**Exec Director:** Dr. Crystal Clayton

<https://www.smu.edu/career/>

Hughes-Trigg Suite 100

Ph: (214) 768-2266

## STUDENT ENGAGEMENT & SUCCESS

**Asst VP / Chief of Staff:** Dr. Adam Cebulski

<https://www.smu.edu/studentaffairs/>

Perkins Admin, Suite 203

Ph: (214) 768-2821

### *Student Involvement*

**Exec Director:** Dr. Dawn Norris

<https://www.smu.edu/studentactivities/>

Ph: (214) 768-4400

Hughes-Trigg Suite 221

### *Fraternity & Sorority Life (IFC, Panhellenic, NPHC, MGC)*

**Director:** Ashley Fitzpatrick

<https://www.smu.edu/GreekLife>

Hughes-Trigg Suite 206

Ph: (214) 768-4455

### *Hughes-Trigg Student Center*

**Assoc Director:** Lauren Chapman

<https://www.smu.edu/HTrigg>

Hughes-Trigg Suite 206

Ph: (214) 768-4455

### *Student Development*

**Exec Director:** Jennifer “JJ” Jones

<https://www.smu.edu/studentactivities/>

Hughes-Trigg Suite 221

Ph: (214) 768-4411

### *Parent & Family Programs / Veterans Support*

**Director:** Dr. Deanie Kepler

<https://www.smu.edu/parents/>

<https://www.smu.edu/milvets>

Hughes-Trigg Suite 201

Ph: (214) 768-4797



### *Social Change & Intercultural Engagement*

**Director:** Erica Zamora  
<https://www.smu.edu/multicultural/>

Hughes-Trigg Suite 218  
Ph: (214) 768-4434

### *The Student Experience*

**Director:** Dr. Lindsey Koch  
<https://www.smu.edu/newstudent/>

Hughes-Trigg Suite 201  
Ph: (214) 768-4560

### *Women & LGBT Center*

**Director:** Dr. Sidney R. Gardner  
<https://www.smu.edu/womenandlgbtcenter/>  
<https://www.smu.edu/WomensSymposium/>

Hughes-Trigg Suite 218  
Ph: (214) 768-4792

## STUDENT WELLBEING & SUPPORT

### *Office of the Dean of Students*

**Assoc VP & Dean:** Dr. Melinda J. Sutton  
<https://www.smu.edu/deanofstudents/>

Hughes-Trigg Suite 205  
Ph: (214) 768-4564

### *Campus Recreation / Dedman Center for Lifetime Sports*

**Exec Director:** Jorge Juarez  
<https://www.smu.edu/recsports/>

Dedman Center Suite 110  
Ph: (214) 768-3374

### *Health Services / Dr. Bob Smith Health Center*

**Assoc Dean / Exec Dir:** Dr. Randolph P. Jones  
Outpatient Medical Clinic  
Counseling Services  
<https://www.smu.edu/healthcenter/>

Dr. Bob Smith Health Center  
Ph: (214) 768-2141  
Ph: (214) 768-2860  
24-Hr Crisis Ph: (214) 768-2277

### *Student Conduct & Community Standards*

**Assoc Dean & Director:** Vacant  
<https://www.smu.edu/studentconduct/>

Hughes-Trigg Suite 205  
Ph: (214) 768-4563

### *Student Support (CCC Program)*

**Director:** Elsie Johnson  
<https://www.smu.edu/studentssupport/>

Hughes-Trigg Suite 205  
Ph: (214) 768-4558

### *Violence Prevention & Support Services*

**Director:** Vacant  
<https://www.smu.edu/violenceprevention>

Hughes-Trigg Suite 205  
Ph: (214) 768-4512

## RELIGIOUS LIFE

### *Chaplain & University Ministries*

**Chaplain:** Vacant  
<https://www.smu.edu/chaplain/>

Hughes-Trigg Suite 208  
Ph: (214) 768-4502

## RESIDENCE LIFE

### *Residence Life & Student Housing*

**Asst VP / Dean:** Melinda Carlson  
<https://www.smu.edu/housing/>

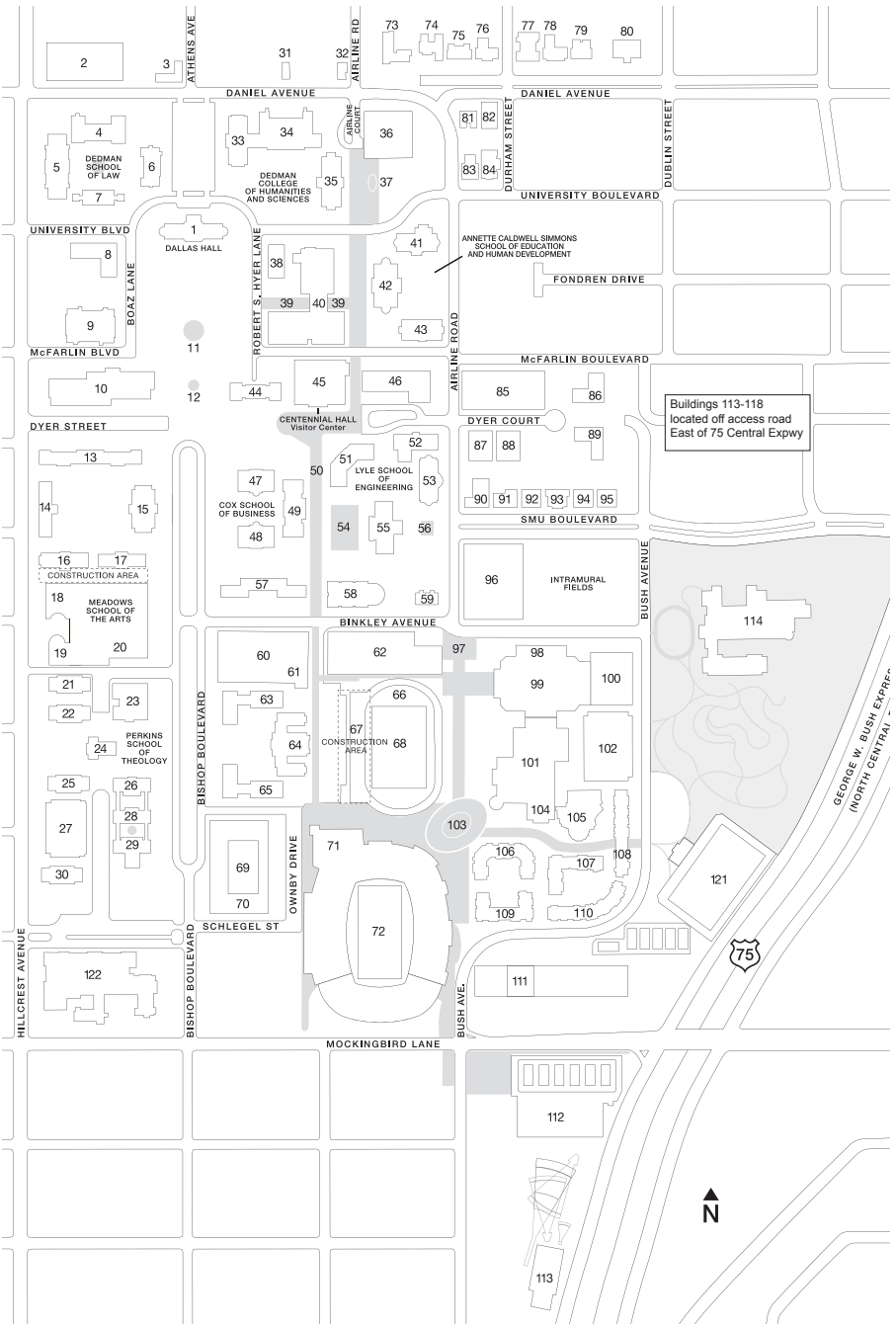
Boaz Hall - West Entrance  
Ph: (214) 768-2407

# SMU CAMPUS MAP - LEGEND

- 1 Dallas Hall
- 2 Daniel Parking Center
- 3 Hillcrest Manor
- 4 Storey Hall
- 5 Underwood Law Library
- 6 Carr Collins Hall
- 7 Florence Hall
- 8 Perkins Administration Building
- 9 McFarlin Auditorium
- 10 Umphrey Lee Center
- 11 Kennemer Fountain
- 12 SMU Flagpole
- 13 Virginia-Snyder Commons
- 14 Shuttles Hall
- 15 Smith Health Center
- 16 Peyton Hall
- 17 Mary Hay Hall
- 18 Greer Garson Theatre
- 19 Hamon Arts Library
- 20 Owen Arts Center
- 21 Smith Hall
- 22 Perkins Hall
- 23 Bridwell Library
- 24 Perkins Chapel
- 25 Martin Hall
- 26 Kirby Hall
- 27 Hillcrest Parking Center
- 28 Selecman Hall
- 29 Prothro Hall
- 30 Moore Hall
- 31 SMU Apartments #5
- 32 SMU Apartments #4
- 33 Heroy Science Hall
- 34 Fondren Science Building
- 35 Dedman Life Sciences Building
- 36 Airline Parking Center
- 37 Late Fountain
- 38 Hyer Hall
- 39 Laura Bush Promenade
- 40 Fondren Library Center (DeGolyer Library)
- 41 Annette Caldwell Simmons Hall
- 42 Harold Clark Simmons Hall
- 43 Ford Hall
- 44 Clements Hall
- 45 Hughes-Trigg Student Center (Centennial Hall)
- 46 Patterson Hall (SMU Police)
- 47 Maguire Building
- 48 Crow Building
- 49 Fincher Building
- 50 Crain Family Centennial Promenade
- 51 Caruth Hall
- 52 Embrey Engineering Building
- 53 Junkins Engineering Building
- 54 Turner Centennial Quadrangle
- 55 Blanton Student Services Building
- 56 Crain Fountain
- 57 Boaz Commons
- 58 Collins Center (Crum Auditorium)
- 59 Sigma Chi
- 60 Indoor Performance Center
- 61 Armstrong Fieldhouse
- 62 Binkley Parking Center
- 63 Morrison-McGinnis Commons
- 64 McElvaney Commons
- 65 Cockrell-McIntosh Commons
- 66 Morrison-Bell Track
- 67 Washburne Soccer & Track Stadium (Future Site)
- 68 Westcott Field
- 69 Meadows Museum
- 70 Meadows Parking Center
- 71 Loyd All-Sports Center
- 72 Ford Stadium
- 73 Daniel House
- 74 Delta Gamma
- 75 Kappa Kappa Gamma
- 76 Panhellenic House #2
- 77 Chi Omega
- 78 Gamma Phi Beta
- 79 Alpha Chi Omega
- 80 SMU Childcare Center
- 81 Panhellenic House #1
- 82 Pi Beta Phi
- 83 Kappa Alpha Theta
- 84 Delta Delta Delta
- 85 Dawson Service Center
- 86 Beta Theta Pi
- 87 SMU Service House
- 88 Dyer House
- 89 Sigma Alpha Epsilon
- 90 Phi Delta Theta
- 91 Phi Gamma Delta
- 92 Alpha Epsilon Pi
- 93 Sigma Phi Epsilon
- 94 Kappa Sigma
- 95 Beta Upsilon Chi
- 96 Moody Parking Center
- 97 Mustang Plaza and Mall
- 98 Miller Event Center
- 99 Moody Coliseum
- 100 Crum Basketball Center
- 101 Dedman Center for Lifetime Sports
- 102 Mustang Parking Center
- 103 Doak Walker Plaza
- 104 Mustang Band Hall
- 105 Arnold Dining Commons
- 106 Armstrong Commons
- 107 Kathy Crow Commons
- 108 Loyd Commons
- 109 Crum Commons
- 110 Ware Commons
- 111 SMU Bookstore
- 112 Tennis Complex
- 113 Data Center
- 114 George W. Bush Presidential Center
- 115 6210 N. Central Expressway
- 116 6200 N. Central Expressway
- 117 5539 SMU Boulevard
- 118 5538 Dyer Street
- 119 Expressway Tower
- 120 Robson & Lindley Aquatics Center
- 121 Crum Lacrosse and Sports Field
- 122 Highland Park United Methodist Church



# SMU CAMPUS MAP



# STUDENT CODE OF CONDUCT AND CONDUCT REVIEW PROCESS

## I. PREAMBLE

A university is a complex institution. It is distinctive from anything else in society, and therefore, the focus of its norms is distinctive. Further, a private university is an elite institution; admittance and attendance is a privilege granted on the assumption that the applicant who has voluntarily enrolled in the institution shares the university's values and goals and is committed to its purpose. If a student's values and goals are not consistent with those of the university, the privilege of attendance may be terminated.

To that end, students of Southern Methodist University commit themselves to the following values:

- Academic honesty.

Fundamental to any higher learning community is academic honesty. An environment free from giving or receiving unauthorized aid is fundamental to the process of learning and evaluating academic performance.

- Moral courage.

As a member of the SMU community, students recognize they are part of something larger than themselves, and as such, have the moral courage to uphold the values espoused by this community.

- Personal integrity.

Being honest with oneself and with others is critical to being a member of a community. This includes taking responsibility for one's actions and the consequences associated with those actions.

- Sincere respect for all SMU students, faculty, and staff.

Respect is not something one earns but something one gives, and all members of the SMU community are worthy of respect. Respect for all SMU students, faculty, and staff allows for the free exchange of ideas.

To demonstrate their commitment to these values, students of Southern Methodist University developed the SMU Values Statement to remind themselves and others of the tenets to which SMU community members hold themselves. It reads, "I, as a citizen of the SMU Community, commit myself to upholding the values of academic honesty, moral courage, personal integrity, and sincere respect for all SMU students, faculty, and staff."

## II. SOURCES OF AUTHORITY AND SCOPE OF POLICY

Responsibility for student discipline is vested in the President by the Board of Trustees. To exercise this responsibility, the President established the University Conduct Council, which reports through the Vice President for Student Affairs. Upon the recommendation of the University Conduct Council and the Vice President for Student Affairs, the President has accepted the following document delineating the conduct review process for students at SMU.

Based on the action of the Board of Trustees, the President of the University is authorized, at his discretion, to review all decisions of the Student Senate and all other student organizations, and all decisions concerning University conduct, including the University Conduct Council and all other conduct bodies. Such review shall include the power to take

any action deemed appropriate, including reversing, amending, or remanding with instructions concerning such decisions. The President's power of review as stated herein is not limited in any way, and the President is authorized to act at their sole discretion in conducting such review and in deciding what action is appropriate.

The Code of Conduct applies to student behavior both on and off the campus of Southern Methodist University, including travel on University-sanctioned trips. Students traveling on University-sanctioned trips are representing Southern Methodist University and are expected to make responsible decisions regarding behavior so that they maintain appropriate standards of conduct at all times.

The information provided and the regulations and policies outlined in this handbook and Code are not intended to be all-inclusive and do not constitute a contract. The University reserves the right at any time to add to, modify, or revoke any of the regulations and policies contained in this handbook and Code without notice.

This Code is subject to the Articles of Incorporation and Bylaws of Southern Methodist University as well as any and all resolutions, policies, and regulations of the University. In the event of conflict between this Code and said Articles, Bylaws, resolutions, policies, and regulations of the University, the University Articles, Bylaws, resolutions, policy, and/or regulation in question shall be controlling. The University Policy Manual may be accessed through the SMU web page at <https://www.smu.edu/policy>.

### III. DEFINITIONS

- A. "Campus" and "campus grounds" refer to any buildings or grounds owned, leased, operated, controlled, or supervised by the University, including the Dallas, Plano, and Taos campuses.
- B. "College" means any academic division of the University.
- C. "Complainant" refers to person(s) or entity making a complaint or referral regarding a student or student group who allegedly violated policy.
- D. "Conduct Liaison" refers to a University faculty or staff member who is trained in the conduct review process in order to assist students with the process.
- E. "Day" means a business day, unless otherwise specifically indicated.
- F. "FERPA" refers to the Family Educational Rights and Privacy Act. The privacy and confidentiality of all student records shall be preserved in accordance with the Family Educational Rights and Privacy Act of 1974 as amended.
- G. "Fraternity and sorority housing" refers to any housing, University owned or otherwise, designated for members of fraternity and sorority chapters.
- H. "Hearing Panel" refers to individuals selected from the pool of faculty, staff, and student University Conduct Board members to hear a case.
- I. "Institution" and "University" refer to Southern Methodist University and all of its undergraduate, graduate, and professional schools and colleges, divisions, and programs.
- J. "Investigation" refers to the process of making an institutional inquiry into a claim or allegation of action(s) which may be in violation of SMU policy, and/or applicable federal, state, or local law or ordinance. Such inquiry may include, but not be limited to: gathering information from individuals with knowledge

about such claim or allegation; review of documents or other tangible information relating to the claim or allegation; review of any information already available in a public domain (i.e., postings/photographs on social media, such as Facebook, text messages, emails, webpages) or other information discovered or provided that is deemed relevant to such inquiry by SMU.

- K. “Investigator” refers to the person who conducts the investigation of the complaint or incident.
- L. “Public place(s)” includes, but is not limited to any dining hall, lobby, hallway, lounge, study area, stairwell or restroom of on-campus buildings, fraternity and sorority housing, or any outdoor areas on campus grounds.
- M. “Recognized organization” shall refer to any organization who has been designated by the Students’ Association as having either a probationary, temporary, or full charter.
- N. “Respondent” refers to a student or student group who has allegedly violated policy.
- O. “Student” means any person for whom the University maintains educational records, as defined by the Family Educational Rights and Privacy Act of 1974 and related regulations, and who is currently enrolled and/or is part of a degree-granting program.
- P. “University Conduct Board” is the pool of trained faculty, staff, and students from which a hearing panel is selected.
- Q. “University community” means any student, faculty, administration or staff member at the University.
- R. “Conduct Officer” refers to a University staff member trained in the conduct review process to adjudicate cases.

## IV. CODE OF CONDUCT

The following acts may subject students to action within the University Conduct Review Process:

### A. PERSONAL RESPONSIBILITY

**1. Alcohol.** Violating the University’s alcohol policy (University Policies 1.5.2 and 1.5.3). This includes, but is not limited to such behaviors as the manufacture, possession, purchase, or consumption of alcoholic beverages on or off campus for those under 21 years of age other than where the law provides; public intoxication of any person regardless of age on or off campus; the unlawful provision of alcohol to others; and the possession and consumption of alcoholic beverages in public places on campus, with the exception of days and locations approved by the Vice President for Student Affairs for those persons 21 years of age and older. Such exceptions to the alcohol policy will be handled in accordance with the Procedures for the Sale and Service of Alcohol, which may be accessed online at <https://www.smu.edu/StudentAffairs/VP/SA/Alcohol>. (See <https://www.smu.edu/policy> for full policy.)

**2. Community Standards.** Violating the Community Standards outlined by the Department of Resident Life and Student Housing. (See <https://www.smu.edu/StudentAffairs/Housing/eHandbook/CommunityStandards> for full policy.)

**3. Computing and Communications.** Violating the University's Computing and Communications Policy (University Policy 12.3). This includes, but is not limited to transmitting unsolicited information that contains obscene, indecent, lewd, or lascivious material; using University resources for any commercial venture; or violating the Copyright law in any manner. (See <https://www.smu.edu/policy> for full policy.)

**4. Drugs and Paraphernalia.** Using, possessing, distributing, or manufacturing drugs or mind-altering substances used to induce intoxication or impairment. This includes designer drugs, synthetic drugs, chemicals and plants, whether currently scheduled under local, state, or federal law or not. All persons are responsible for compliance with all local, state, and federal laws regarding controlled substances and prescription drugs. Possessing drug paraphernalia, as defined as objects used for or intended to be used for the consumption of prohibited substances, is also prohibited. The University adheres to the Drug-Free Workplace Act and the Drug-Free Schools and Communities Act. (See <https://www.smu.edu/policy> for University Policy 10.8, "Non-Prescription Drug Policy.")

**5. Dishonesty.** Acting dishonestly with the intent to mislead, defraud, or deprive University officials, hearing boards, students, faculty members, or members of the community at large of rights to information, accuracy of record, or property. Dishonesty includes, but is not limited to: the intention to produce counterfeit documents; possession of equipment with the intent to produce counterfeit documents; production of counterfeit documents; forgery; falsification of records; lying; falsification of checks, money orders, or other financial-related documents; unauthorized entry into University facilities; and falsification and/or manipulation of computer data.

**6. Fire Safety.** Tampering with, damaging, or misusing fire safety equipment such as, but not limited to, pull stations, smoke alarms, fire extinguishers, sprinkler systems, or exit signs; unauthorized burning of any material in any University building on or near University property; disregarding a fire alarm or failure to evacuate a building when a fire alarm is sounding; falsely initiating any report, alarm, warning, or threat of fire, explosion, or other emergency; obstruction of fire escapes, corridors, or stairways; violating the University's fire safety policy (see <https://www.smu.edu/policy>). Violators may also face criminal charges. A list of Residence Life Fire Safety policies, including prohibited items, is available on the Office of Residence Life and Student Housing website at <https://www.smu.edu/StudentAffairs/Housing/eHandbook/FireSafety>.

**7. Gambling.** Violating any local, state, or federal law regarding gambling. Texas law says that gambling requires a "bet," defined as "an agreement to win or lose something of value solely or partially by chance." Texas law adds, among other things: "A person commits an offense if he...plays and bets for money or other thing of value at any game played with cards, dice, balls, or any other gambling device."

**8. Guests.** Actions of one's guest(s) that violate University policies, including but not limited to this Code. A guest is any visitor to any University-controlled property who is not on official business. A guest must identify themselves when called upon by a University official and must identify their host as well.

**9. Irresponsible Conduct.** Engaging in irresponsible conduct or behavior that does not model good citizenship or reflects poorly upon the Southern Methodist University community.

**10. Laws & University Policy.** Violating any local, state, federal law, or any SMU policy.



**11. Weapons.** Violating the University’s weapons policy (University Policy 10.5). To the fullest extent of Federal and Texas law, the University prohibits the possession of any dangerous weapon (either openly or in a concealed manner), or facsimiles of dangerous weapons such as water guns or toy guns and knives, on all University property, athletic venues, passenger transportation vehicles, and any groups or building on which University activities are conducted. If weapons or reasonable facsimiles of weapons are used, pursuit and attack games, including but not limited to “Gotcha,” “Assassin,” and “Dungeons and Dragons” are not permitted to be played on campus. (See <https://www.smu.edu/policy> for full policy.)

**12. Motorized Vehicles.** Violating the University’s Vehicle Regulations (See pg. 41 of this PDF for full regulations).

## **B. INTELLECTUAL INTEGRITY**

**1. Emergency Equipment.** Tampering with or misusing fire-fighting equipment, including fire suppression systems (i.e., sprinklers), call boxes, emergency exits, or warning devices, or creating any hindrance of emergency procedures that is a threat to the community.

**2. Entertainment.** Engaging in entertainment on campus by strippers or other such dancers whose activities fall outside of the educational mission of the University.

**3. Failure to Comply.** Failing to comply with reasonable requests from University staff or administrators, including the completion of conduct-related sanctions. Students are expected to respond promptly to all correspondence from the University and its officials and are expected to maintain current addresses, both for U.S. mail and e-mail, on file with the Registrar’s Office.

**4. Hazing.** Hazing, being hazed, and/or failing to report hazing incidents. “Hazing” means any intentional, knowing, or reckless act, occurring on or off the campus of an educational institution, by one person alone or acting with others, directed against a student, that endangers the mental or physical health or safety of a student for the purpose of pledging, being initiated into, affiliating with, holding office in, or maintaining membership in any organization whose members are or include students at an educational institution.

**5. Identification.** Purchasing, possessing and/or using false identification or another person’s identification. SMU IDs may not be used by anyone but the student pictured on the ID card for the use of SMU facilities. ID cards may not be altered. Likewise, personal accounts programmed onto SMU ID cards are for use at the discretion of the student on campus or at authorized locations off campus, pursuant to the rules under which the accounts were formed, including Pony Express Accounts.

**6. Interference.** Interfering with or disrupting an University teaching, research, administrative, disciplinary, public service, learning, or other authorized activity.

**7. Trespassing.** Unauthorized entry into or on University property.

## **C. SINCERE RESPECT AND REGARD FOR OTHERS**

**1. Assault.** Engaging in behavior that endangers or threatens to endanger the health or safety of any person. Examples include, but are not limited to fighting or assault in any form.

**2. Discrimination.** Harassing any member of the community related to race, color, religion, national origin, sex, age, disability, genetic information, veteran status, sexual orientation, or gender identity and expression. Due to the University’s commitment to freedom of speech and expression, harassment is more than insensitivity or conduct that offends or creates an uncomfortable situation for certain members of the community. (See <https://www.smu.edu/policy> for University Policy 3.1, “Nondiscrimination, Affirmative Action, and Equal Opportunity Policy.”)

**3. Harassment.** Engaging in harassment, whether physical, psychological, verbal, written or digital-based, which is beyond the bounds of protected free speech, and directed at a specific individual(s), and likely to cause an immediate breach of the peace; conduct which threatens the mental health, physical health or security of any person or persons including stalking, intimidation, or threat that unreasonably impairs the security or privacy of another member of the university community.

**4. Sexual Misconduct.** Violating the University’s sexual misconduct policy (University Policy 3.3). Sexual misconduct encompasses all forms of sexual harassment to include sexual violence and sexual assault. It is any unwelcome conduct of a sexual nature. (See <https://www.smu.edu/policy> for University Policy 3.3, “Title IX Harassment Policy.”)

**5. Theft.** Attempted or actual theft of and/or damage to property of Southern Methodist University or property of the Southern Methodist community or other personal or public property, on or off campus.

#### **D. ACADEMIC HONESTY** (as defined in the SMU Honor Code)

- **Academic Sabotage.** Intentionally taking any action which negatively affects the academic work of another student.
- **Cheating.** Intentionally using or attempting to use unauthorized materials, information, or study aids in any academic exercise.
- **Fabrication.** Intentional and unauthorized falsification or invention of any information related in an academic exercise.
- **Facilitating Academic Dishonesty.** Intentionally or knowingly helping or attempting to help another to violate any provision of the Honor Code.
- **Plagiarism.** Intentionally or knowingly representing the words or ideas of another as one’s own in any academic exercise.

### **V. CONDUCT REVIEW PROCESS**

#### **A. General Information Pertaining to Conduct Hearings**

1. The standard of proof in all conduct hearings is the greater weight of the credible evidence.
2. The appropriate SMU official may extend timelines in this process, as warranted.
3. A student participating in a conduct hearing may not be actively represented by an attorney at any time during the Conduct Review Process. Parents or family members who are attorneys may not be present in a lawyer capacity.
4. All conduct hearings shall be closed to the general public. University staff in training may attend hearings. The Vice President for Student Affairs and/or the Dean of Students will have the authority to permit attendance of one or more University observers at any time during the course of the hearing.

5. If an incident involves more than one respondent, the Conduct Officer, at their discretion, may conduct a separate hearing for each respondent.
6. Any change in the allegation against a respondent shall be regarded as a new complaint subject to the conduct review process.
7. If a respondent fails to attend a conduct hearing, the Conduct Officer or Hearing Panel may conduct a hearing in the absence of the respondent.
8. As necessary, hearings and appeals will go forward during summer through procedures to be determined by the Vice President for Student Affairs.
9. A student organization is held responsible for a violation of the Code of Conduct when:
  - a. The activity in question was planned, sponsored, or endorsed by the organization;
  - b. The conduct occurred on property owned, controlled, rented, leased, or used by the organization or any of its members; or
  - c. An activity where a violation occurred was financed through the student organization's funds, or as a result of one or more members, advisors or affiliates contributing funds and/or arranging for funding, services, in-kind donations or contributions;
  - d. One or more officer(s) acting in the scope of their roles commit an offense; or
  - e. One or more officer(s) or members of the organization had prior knowledge or reasonably should have known that the incident would take place.
  - f. Any member of the organization attempted to conceal the activity or protect other members who were involved.
  - g. An activity that an observer would consider a specific organization's event. Non-members of the organization learned of the activity through members, advertisements, or communications associated with the student organization, or otherwise formed a reasonable belief that the conduct or activity was associated with or sponsored by the organization.

## **B. Initiation of the Conduct Review Process**

The Office of Student Conduct & Community Standards will review all reports and complaints made available to the University (including, but not limited to, police reports, RLSH incident report, and personal complaints) and determine if a student or organization may have acted in violation of the SMU Code of Conduct.

If it is determined that a violation of the Code of Conduct may have occurred, the matter will be resolved through the Conduct Review Process.

A report must be filed with the University within six (6) months of the date of the incident or discovery by the complainant of the alleged violation, in order to resolve the matter through the Conduct Review Process.

A matter may be resolved through the Conduct Review Process whether the incident occurs on or off campus.

The University, at its discretion, may proceed with the Conduct Review Process without a formal written complaint.

### **C. Notification of a Conduct Hearing**

No less than five (5) days prior to the Conduct Officer or Conduct Board Hearing (“hearing”), the Office of Student Conduct & Community Standards shall provide to the complainant and the respondent a written *Notification of Hearing*, which shall include the date, time, and location of the hearing, taking into account the class schedule of each party, in addition to the date of the incident, and the alleged violation(s) of the Code of Conduct.

The Notification of a Conduct Hearing will be delivered via email to the SMU email address on record with the University Registrar for a student, and may also be delivered via courier or US Mail.

With the written agreement of the respondent, and, if applicable, the complainant, and at the discretion of the Conduct Officer or Hearing Panel, the right to receive notification of a conduct hearing no less than five days prior to a hearing may be waived.

When the respondent is a student organization, the Notification of a Conduct Hearing will be sent to the student organization president and the SMU faculty/staff advisor.

### **D. Conduct Officer Hearing**

The Conduct Officer shall meet with the respondent, and the complainant, if one exists other than the University. At their discretion, the Conduct Officer may meet with the complainant and the respondent separately.

Video and/or teleconferencing for Conduct Officer Hearings will be permitted, at the discretion of the Office of Student Conduct & Community Standards, if classes are not in session and/or unusual circumstances exist which would prevent the student from appearing in person.

If either the complainant or the respondent or both do not meet with the Conduct Officer, the Conduct Officer may determine the outcome of the case with either or both parties absent.

The Conduct Officer may determine the outcome of the case administratively by assigning responsibility and sanctions.

The Conduct Officer may refer the case to a University Conduct Board if the Conduct Officer is unable to determine the outcome of the case or if the outcome would be best determined by the University Conduct Board.

### **E. University Conduct Board Hearings**

#### **1. University Conduct Board Membership Selection**

- a. The Office of Student Conduct & Community Standards shall conduct a selection process for students, faculty, and staff to serve on University Conduct Board. The Office of Student Conduct & Community Standards shall appoint members to serve on a specific hearing panel on a random basis, whenever possible, and make every attempt to ensure that Board members reflect the full diversity of the University.

#### **2. Composition of a Hearing Panel**

- a. Hearing panels are composed of any combination of five students, faculty, and staff, with students comprising the majority of the hearing panel. Hearing panel members are randomly selected by the Office of Student Conduct & Community Standards from the members of the University Conduct Board.

- b. The Office of Student Conduct & Community Standards shall appoint the Chair of each hearing panel. The Chair is a non-voting member of the hearing panel.
- c. In each University Conduct Board Hearing, the Office of Student Conduct & Community Standards will appoint a University Representative to record the hearing. The University Representative will also ensure that the procedures are not in violation of student rights.

### **3. Quorum Requirements for a Hearing Panel**

- a. Quorum for a hearing panel shall be five (5) voting members of the Board (in any combination).
- b. If fewer than five (5) voting members of the Board are present at the opening of a hearing, the hearing may be postponed until five (5) voting members can be convened, or, upon written agreement of the chairperson, complainant, and respondent, the requirements in this subsection may be waived.
- c. Any member of a hearing panel may recuse themselves voluntarily. Participation of a hearing panel member can also be challenged by a complainant or respondent. If there is no quorum due to a member's recusal or removal, the hearing will be delayed until an alternate member of the University Conduct Board can be selected.

### **4. Prehearing Procedures**

- a. Prior to the University Conduct Board hearing, the complainant and the respondent may meet separately with a Conduct Liaison. The Conduct Liaisons may attend the University Conduct Board Hearing but will not question witnesses, provide statements or speak on behalf of a student. Neither the complainant nor the respondent is obligated to meet with the Conduct Liaison.
- b. The complainant (including the University in situations where the complainant does not wish to proceed on their own) and the respondent must attempt to provide written notification to the witnesses whom they intend to call during the University Conduct Board Hearing. Such notice shall set forth the time, place, and date of the hearing. The University shall notify members of the student community that failure to appear as a witness may result in a charge against them under Section IV., B.,13. of the Code of Conduct for failing to comply with requests from University staff.
- c. No less than three (3) days prior to the hearing, the complainant and the respondent may each present to the Office of Student Conduct & Community Standards copies of all documents to be introduced at the hearing as well as a list of those witnesses whose testimony will be presented in person or by summation, including a brief summary of anticipated testimony.
- d. No less than two (2) days prior to the hearing, the complainant and the respondent shall receive from The Office of Student Conduct & Community Standards any documents to be introduced at the hearing and a list of those witnesses whose testimony will be presented in person or by summation through a Conduct Officer, including a brief summary of the anticipated testimony.



## 5. Hearing Procedures

- a. The Chair of a Board shall maintain order for the proper conduct of the hearing and, when necessary, may expel disruptive individuals or adjourn the hearing to a later time to assure the full development of facts in a calm, deliberate setting.
- b. A Conduct Officer and/or University Conduct Board may accommodate concerns for the personal safety, well-being, and/or fears of confrontation of the complainant, accused student, and/or other witness during the hearing by providing separate facilities, by using a visual screen, and/or by permitting participation by telephone, videophone, closed circuit television, video conferencing, videotape, audio tape, written statement, or other means, where and as determined in the sole judgment of the Dean of Students or their designee to be appropriate.
- c. At the discretion of the Office of Student Conduct & Community Standards, the Chair may grant extensions of time at any point prior to the commencement of the hearing to permit reasonably sufficient time for:
  - i. the complainant to prepare their case; or
  - ii. the respondent to prepare their response; or
  - iii. both.
- d. At the discretion of the Office of Student Conduct & Community Standards, the complainant and/or respondent may be granted an extension of time to provide additional evidence to the University Conduct Board.
- e. If, after the commencement of the hearing, the University Conduct Board discovers the need for more preparation or more time to hear testimony, the Chair shall recess the hearing to a later time.

## 6. Statements and Witnesses

- a. The Chair shall permit the introduction of any relevant testimony and documents.
- b. The Chair shall resolve any procedural issues with discretion and, if applicable, may consult with the Office of Student Conduct & Community Standards regarding such.
- c. The purpose of the University Conduct Board hearing is to address behavior(s), not student character. Therefore, only information that is relevant to the incident, including witness testimony, will be considered during a hearing. Character witnesses, statements, and reference letters will not be considered.
- d. Polygraph tests will not be considered in any conduct hearing.
- e. The complainant and the respondent may present witnesses during the hearing. If the University is the complainant, the Conduct Officer may present witnesses during the hearing.
  - i. Each member of the hearing panel may direct questions to the complainant, the respondent, or any witness.
  - ii. Complainants and respondents will not be allowed to cross-examine each other or any witness but may submit questions to the Chair in writing. The Chair may determine the appropriateness of the submitted questions and may, at their discretion, decline to ask questions they deem inappropriate. The Chair may also ask questions at their discretion.

- f. The complainant and the respondent have the right to make an opening and a closing statement.
  - i. The complainant may give the first opening statement.
  - ii. The respondent may give the last closing statement.
  - iii. The complainant and the respondent may each include a statement of the impact of the alleged offense as part of a closing statement.
- g. Inability to obtain witnesses shall not justify undue delay to continue a hearing. If a witness is unable to attend the hearing in person, they may participate:
  - i. telephonically or electronically (e.g., by Skype, or video conference);
  - ii. by sworn, notarized statement; or
  - iii. through a written statement.
- h. Additional witnesses and documents may be called at the discretion of the University Conduct Board.

## **7. Deliberations of the Hearing Panel**

- a. After the conclusion of the hearing, the hearing panel shall deliberate in executive session (only hearing panel members present during the session) to reach a decision.
  - i. Each hearing panel member, excluding the Chair, may vote, and all determinations shall be by majority vote.
  - ii. The hearing panel may not consider a student's prior conduct history when determining responsibility.
  - iii. If there is a finding of responsibility, the hearing panel shall be made aware of any previous conduct history in order to recommend appropriate sanctions.
  - iv. If the respondent is found not responsible, the Board shall close the case, subject to the appeal rights set forth in Section V., H. of the Conduct Review Process.
- b. Within three (3) days of the date of the conclusion of its deliberations, the hearing panel shall provide a written report to the Office of Student Conduct & Community Standards, which shall include:
  - i. findings of fact;
  - ii. basis for finding responsibility or non-responsibility; and
  - iii. if finding the respondent responsible, the reasons for the recommended sanction, if any.
- c. Within three (3) days of the date of receipt of the hearing panel's report, the Office of Student Conduct and Community Standards shall notify in writing the complainant and the respondent of the hearing panel's findings and recommended sanction(s), if any. If the Office of Student Conduct & Community Standards is made aware of any possible procedural errors during this three-day period, the Office may take corrective action, including calling for a new hearing.

## **8. Hearing Record**

The University Representative shall record (via audio) the University Conduct Board Hearing. At the discretion of the Office of Student Conduct & Community Standards, arrangements may be made for a certified court

reporter to be present to transcribe the University Conduct Board Hearing or to transcribe the audio recording of the hearing. The Office of Student Conduct & Community Standards shall store the recording and any transcript for as long as the file is kept. Deliberations of the University Conduct Board after the hearing may not be recorded or transcribed.

#### **F. Rights of a Student in the Conduct Review Process**

1. Respondents will be provided a written notice of charges prior to a hearing.
2. Complainants and Respondents will be provided a list of witnesses who will be asked to provide information at a hearing, as well as the opportunity to review all written evidence prior to the hearing.
3. Complainants and Respondents will be afforded an opportunity to present evidence or to call witnesses not already called by the University to testify or submit written statements. All witnesses must have the prior approval of Office of Student Conduct and Community Standards before participating in a hearing. Witnesses should have first-hand knowledge of the incident. It is the responsibility of the student to notify any additional witnesses of the time, date, and location of the hearing.
4. The right to have two people serve as support persons during the conduct hearing. Such persons are for silent moral support.
5. Respondents may remain silent before, during, and after the hearing and may make a statement explaining the reasons for remaining silent.
6. If the hearing is a University Conduct Board hearing, Complainants and Respondents will have the opportunity to consult with a Conduct Liaison(s) provided by the Office of Student Conduct & Community Standards. The Conduct Liaison(s) will remain in a neutral role throughout the process.
7. Respondents and complainants may challenge any member serving on a University Conduct Board on grounds of prejudice or bias.
8. Complainants and respondents may remain present during the conduct hearing process.

#### **G. Hearing Outcomes and Sanctions**

The following sanctions may be implemented individually or in any combination by the hearing panel or Conduct Officer. The President reserves the right to raise or lower sanctions imposed in the conduct review process. Students who fail to complete their sanctions within the allotted time period may be subject to having their registration cancelled and/or having a hold placed on their official University records, which may prohibit them from registration, reenrolling, or receiving transcripts.

1. Sanctions that do not affect standing with the University:
  - a. **INFORMAL WARNING.** A written notice indicating a violation of the Student Code of Conduct that is not considered part of a student's formal conduct record.
  - b. **FORMAL CONDUCT WARNING.** A written notice indicating a violation of the Student Code of Conduct that is considered part of a student's formal conduct record. The individual or group will be given formal notice by the Hearing Panel or the Conduct Officer that they have violated the Student Code of Conduct or University policy. If the individual or group is found in violation of a further charge, that case will be considered more seriously.



2. Sanctions that affect standing with the University:
  - a. **CONDUCT PROBATION.** A student or group is given a warning that further violations will result in consideration of suspension. The student or a group representative may be required to report to a Conduct Officer on a regular basis during the period of the probation.
  - b. **DEFERRED SUSPENSION.** Individual or group suspension may be deferred (not enforced). Deferred terms, i.e., conditions of the deferred suspension and its duration, will be set by the Conduct Officer or Hearing Panel which imposed the sanction. If a succeeding Conduct Officer or Hearing Panel finds the student responsible for violating the terms of deferred suspension during the period set up by the preceding Conduct Officer or Hearing Panel, the student may be suspended.
  - c. **SUSPENSION.** An individual or group will be dismissed from the University for an assigned time period, and under the conditions deemed necessary by the conduct review process. A student suspended from the University may not enter campus grounds for any reason during the period of their suspension without the express written permission from the Office of the Dean of Students. A student suspended from the University before an academic semester ends will not receive a refund of any monies paid and is not relieved of any financial obligations to the University, including tuition, fees, and room and board. No academic credit earned during the period of suspension at any other institution may be transferred to SMU. A conduct suspension and its effective dates are recorded on a student's academic transcript. The notation remains for the time the student is enrolled in the University and is removed three (3) years after graduation. If the student leaves the University before graduation, the notation is removed three (3) years after the anticipated date of graduation from the University.
  - d. **EXPULSION.** An individual or group will be separated from the University on a permanent basis. An individual's expulsion will be permanently recorded on their academic transcript. Before this sanction is enforced, the President of the University will review it. A student expelled from the University may not enter campus grounds for any reason without the express written permission from the Office of the Dean of Students. A student expelled from the University will not receive a refund of any monies paid and is not relieved of any financial obligations to the University, including tuition, fees, and room and board.
3. Additional sanctions that may be imposed in addition to sanctions imposed in Sections 1 and 2 above, include, but are not limited to:
  - a. **REASSIGNMENT OF HOUSING LOCATION/CANCELLATION OF HOUSING CONTRACT.** A student removed from the residence halls for an assigned period of time or expelled from the residence halls on a permanent basis may not enter any residence hall without the express written permission from the Office of Residence Life and Student Housing. A student who is reassigned to a residence hall due to disciplinary action may only enter the newly assigned residence hall. The reassigned student may not enter any other residence hall without the express written permission from the Office of Residence Life and Student Housing. If the student's housing contract is still in force at the time of the suspension or expulsion, no refund of the housing deposit or fee will be made.
  - b. **RESIDENCE HALL PROBATION.** A student is advised that additional



violations on or off campus could result in the reassignment of their housing location or the cancellation of their housing contract.

- c. **RESIDENCE HALL RESTRICTION.** A student may be restricted from entering a specific residence hall or all residence halls, as specified, without the express written permission of the Office of Residence Life and Student Housing.
- d. **FINE.** An individual or group may be fined any amount determined to be appropriate and commensurate with the severity of the offense. Fines resulting from an alcohol policy violation will be a minimum of \$100 and fines resulting from a drug policy violation will be \$500.
- e. **DISQUALIFICATION FROM HOLDING OFFICIAL STUDENT POSITIONS OR PARTICIPATING IN UNIVERSITY ACTIVITIES.** An individual or group sanctioned will be restricted from either representing the University in an intercollegiate activity, or from participation/representation in any University activity or organization.
- f. **RESTITUTION.** An individual or group will be required to pay a person or institution to compensate for the damage or loss of property.
- g. **NOTIFICATION OF PARENT OR GUARDIAN/NATIONAL ORGANIZATION/AUTHORIZING BODY.** The University may notify a students' parent or guardian, as allowed under the Family Educational Rights and Privacy Act (1974), or the national organization and/or university authorizing body for a student group, of the student or group's involvement in a policy violation.
- h. **SUSPENSION OF PRIVILEGES.** An individual or group will lose privileges that allow participation in specific activities, use of specific facilities, or the exercise of specific privileges.
- i. **DISCIPLINARY VIOLATION (DV) TRANSCRIPT RECORD.** If the nature of the offense so warrants, a notation indicating a disciplinary violation will be recorded on a students' academic transcript. The notation will remain for the time the student is enrolled at the University and for three (3) years following their graduation. If the student leaves the University before graduation, the notation is removed three (3) years after the anticipated date of graduation from the University.
- j. **EDUCATIONAL SANCTION.** The objective of an educational sanction is to provide opportunities for education, reflection, and rehabilitation; and is selected to be commensurate with the offense.
- k. **CAMPUS RESOURCE REFERRAL.** A student or group may be required to contact an individual or department on campus.
- l. **DRUG TESTING.** A student may be subject to random on-going drug testing. The number of tests/dates will be determined by the Office of Student Conduct & Community Standards and the Dr. Bob Smith Health Center. The fee for drug testing will be included in the fine assessed at the time of adjudication. Any missed test, diluted test, or positive test may result in immediate suspension from the University.

## H. Appeals

### 1. University Conduct Council

- a. The University Conduct Council is the board responsible for student conduct appeals in response to student conduct **and** academic dishonesty cases, and is accountable to the President of the University through the Vice President for Student Affairs. It is the recommending body to the Vice President for Student Affairs.
- b. Composition
  - i. The University Conduct Council shall be composed of at least two (2) staff, two (2) faculty, three (3) students (ideally two (2) undergraduates and one (1) graduate student), and two (2) student alternates.
  - ii. All seven (7) members may serve on any appellate board, but an official quorum for an appeal consists of a minimum of four (4) members, which includes at least one (1) faculty member, one (1) student member, and one (1) staff member.
  - iii. An official quorum for an Honor Council appeal consists of a minimum of five (5) members, which includes at least two (2) faculty members, two (2) student members and one (1) staff member (see the **Honor Code of SMU, Article VI, Section 3**).
  - iv. The chairperson of the University Conduct Council, who is a voting member of an appellate board, shall be elected by the members of the University Conduct Council from among the faculty and staff members of University Conduct Council.
  - v. The University Conduct Council serves as a board of final appeal for appeals originating from University Conduct Boards, Honor Council hearings and Conduct Hearings, except when a sanction of expulsion is assigned (see Section V., G.(2)(d)). Honor Council appeal procedures are set forth in Article VI of the Honor Code.

### 2. Requesting an Appeal

Both the complainant and respondent shall have the right to request an appeal of the findings and/or recommendations of the Conduct Officer or the University Conduct Board, to the University Conduct Council within five (5) days of receipt of notification of such findings and recommended sanctions by the Office of Student Conduct & Community Standards.

In cases that involve both a complainant and a respondent, either party may file a written request to appeal with the Office of Student Conduct & Community Standards. The request to appeal must include the ground(s) for appeal and the basis for each. Appeals received from the complainant or respondent will be forwarded to the other party involved within one business day of the appeal being received in order to allow the other party an opportunity to provide a written response. The non-appealing party may provide a written response to the appeal within five (5) days of the date of receipt. If a request for appeal is received from both the complainant and respondent, the appeals may be forwarded to each of the parties involved to allow each party the opportunity to provide a written response.

### **3. Grounds for Requesting an Appeal**

The University Conduct Council may grant an appeal to the complainant or the respondent or both on finding that (i) any one or more of the following circumstances exist and (ii) the mere existence of the circumstance(s) would significantly change the University Conduct Board's findings and recommended sanction, if any:

- a. Erroneous findings of fact;
- b. Procedural irregularities in the Conduct Review Process that denied one or both parties a fair hearing;
- c. New and relevant evidence not known at the time of the hearing;
- d. Recommendation of a sanction that is either unreasonably harsh or inadequate.

### **4. University Conduct Council Procedures Regarding Appeals**

- a. The Office of Student Conduct & Community Standards will provide the University Conduct Council with a packet of documentation that must contain the following:
  - i. the original incident report and/or complaint filed with the University;
  - ii. any and all documents accepted by the Conduct Officer or Hearing Panel, and taken into consideration when determining the outcome of the hearing;
  - iii. any audio recording and/or transcript of the hearing, if either exists;
  - iv. the written request for an appeal explaining the grounds for appeal; and
  - v. any written response provided by the non-appealing party.
- b. Only those members of the University Conduct Council who have participated in training shall sit as the appellate body.
- c. The University Conduct Council shall base its findings and recommendations on the following:
  - i. either party's written request for an appeal;
  - ii. any summary of the hearing prepared by the Conduct Officer or Hearing Panel; and
  - iii. the packet of required documentation prepared by the Office of Student Conduct & Community Standards.
- d. At its discretion, the University Conduct Council may schedule a hearing and allow oral statements. The University Conduct Council may determine the presenters and the amount of time allowed for each statement.

### **5. Determination of Appeal**

- a. Within fifteen (15) days of the date of the receipt of the appeal packet from the Office of Student Conduct & Community Standards, the University Conduct Council shall recommend to the Vice President of Student Affairs one of the following actions:
  - i. Dismissal or remand of the case based on a finding that there were such procedural irregularities during the Conduct Review Process that one or both parties were clearly denied a fair hearing;
  - ii. Dismissal or remand of the case based on a finding that there were erroneous findings of fact;

- iii. Lowering or increasing the sanction(s) imposed based on a finding that the recommendation of a sanction is either unreasonably harsh or inadequate;
  - iv. Remanding the case to the original Conduct Officer or Hearing Panel based on the finding that there exists significant new and relevant information regarding the allegation(s) discovered between the conclusion of the original hearing and the time of the appeal.
  - v. Upholding the findings and recommended sanctions, if any, of the Conduct Officer or Hearing Panel.
- b. Subject to the discretionary review by the President pursuant to Section V., H(6) below, the Vice President for Student Affairs shall review the recommendation of the University Conduct Council, and the record of the complaint as a whole, and render a final determination in the matter to be returned to the Office of Student Conduct & Community Standards.
  - c. Within five (5) days of receipt of the final determination from the Vice President for Student Affairs, the Office of Student Conduct & Community Standards will notify the complainant, the respondent, and the Title IX Coordinator (if applicable) in writing of the outcome of the request for an appeal as determined by the Vice President of Student Affairs on the recommendation of the University Conduct Council.

## **6. Review by the President of the University**

At their discretion, the President of the University may review decisions concerning student conduct, including findings of the University Conduct Board, the University Conduct Council, and all other conduct review bodies. Such review includes the power to take any action deemed appropriate, including reversing, amending, or remanding with instructions concerning such decisions. The President's power of review as stated in this policy is not limited in any way, and the President may act at their sole discretion in conducting such review and in deciding what action is appropriate.

The President shall inform in writing the complainant, the respondent, the Vice President for Student Affairs, and the Office of Student Conduct & Community Standards of any decision to affirm, reverse, amend, or remand any decision.

## **VI. SPECIAL CIRCUMSTANCES**

### **A. Academic Dishonesty Cases**

Any cases involving academic dishonesty will be handled in accordance with the Honor Code, which may be accessed online at <https://smu.edu/StudentAffairs/StudentLife/StudentHandbook/HonorCouncil>

### **B. Graduate Hearing Boards**

The Dedman School of Law, the Perkins School of Theology, and the Lyle School of Engineering shall each appoint, as may be necessary and appropriate, hearing boards composed of staff, faculty and graduate students to hear misconduct cases.

- 1. The rosters of persons appointed to these boards shall be made available, as needed, to the Office of Student Conduct & Community Standards.
- 2. All conduct charges against graduate students not enrolled in the Dedman School of Law, the Perkins School of Theology, or the Lyle School of Engineering will be heard through this student conduct review process.

3. As with all other hearing boards, the result of a graduate hearing board, under this process, may be appealed to the University Conduct Council appellate body.
4. Academic dishonesty cases concerning graduate students at the Cox School of Business, the Dedman School of Law, and the Perkins School of Theology are handled separately through processes established at each of those schools.

### **C. Student Organizations**

The Student Code of Conduct applies to student groups and organizations as well as individuals. When a student organization is believed to have violated the Student Code of Conduct, University policies, or the law, the Office of Student Conduct & Community Standards will conduct an investigation.

1. **Notice of Investigation:** When initiating an investigation of a student organization the Office of Student Conduct & Community Standards will issue a notice of investigation. The notice of investigation shall include: the date of the incident(s) or activity(ies) and the alleged policy violation(s).

2. **Administrative Conference:** At the conclusion of the investigation the Office of Student Conduct & Community Standards will schedule an administrative conference with the president of the organization and the organization advisor to review and address the investigation findings. A summary of the investigation findings will be provided to the president at least five (5) days prior to the administrative conference.

3. **Student Organizations found responsible for violations of the Student Code of Conduct, University policies, or the law will have the option to resolve their case in one of the following manners.**

- a. **Organization Accountability Agreement:** In consultation with the organization (and their headquarters, coach, or advisor where applicable) the University will work to develop a plan including sanctions that affect the organization's standing with the University and educational sanctions to address the violations. The organization accountability agreement may not be appealed. If after 60 calendar days the University and the student organization cannot come to an agreement the organization will be sanctioned through option b. Additional violations committed during the duration of the organization accountability agreement may be cause for the agreement to be extended and/or altered.

- b. **Sanctions assigned by a Conduct Officer:** The conduct officer overseeing the investigation will assign the sanctions deemed appropriate to the organization. The assigned sanctions may be appealed by following the steps outlined in the Conduct Review Process.

4. **Student Organizations found responsible for subsequent violations of the Student Code of Conduct, University policies, or the law, following the implementation of an Organization Accountability Agreement or sanctions assigned by a conduct officer will have the following options to resolve their case:**

- a. **Work with the Office of Student Conduct & Community Standards to develop an Organization Accountability Agreement in consideration of the existing agreement.**

b. Sanctions assigned by a Conduct Officer: The conduct officer overseeing the investigation will assign the sanctions deemed appropriate to the organization in consideration of the existing agreement or sanctions. The assigned sanctions may be appealed by following the steps outlined in the Conduct Review Process.

#### **D. Interim Action**

If student or student organization behavior presents an on-going threat of disruption to the community or is a danger to the safety of others, the Vice President for Student Affairs and/or the Dean of Students or their designee may impose such sanctions as s/he deems appropriate pending a conduct hearing.

#### **E. Mandatory Administrative Withdrawal**

If student behavior presents a threat of disruption to the community or is a danger to the safety of others to such a degree that resolution through the University conduct review process is not possible or appropriate, the Dean of Students may, in consultation with the Vice President for Student Affairs, mandate an immediate withdrawal of the student from the University. Such mandatory withdrawal may include, but is not limited to: withdrawal from academic classes, removal from any University-owned housing, or suspension from participation in any University activity. The Dean of Students may impose conditions and/or a time period for the withdrawal and the student may not return to the University until all such conditions and expiration of the time period are met.

#### **F. Medical Amnesty**

Students who seek medical assistance for themselves (Medical Amnesty) or another person (Good Samaritan) due to intoxication of alcohol and/or drugs will not normally be subject to the SMU conduct review process, except when it has been determined that another violation of University policy has occurred. The full policy and applicable procedures may be accessed here: <https://sites.smu.edu/dea/LiveResponsibly/good-samaritan-program.asp>.

#### **G. No Contact Orders**

1. For complaints involving allegations between students, the Office Student Conduct & Community Standards may issue a no contact order. If it is deemed appropriate by the Office Student Conduct & Community Standards that a no contact order should be issued, the complainant and respondent will each receive the order. Each party will be informed by the Office of Student Conduct and Community Standards once a no contact order has been issued to the other party.
2. If living on campus, students involved in a conduct matter who live near or with each other may also request to have living arrangements modified pending the outcome of the hearing.

#### **H. Sexual Misconduct Cases**

1. Any complaints involving allegations of Title IX sexual harassment or sexual assault and other conduct matters falling under Title IX of the Education Amendments of 1972, as amended. All Title IX student conduct matters are handled exclusively under SMU University Policy 3.3, "Title IX Harassment Policy." (See <https://www.smu.edu/policy> for details.)
2. In cases involving allegations of sexual misconduct, the investigation will focus primarily upon the allegations of sexual misconduct. Students involved in a sexual misconduct case may qualify to receive amnesty for other violations of the Code of Conduct.

## **I. Violations of the Law and the Code**

The University recognizes that some violations may be handled concurrently by the University and civil and/or criminal authorities. The criminal court process is separate and distinct from the conduct review process, which determines only violations of the Student Code and imposes sanctions within the University community. As such, concurrent action by both processes does not constitute double jeopardy.

## **VII. RETENTION OF CONDUCT RECORDS**

Upon graduation or withdrawal from the University, student records in the Office of Student Conduct & Community Standards are maintained for a period of no less than seven (7) years to facilitate compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act; after which time they are destroyed. Records of students who are suspended or expelled from the University will be maintained indefinitely. Conduct records may be released to third parties pursuant to University policies and federal and state laws.

Sanctions resulting in a change of a student's standing with the University may be disclosed to third parties; those sanctions include conduct probation, deferred suspension, suspension, and expulsion. Educational sanctions assigned may also be disclosed. Sanctions not affecting a student's standing with the University will not be disclosed; those sanctions include formal and informal warnings.

Cases which result in a student receiving amnesty through the Call for Help program (medical amnesty or Good Samaritan) will not be classified as student conduct records and will therefore not be disclosed to third parties except as permitted by the student or required by the law. These records will similarly be maintained for a period of no less than seven (7) years.

Only students with a violation occurring prior to the 2016-2017 academic year, who have earned 90 academic credits and achieved senior standing may request, through a written petition, to have their conduct record expunged by the Dean of Students for good cause. Factors to be considered in review of such petitions shall include:

1. The present demeanor of the student.
2. The conduct of the student subsequent to the violation.
3. The nature of the violation and the severity of any damage, injury, or harm resulting from it.

There is no appeal of the decision made by the Dean of Students in response to a request to expunge a record.

## **VIII. INTERPRETATION, REVISION, AND AMENDMENTS**

### **A. Code of Conduct**

The Student Code as described in Section IV is received and evaluated by the Student Senate, which is the legislative body representing student interests. The writing of the Student Code involves students, is for students, and is the expression of the student body's relationship to the rest of the University. Hence, the Student Senate may at any time make recommendations to the code and the senate shall be asked to endorse it. Changes to the Student Code adopted by the Student Senate are subject to approval by the President of the University. The most up-to-date version of this handbook can be viewed online at <https://smu.edu/studentlife> at any time.



## **B. Conduct Review Process**

The Vice President for Student Affairs has responsibility for establishing and maintaining the conduct review process through its various parts. The University Conduct Council, in consultation with faculty, staff, students, and others, as appropriate, and in conjunction with the Vice President for Student Affairs, makes recommendations/amendments to the procedures of the conduct review process as described in Section V to the President of the University.

1. Proposals are to be made to the University Conduct Council for their recommendation, but final authority to change the conduct review process rests with the University President.
2. When the University Conduct Council receives a change, the Council is required to inform the Dean of Students and the Student Body President of the proposal and the details of the proposal's contents in writing. This requirement is for written notification only; approval is not required by either the Dean of Students or the Student Body President.
3. Students with questions regarding this process may see the Dean of Students.
4. The Vice President for Student Affairs may delegate any part or all of their authority from time to time, to any person or several persons, wherever they deem it appropriate. This person or persons is referred to as a Conduct Officer.

Approved & Effective as of: 1 October 2013  
Last Revision: 05 August 2019

# THE HONOR CODE

Intellectual integrity and academic honesty are fundamental to the processes of learning and of evaluating academic performance, and maintaining them is the responsibility of all members of an educational institution. The inculcation of personal standards of honesty and integrity is a goal of education in all the disciplines of the University.

The faculty has the responsibility of encouraging and maintaining an atmosphere of academic honesty by being certain that students are aware of the value of it, that they understand the regulations defining it, and that they know the penalties for departing from it. The faculty should, as far as is reasonably possible, assist students in avoiding the temptation to cheat. Faculty members must be aware that permitting dishonesty is not open to personal choice. A professor or instructor who is unwilling to act upon offenses is an accessory with the student offender in deteriorating the integrity of the University.

Students must share the responsibility for creating and maintaining an atmosphere of honesty and integrity. Students should be aware that personal experience in completing assigned work is essential to learning. Permitting others to prepare their work, using published or unpublished summaries as a substitute for studying required materials, or giving or receiving unauthorized assistance in the preparation of work to be submitted are directly contrary to the honest process of learning. Students who are aware that others in a course are cheating or otherwise acting dishonestly have the responsibility to inform the professor and/or bring an accusation to the Honor Council.

Students and faculty members must mutually share the knowledge that any dishonest practices permitted will make it more difficult for the honest students to be evaluated and graded fairly and will damage the integrity of the whole University. Students should recognize that both their own interest, and their integrity as individuals, suffer if they condone dishonesty in others.

## THE CONSTITUTION OF THE HONOR COUNCIL OF SOUTHERN METHODIST UNIVERSITY

**PREAMBLE AND DEFINITIONS** We, the students of Southern Methodist University, with the approval of the Provost and the Dean of Students, establish the Honor Council to uphold the standards of academic integrity set forth in the Honor Code. Acts punishable under the code include, but are not limited to the following:

**ACADEMIC SABOTAGE** Intentionally taking any action which negatively affects the academic work of another student.

**CHEATING** Intentionally<sub>1</sub> using or attempting to use unauthorized materials, information, or study aids in any academic exercise<sub>2</sub>.

**FABRICATION** Intentional and unauthorized falsification or invention of any information or citation in an academic exercise<sub>3</sub>.

**FACILITATING ACADEMIC DISHONESTY** Intentionally or knowingly helping or attempting to help another to violate any provision of the Honor Code<sub>4</sub>.

**PLAGIARISM**<sub>5</sub> Intentionally or knowingly representing the words or ideas of another as one's own in any academic exercise.

**IMPEDING HONOR COUNCIL INVESTIGATION** Impeding the investigation of the council, lying to the council, or in any way failing to cooperate with the council.

The general principles for all honest writing can be summarized briefly. Acknowledge indebtedness:

1. Whenever you quote another person's actual words.
2. Whenever you use another person's idea, opinion, or theory, even if it is completely paraphrased in your own words.
3. Whenever you borrow facts, statistics, or other illustrative material - unless the information is common knowledge.

Plagiarism also encompasses the notions of citing quotations and materials from secondary sources that were not directly consulted in the preparation of the student's work, and copying the organizational and argumentation structure of a work without acknowledging its author.

## ARTICLE I JURISDICTION, RATIFICATION, AND AMENDMENTS

**SECTION 1:** The Honor Council shall oversee the academic conduct of all undergraduate and graduate students with the exception of those graduate students enrolled in the Schools of Law, Theology, Business, or Education of Southern Methodist University.

**SECTION 2:** Ratification of this Constitution shall be by majority vote of the Student Senate, the Faculty Senate, and the approval of the Provost and Dean of Students.

**SECTION 3:** Amendments may be proposed by a student senator, faculty senator, member of the council, or by petition of no less than ten (10) percent of the student body. Passage shall require a majority vote of the Honor Council and approval by the Student Senate, the Faculty Senate, and the approval of the Provost and the Dean of Students.

## ARTICLE II HONOR COUNCIL COMPOSITION AND AUTHORITY

**SECTION 1: MEMBERSHIP** If possible, the Honor Council should be comprised of a minimum of four officers and no less than 27 general members. Membership is open to all members of the SMU student body without respect to sex, sexual orientation, race, color, religion, disability, age, veteran status, or national origin. The officers will be appointed by outgoing executive board and the Honor Council advisor. General members will be selected through an application and interview process by the Honor Council Executive Board. The 27 general members should be categorized following these guidelines:

- (a) Five (5) first-year students (after recruiting)
- (b) Six (6) sophomore students

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- 1 Labeling a student as being "dishonest" constitutes a form of moral condemnation, which can be a legitimate sanction in itself. Such moral condemnation, however, is not normally imposed for a simple act of negligence (e.g., a typographical error resulting in a miscited source). A student who cites long passages from a book without acknowledgment cannot expect to convince the decision maker that the omission was merely "negligent." Such ignorance is not a valid defense. Not knowing what one has done (e.g., inadvertently omitting a footnote) is to be distinguished from knowingly doing something while ignorant of a rule.
  - 2 The term "academic exercise" includes all forms of work submitted for credit or honors at the University, as well as materials submitted to other institutions or organizations for evaluation or publication.
  - 3 For example, a writer should not reproduce a quotation found in a book review and indicate that quotation was obtained from the book itself. Likewise, it would be improper to analyze one sample in a laboratory experiment and covertly "invent" data based on that single experiment for three more required analyses.
  - 4 For example, one who provided term papers or examinations to other students while knowing or having reason to know that such materials would be used in violation of the Honor Code would be responsible for "facilitating academic dishonesty."
  - 5 In regards to cases of plagiarism, ignorance of the rules is not an excuse. The University subscribes to the statement on plagiarism which appears on page six of William Watt's *An American Rhetoric* (1955).

- (c) Seven (7) junior students
- (d) Eight (8) senior students
- (e) One (1) graduate student from a school under the council's jurisdiction
- (f) Five (5) members nominated by the Faculty Senate and appointed by the Provost

**SECTION 2: AUTHORITY** The Honor Council has the following powers and responsibilities:

- (a) To develop its own Bylaws and procedures, subject to a majority vote by the Honor Council and approval by the Provost, the Dean of Students, and Vice President for Legal Affairs for legal sufficiency and compliance with the standards set by the Honor Council Constitution;
- (b) To serve on and constitute at least one Hearing Board a semester, as specified in Article IV of this Constitution, or investigate at least one case a semester;
- (c) To advise and consult with faculty members and administrative officers on matters related to academic integrity standards, policies, and procedures;
- (d) To foster and promote programs alerting students to the importance of academic integrity and the penalties for its violation;
- (e) To issue an annual report to the campus community, to include a statistical review of the nature, volume and disposition of charges heard, academic integrity standards, policies, and procedures, including recommendations for appropriate changes;
- (f) Any additional duties or responsibilities delegated by the Provost or Dean of Students.

## **ARTICLE III - PREHEARING PROCEDURES**

**SECTION 1: FACULTY DISPOSITION OF A SUSPECTED HONOR VIOLATION** A faculty member who suspects that a student has committed an act of academic misconduct may take either or both of the following courses of action:

- (a) Determine to handle the situation privately with the student, in which case these procedures should be followed:
  - (i) the faculty member shall inform the student of the alleged misconduct and, after discussing it with them, determine whether or not the student is responsible for a violation of the Honor Code;
  - (ii) the faculty member shall inform the student of the sanctions for a determination of responsibility, which may be as severe as a failing grade in the course;
  - (iii) the faculty member shall determine whether to notify the Office of Student Conduct & Community Standards of the action taken using the form designated for this purpose. Faculty members should use this reporting mechanism, as it serves two purposes: first, it enables the University to track the number and severity of honor code violations; second, it preserves a record of a particular student's violation of the Honor Code in the event the student is charged with other alleged violations in the future.
- (b) Determine that the matter should be referred to the Honor Council, in which case the charge must be filed and received by the Honor Council within twenty-two (22) class days from the date of discovery of the alleged violation. The procedures outlined in Section 2, below, will be followed.

## **SECTION 2: NOTIFICATION OF STUDENT AND PREHEARING PROCEDURES**

- (a) A person who suspects an Honor Code violation shall notify the Office of Student Conduct & Community Standards of the alleged act via the online submission form.
- (b) The Provost will select faculty members designated in advance by the Faculty Senate. Although selection may be made on a case-by-case rotating basis, the Provost should retain discretion to make selections, which will ensure representation of appropriate academic disciplines, as necessary in each case.
- (c) The Honor Council president or designee shall immediately send written notice of charges to the respondent. All correspondence is sent to the student SMU email address. The Honor Council will consider notice served once notice has been emailed to the student's SMU email address. Students are responsible for checking their university email account since this is the official form of communication between the student and university.
- (d) The Vice President of Investigations shall appoint an investigator who will collect information relevant to the case and write a summary report to be used at the hearing. The investigator must deliver the summary report and copies of all written evidence and exhibits which will be used at the hearing to the Vice President of the Honor Council while submitting a copy to the Director of Student Conduct & Community Standards at least three (3) days before the hearing.
- (e) Upon notification of an alleged Honor Code violation, the Office of Student Conduct & Community Standards shall request the registrar to place a hold on the respondent's transcript until the case has reached a final disposition through the hearing.
- (f) The Honor Council president shall convene a Hearing Board, with a suggested composition of four students and two faculty members, within a reasonable period of time but no earlier than ten (10) days after the respondent receives notice of the allegation. "Ten days" shall be counted as class days. Weekend days, exam days, holidays, and summer vacation days are not included. Hearing boards ordinarily will not convene during these times.
- (g) Quorum for an Honor Council Hearing Board shall be defined as four (4) members of the Honor Council with at least one faculty member.

## **SECTION 3: ADVISING THE RESPONDENT**

- (a) The vice president of the Honor Council or designee shall serve as liaison to the respondent. The Honor Council vice president shall document every attempt by phone and mail to contact the student to schedule a meeting to review the respondent's rights and the Honor Council procedures. It is the student's prerogative whether or not to attend this meeting. At the meeting, the Honor Council vice president will review the hearing guide to ensure the student is aware of the changes and can access the Honor Code, the Honor Council Constitution, and the Hearing Procedures. The vice president will describe the hearing procedures to the respondent and answer questions. The vice president will also provide a copy of the investigator's summary report to the student and all written evidence or exhibits to be used in the case at least three days before the hearing. The vice president shall inform the student of the hearing date, time, and place. Training for the vice president shall be provided by Student Conduct & Community Standards staff.

- (b) The vice president shall inform the student that they may bring one person from the SMU community (an SMU student, faculty member, or staff member) and their parents. Parents and/or community support person are for moral support only and may not participate in the hearing. Parents or family members who are attorneys may not be present in a legal capacity. Attorneys may not attend or participate in the hearing.

## **ARTICLE IV - HEARING RULES AND PROCEDURES**

### **SECTION 1: GENERAL HEARING RULES**

- (a) Unless otherwise noted, all guidelines shall follow the same general principles set forth by the University Conduct Review Process.
- (b) The president or their designee shall act as the nonvoting presiding officer of the hearing.
- (c) The respondent may challenge any board member's eligibility to sit on the panel; however, the Hearing Board by majority vote, will have the final decision regarding the panelist's eligibility.
- (d) Hearings will be closed to the public, except for the respondent's parents, the community support person accompanying the respondent, and Honor Council members-in-training.
- (e) Any person, including the respondent, who disrupts a hearing or who fails to adhere to the rulings of the president may be excluded from the proceeding.
- (f) All proceedings are confidential. Violations of the policy on confidentiality will result in a board member's removal from the council as well as subject the board member to possible conduct action.
- (g) In cases involving more than one (1) student, the president, in consultation with staff in the Office of Student Conduct & Community Standards, will determine whether separate hearings will be held. If a single hearing is held, each respondent may be asked to testify with the other(s) out of the hearing room. Responsibility and sanctions will be assigned separately.
- (h) If the respondent withdraws from school pending a hearing, the Honor Council retains jurisdiction to render a finding of guilt and apply sanctions.

### **SECTION 2: HEARING PROCEDURES**

- (a) A hearing board should be comprised of four students and one faculty Honor Council member. The quorum for a hearing shall be four members. For a hearing to commence, the complainant or a statement by the complainant, and the investigator or a statement by the investigator must be present. The respondent does not have to be present for the case to proceed. Training for hearing board members will be jointly planned and implemented by the Office of Student Conduct & Community Standards.
- (b) Prospective witnesses, other than the complainant and the respondent, shall be excluded from the hearing during the testimony of other witnesses.
- (c) Formal rules of evidence shall not be applicable in the hearing. Unduly repetitious or irrelevant evidence may be excluded. Circumstantial evidence and hearsay are admissible.
- (d) Respondents shall be accorded an opportunity to question the complainant and those witnesses who testify for the complainant at the hearing.
- (e) In like manner, the complainant shall be accorded an opportunity to question the respondent and those witnesses who testify for the respondent at the hearing.
- (f) The burden of proof shall be upon the complainant, who must establish the guilt of the respondent by clear and convincing evidence.

- (g) All parties and witnesses shall be excluded during panel deliberations. Honor Council members-in-training, if any, will be allowed to stay for deliberations but may not contribute to the discussion of the board.
- (h) A four (4) out of five (5) vote is necessary for a finding of responsibility. If only four (4) members are present, a unanimous four (4) to zero (0) vote is necessary for a finding of responsible. Any vote short of the requirement will mean the board will dismiss the charge.
- (i) A majority vote is necessary for the sanctions to be set. If there is no majority opinion, then the student will not receive any sanctions.
- (j) If the respondent is found responsible for an Honor Code violation, the president will inform the board of any prior Honor Code or Conduct violations by the respondent. The Hearing Board will then determine the sanction(s) to apply. (See Article V., Section 3.)
- (k) A brief, written statement of reasons for finding a student responsible or not responsible for an offense and the sanctions imposed will be provided by the president or their designee. The decision of the hearing board will be available to the respondent and complainant(s) no earlier than 24 hours after decision has been reached.

### **SECTION 3: SPECIAL CONTINGENCY PROCEDURES**

- (a) In the event that a hearing must be held during the summer and on an accelerated schedule (such as the case of a student scheduled to graduate before the next academic term), and to the extent that logistics make it impossible to convene a hearing board according to Section 2(a), a special Hearing Board shall be convened for the hearing. The board shall still be comprised of five members if possible (four (4) for a quorum), however more than one Honor Council faculty member is eligible to sit on the board, as well as is one member of the administration of Southern Methodist University, so long as there are at least two (2) student Honor Council members on any Hearing Board (including the (4) four-member quorum). Furthermore, any officer of the Honor Council shall be eligible to sit on the board to the extent that they have no prior knowledge of the case.
- (b) All other special contingency hearing procedures shall follow the guidelines set forth in Section 2.

## **ARTICLE V - PENALTIES**

**SECTION 1:** The recommended minimum penalty for a violation of the Honor Code shall be an Honor Violation (H.V.) and a deferred suspension from the University for the remainder of the student's academic career. The suspension will be invoked for a finding of responsibility of an Honor Code violation or a sanction of conduct probation through the University Conduct Review Process. The Honor Council shall authorize the University Registrar to place an H.V. on the transcript. The H.V. shall remain on the student's transcript for three years after graduation or expected date of graduation. It shall then be removed from the transcript. Although it is presumed that finding of responsibility would result in assignment of a grade of "F", the faculty member retains complete discretion to award a grade for the course that they deem appropriate. Hearing board members may discuss the case issues in general with other Honor Council members at their regular meeting for purposes of training, but no identifying information may be discussed.

**SECTION 2:** In lieu of, or in addition to, the above recommended Honor Violation, the following sanctions may be given:

- (a) Educational sanction
- (b) Formal Conduct Warning
- (c) Conduct Probation for a term set by the Hearing Board
- (d) Suspension from the University for a term to be set by the hearing board (during which, credit gained at another institution cannot be transferred back to SMU);
- (e) Expulsion from the University
- (f) If the student receives a sanction involving a probationary period or higher, the student's parents will be notified

**SECTION 3:** The criteria on which penalties are based include but are not limited to:

- (a) Truthfulness and cooperation in the investigation and hearing;
- (b) Intent, premeditation and seriousness of the offense;
- (c) Previous University Honor Council or Conduct record;
- (d) Harassment of the complainant or any witness.

**SECTION 4:** For a period of one year, no student with an Honor Violation (H.V.) on the transcript will be permitted to represent the University in any extracurricular activity, or run for or hold office in any recognized student organization, including, but not limited to, participating as a member of an athletic team, in performances conducted under University auspices, serving as a member of the Mustang Band, the debate teams, an officer of a sorority or fraternity, a member of the Student Senate, a member of the Student Foundation, or in similar capacities. If students so sanctioned fail to remove themselves from such activities voluntarily, the Honor Council will contact the relevant student or administrative officials to force such action. In exceptional situations, this penalty may be waived at the discretion of the Hearing Board.

**SECTION 5:** For a period of one year, no student with an H.V. on their record shall be entitled to a scholarship based on any factor other than need.

## **ARTICLE VI - APPEAL**

**SECTION 1: University Conduct Council** - The University Conduct Council is the board responsible for student conduct appeals in response to student conduct and academic dishonesty cases, and is accountable to the President of the University through the Vice President for Student Affairs. It is the recommending body to the Vice President for Student Affairs.

- (a) Composition
  - i. The University Conduct Council shall be composed of at least two (2) staff, two (2) faculty, three (3) students (ideally two (2) undergraduates and one (1) graduate student), and two (2) student alternates.
  - ii. An official quorum for an Honor Council appeal consists of a minimum of five (5) members, which includes at least two (2) faculty members, two (2) student members and one (1) staff member (see the Honor Code of SMU, Article VI, Section 3).
  - iii. The chairperson of the University Conduct Council, who is a voting member of an appellate board, shall be elected by the members of the University Conduct Council from among the faculty and staff members of the University Conduct Council.



iv. The University Conduct Council serves as a board of final appeal for appeals originating from University Conduct Boards, Honor Council hearings and Conduct Hearings, except when a sanction of expulsion is assigned (see the Conduct Review Process, Section V, G.(2)(d) regarding Expulsion). Honor Council appeal procedures are set forth in Article VI of the Honor Code.

## **SECTION 2: Requesting an Appeal**

Both the complainant and respondent shall have the right to request an appeal of the findings and/or recommendations of the Conduct Officer or the University Conduct Board, to the University Conduct Council within five (5) days of receipt of notification of such findings and recommended sanctions by the Office of Student Conduct & Community Standards.

In cases that involve both a complainant and a respondent, either party may file a written request to appeal with the Office of Student Conduct & Community Standards. The request to appeal must include the ground(s) for appeal and the basis for each. Appeals received from the complainant or respondent will be forwarded to the other party involved within one business day of the appeal being received in order to allow the other party an opportunity to provide a written response. The non-appealing party may provide a written response to the appeal within five (5) days of the date of receipt. If a request for appeal is received from both the complainant and respondent, the appeals may be forwarded to each of the parties involved to allow each party the opportunity to provide a written response.

## **SECTION 3: Grounds for Requesting an Appeal**

The University Conduct Council may grant an appeal to the complainant or the respondent or both on finding that (i) any one or more of the following circumstances exist and (ii) the mere existence of the circumstance(s) would significantly change the University Conduct Board's findings and recommended sanction, if any:

- a. Erroneous findings of fact;
- b. Procedural irregularities in the Conduct Review Process that denied one or both parties a fair hearing;
- c. New and relevant evidence not known at the time of the hearing;
- d. Recommendation of a sanction that is either unreasonably harsh or inadequate.

## **SECTION 4: University Conduct Council Procedures Regarding Appeals**

The Office of Student Conduct & Community Standards will provide the University Conduct Council with a packet of documentation that must contain the following:

- The original incident report and/or complaint filed with the University;
  - any and all documents accepted by the Conduct Officer or Hearing Panel, and taken into consideration when determining the outcome of the hearing;
  - any audio recording and/or transcript of the hearing, if either exists;
  - the written request for an appeal explaining the grounds for appeal; and
  - any written response provided by the non-appealing party.
- (a) Only those members of the University Conduct Council who have participated in training shall sit as the appellate body.

- (b) The University Conduct Council shall base its findings and recommendations on the following:
  - i. either party's written request for an appeal;
  - ii. any summary of the hearing prepared by the Conduct Officer or Hearing Panel; and
  - iii. the packet of required documentation prepared by the Office of Student Conduct & Community Standards.
- (c) At its discretion, the University Conduct Council may schedule a hearing and allow oral statements. The University Conduct Council may determine the presenters and the amount of time allowed for each statement.

## **SECTION 5: Determination of Appeal**

- (a) Within fifteen (15) days of the date of the receipt of the appeal packet from the Office of Student Conduct & Community Standards, the University Conduct Council shall recommend to the Vice President of Student Affairs one of the following actions:
  - i. Dismissal or remand of the case based on a finding that there were such procedural irregularities during the Conduct Review Process that one or both parties were clearly denied a fair hearing;
  - ii. Dismissal or remand of the case based on a finding that there were erroneous findings of fact;
  - iii. Lowering or increasing the sanction(s) imposed based on a finding that the recommendation of a sanction is either unreasonably harsh or inadequate;
  - iv. Remanding the case to the original Conduct Officer or Hearing Panel based on the finding that there exists significant new and relevant information regarding the allegation(s) discovered between the conclusion of the original hearing and the time of the appeal.
  - v. Upholding the findings and recommended sanctions, if any, of the Conduct Officer or Hearing Panel.
- (b) Subject to the discretionary review by the President, the Vice President for Student Affairs shall review the recommendation of the University Conduct Council, and the record of the complaint as a whole, and render a final determination in the matter to be returned to the Office of Student Conduct & Community Standards.
- (c) Within five (5) days of receipt of the final determination from the Vice President for Student Affairs, the Office of Student Conduct & Community Standards will notify the complainant, the respondent, and the Title IX Coordinator (if applicable) in writing of the outcome of the request for an appeal as determined by the Vice President of Student Affairs on the recommendation of the University Conduct Council.

## **ARTICLE VII - RECORDS**

**SECTION 1:** All correspondence with the student and records of board decisions and all board correspondence will be maintained in the permanent file in the Student Conduct & Community Standards Office, in accordance with policies established for maintaining of student conduct records.

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The code was derived in part from Kibler, W., Nuss, E., Patterson, B., and Pavela, G., *Academic Integrity and Student Development: Legal Issues, Policy Issues* (College Administration Publications, Inc., 1988).

# VEHICLE REGULATIONS

## POLICY STATEMENT

1. The University has enacted the following traffic rules and regulations for the safety and security of the SMU community. They apply to all students, faculty, staff, and visitors. The parking rules, approved by the Vice President of Business and Finance, will be on file in the offices of Parking and ID Card Services Office and the Police Department. The complete text of the regulations is also available on the SMU web site at <https://www.smu.edu/parkingid>.
2. The objective is to obtain voluntary compliance with the regulations rather than to assess fines. Fines have been enacted to deter violations.
3. The plan provides parking spaces as conveniently as possible within the available limits. **No one is guaranteed a parking space on campus.**
4. Students, faculty and staff are expected to be familiar with and to abide by these regulations at all times and to advise visitors of them. The fact that a violation notice is not issued when a vehicle is illegally parked does not mean nor imply that the regulation or law is no longer in effect. The motor vehicle operator is responsible for being informed about the laws and regulations in force.
5. Persons with registered vehicles are responsible for any citations issued to their vehicles. **Lack of convenient parking space is not justification for violation of parking rules.** Any unregistered vehicles parked on campus by faculty, staff or students will be cited. Repeated violations (two or more) by unregistered vehicles can result in the vehicle being towed or mechanically immobilized (booted). Citations are not voided from an individual's parking record once paid. They accumulate during the academic year even after being resolved by payment. The moment the sixth citation is issued during the academic year, an individual will be designated a "Habitual Violator" for the remainder of the academic year. Habitual violators who illegally park on the campus will be subject to immobilization and tow. Individuals who receive ten (10) or more citations will be towed at the owner's expense.
6. All appropriate Texas criminal laws and motor vehicle laws, in addition to University regulations, are in effect on SMU property. University police officers and parking enforcement officers have jurisdiction to enforce regulations and the authority to remove or impound any vehicle operated or parked in violation of the regulations.
7. Throughout the year the campus hosts several major events that require reserved parking for the patrons. To facilitate reserved parking demands for event patrons, parking lots normally designated for student, staff, and faculty use may be closed. This will result in some inconvenience to the campus community but does not authorize drivers to park in violation of campus, state, or city ordinances. Vehicles remaining in affected areas may be towed at owner's expense.
8. Questions regarding interpretation or classification of these regulations should be directed to the Parking and ID Card Services Office, Hughes-Trigg Student Center Suite 216, during normal business hours at 214-768-7275 or via email at [parking@smu.edu](mailto:parking@smu.edu). **(PLEASE DO NOT CALL THE POLICE DISPATCHER)**

## VEHICLES ON CAMPUS

Motor vehicles parked at any time on University property or streets by students, faculty, or staff must display a current permit, which is obtained from the Parking and ID Card Services Office. Permits must not be falsified, transferred to another person, forged, or altered.

## STUDENT VEHICLES

License Plate Recognition and Virtual permits are being used where the permit in the parking system is linked to a vehicle license plate.

## FACULTY AND STAFF VEHICLES

Motor vehicles parked on University property or streets by faculty or staff members must have a valid virtual SMU parking permit. License Plate Recognition and Virtual permits is used where the permit in the parking system is linked to a vehicle license plate.

## VISITOR PARKING (Faculty, Staff & Students are NOT visitors)

Visitors to SMU should be given parking guidance by person or organization inviting them to campus.

1. Visitors and guests of the University may park in metered spaces on campus. The Binkley, Moody and Hillcrest Parking Centers also offer self-pay and park options.
2. Visitors parking in the Moody Parking Center will be required to pay a flat-rate fee of \$10.00. The one-time \$10.00 fee is good for the entire day or purchase a permit online for \$10.00 a day. The pay station is located at the SMU Blvd Entrance and will accept major credit cards only. Visitors must display the receipt of payment on the dashboard to avoid citation.
3. Visitors parking in the Binkley Parking Center will be required to pay a flat-rate fee of \$10.00 or purchase a permit online for \$10.00. ParkMobile App based prepayment is available. There is no overnight parking for visitors in the Binkley Parking Center without prior arrangements with the Parking and ID Card Services Office (a permit will be issued). Parking and ID Card Services accepts credit cards or check only for non-SMU affiliates. **Faculty, staff, or students are NOT considered visitors and may not park in visitor's parking spaces on Level 2 of the Binkley garage at any time.**
4. Visitor parking in Hillcrest Parking Center is at an hourly rate of \$3.00 in visitor spaces on level two. ParkMobile App based prepayment is available.
5. Visitors can only park on campus during normal hours of operation (7:00 am - 12 midnight). If a vehicle needs to be left overnight or frequent visits are made to campus, call the Parking and ID Card Services Office at 214-768-7275 or email [parking@smu.edu](mailto:parking@smu.edu) for instructions. A permit can be purchased online at <https://smu.edu/parkingservices>.
6. **While faculty, staff, and students are not considered visitors, they may park in any metered parking space anywhere on campus, provided they have paid the associated fee. However, faculty, staff, or students may not park in visitor's parking spaces on Level 2 of the Binkley Parking Center or Hillcrest Parking Center at any time.**
7. Students are responsible for the actions of their guests on campus and should advise them as to the areas in which they are allowed to park. Guests should be directed to Parking and ID Card Services.
8. SMU is not responsible for any damage that may occur to vehicles parked on campus. Students are not allowed to use visitor parking on Level 2 of the Binkley Parking Center.
9. The Mustang Parking Center is for resident permit holders only.

## FLOOD WARNING

Certain low-lying areas of the campus are prone to flooding in heavy rains. Concerns or questions about these areas should be addressed to SMU Facility Services.

## PARKING FOR THE DISABLED

1. SMU provides spaces throughout the campus for the parking needs of persons with disabilities. The campus honors any government-issued disability designation visibly displayed.

2. SMU has provisions to issue a temporary disabled permit. Temporary disabled permits may be issued with written authorization from a physician. This issuance is done at the Parking and ID Card Services Office. Temporary permits may be issued for a maximum of six (6) weeks. This provision will enable an individual to obtain a State temporary permit if the disability is expected to continue longer.
3. Persons with “Disabled” permits must pay to park in SMU-operated (private property) metered parking spaces.
4. An unauthorized vehicle in a space reserved for disabled persons will be cited and towed at the expense of the owner/operator.
5. Spaces designated for disabled persons may be used only by vehicles displaying an appropriate permit. The regulation applies AT ALL TIMES (24 hours a day, seven days a week). Vehicles improperly parked in such spaces will be towed away. A \$300 FINE WILL BE CHARGED FOR EACH VIOLATION. THIS WILL BE IN ADDITION TO THE TOWING/BOOT CHARGE AND IMPOUNDMENT FEES.
6. A parking placard or plate is ONLY valid when being used by the same person with the disability or someone who is driving the person with the disability. It is a violation of state law to use the placard or plates for a disabled parking spot without the person with the disability in the vehicle.

**NOTE:** Article 6675a.5e.1, Vernon’s Texas Civil Statutes:

Section 10. (a) A person commits an offense if the person is neither temporarily or permanently disabled nor transporting a temporarily or permanently disabled person and parks a vehicle with such special device or displaying a disabled person identification card in a parking space or parking area designated specifically for the disabled by a political subdivision or by a person who owns or controls private property used for parking for which a political subdivision has provided for the application of this section under Subsection (c) of Section 6A of this Act.

Section 11. Presumption. In a prosecution of an offense under Section 10 of this Act, it is presumed that the registered owner of the motor vehicle that is the subject of the prosecution is the person who parked the vehicle at the time and place the offense occurred.

## PARKING PERMITS

There are many types of permits issued by SMU: Only one vehicle can be registered to SMU resident students. Two vehicles may be registered to non-resident students, faculty, and staff. By virtue of purchasing an SMU parking permit, all agree to read, understand, and abide by SMU parking policy. An additional parking permit for another vehicle can be bought at the full price for the full year. All students living in an SMU residence hall, SMU apartment or sorority/fraternity house must register their vehicle or opt-out of an SMU parking permit if they do not have a vehicle at school. If no choice is made, residential student accounts will be charged the annual parking fee. If you are a non-resident student and must drive, you will need an SMU parking permit to park on campus. Students must purchase their SMU parking permits or opt-out online at <https://smu.edu/parkingid>.

### What is LPR?

LPR, License Plate Recognition, technology uses optical character recognition to automatically read license plate characters. SMU will be operating mobile LPR, which uses vehicle-mounted cameras to verify plates in all campus lots. LPR will increase the accuracy of identifying unauthorized or unregistered vehicles parked on campus. This new technology automates the process and notifies parking staff of unauthorized vehicles. License Plate Recognition (LPR) is the most current permitting technology available that provides virtual permits through a vehicle’s license plate number in place of a decal permit.

## How does LPR work?

A permit is required to park on campus. Upon permit registration/payment, vehicle license plate number(s) will be entered into the parking software. The software combines the license plate information with the individual's permit type and generates a virtual permit linked to that license plate.

- 1. RESIDENT PERMITS:** Persons who reside in campus housing (residence halls, sororities, fraternities and SMU apartments) are authorized to park in the resident areas indicated on the map and designated "All University Permit" (AUP) areas. Avoid RLSH staff spaces and visitor spaces. Proof of campus residency is required. Resident permits are not valid in the Daniel Parking Center, Binkley Parking Center or Meadows Parking Center.
- 2. FALL PERMIT:** Specifically for those non-resident students who will graduate at the end of the Fall Term, or for students who will not be taking classes on campus in the spring. Residents graduating in the fall should purchase a full year resident permit.
- 3. COMMUTERS:** These non-resident students are authorized to park in AUP designated areas. This includes the Commuter Lot, Airline Parking Center, Meadows Parking Center, the Moody Parking Center and the Binkley Parking Center. Students are not allowed to park in visitor and Faculty/Staff spaces within these locations. Non-resident permits are not valid in the Daniel Parking Center, level 2 of Binkley or Hillcrest Parking Centers or resident parking locations.
- 4. FACULTY AND STAFF:** Employees are authorized to park in designated F/S areas on the map, including Parking Centers and all university permit areas. It is not permitted to purchase a F/S permit for use by students. Faculty and staff should avoid spaces designated for visitors in the Binkley and Hillcrest Parking Centers. Letter designated lots are by assignment only and require a permit specific to that location.
- 5. LAW PERMITS:** This permit authorizes parking in the Daniel Parking Center (Law), Airline Parking Center, Meadows Parking Center, the Moody Parking Center, Binkley Parking Center and AUP areas. Law permits are not valid in resident areas or the visitor levels of Binkley and Hillcrest Parking Centers. Resident and non-resident permits are not valid in the Daniel Parking Center.
- 6. SERVICE AND DELIVERY VEHICLES:** These vehicles are issued virtual permits for loading, unloading and SMU vehicles.
- 7. TEMPORARY:** This is a short term permit issued for a specific date and location.
- 8. VISITOR PERMITS:** Used to designate visitors on campus.
- 9. EMERITUS PERMIT:** Designates individuals who have retired from SMU. It allows them to park in any All-University Permit (AUP) area or any open faculty, staff or resident lot. Available through the Retired Faculty Association and the Retired Staff Association or the Parking and ID Card Services Office, Hughes-Trigg Student Center, Suite 107.
- 10. CONTRACTOR PERMITS:** Contact the Parking and ID Card Services Office.

## FEES 2020-21

Parking fees per school year (August 1 - July 31) are as follows:

- Student
  - Full-time (more than 9 credit hours)*
    - Full Year - \$350
    - Fall Semester Only - \$190 (*Available only to Graduating Seniors*)
    - Spring Semester - \$190
  - Part-time (9 or fewer credit hours)*
    - Full Year - \$190
    - Fall Semester Only - \$95 (*Available only to Graduating Seniors*)
    - Spring Semester - \$95
- Summer (May - August) - \$50

3. Faculty/Staff - \$32 a month or \$380 annually
4. Temporary permit - \$31 monthly; \$15 weekly; \$10 daily (online) or \$10 at the gate

## REFUND POLICY - PARKING FEES

Parking fees will be refunded if a request is made within the first thirty (30) calendar days of the beginning of a semester.

## TRAFFIC AND PARKING VIOLATIONS

University parking and traffic regulations, state laws, and City of University Park ordinances are in effect on the SMU campus at all times.

### FINES

1. Parking fines range between \$30 and \$300.
2. The fine for a moving violation is \$60.
3. Violation of parking in a space designated for the disabled without visible authorization or blocking a ramp for the disabled will result in a \$300 fine. In addition, the vehicle will be towed away at the owner's expense.
4. A person is designated a "**Habitual Violator**" when six (6) citations are issued. A person is designated a "**Chronic Violator**" (10 or more citations) and will be towed at owner's expense.
5. Vehicles that have been immobilized or "booted" may be booted with a "Smart Boot" device. The boot can be released with payment by contacting 1.866.Paylock (207-2134), <https://www.mybootinfo.com>. The Paylock can be contacted for release 24/7.
6. Fire lane and fire hydrant violations are \$150.00 each.

### VIOLATIONS

1. The maximum permissible speed on campus streets is 20 MPH. The speed limit in all parking lots is 5 MPH.
2. Vehicles must stop for pedestrians at all intersections and in marked crosswalks on campus. Pedestrians always have the right of way in any situation.
3. A motor vehicle shall not be operated while any person is sitting on, holding onto, or otherwise positioned on the outside of the vehicle, except pick-up trucks, in which passengers may be seated in the truck bed if the passenger is not in violation of minimum age as defined by state law.
4. Special circumstances (loading/ unloading) vehicles will be considered, however, prior permission must be obtained. A maximum of twenty (20) minutes parking will be granted in these instances. The vehicle involved in loading or unloading must be parked in a legal parking space and must be moved immediately upon completion of the loading or unloading operation. The procedure does not convey the right to park in a FIRE LANE, a space designated for a DISABLED person, a NO PARKING ZONE, or a RESERVED space.
5. It shall be a violation for any person to drive by, through, beyond, or move a barricade, a road block, or parking cone that is officially erected on the campus.
6. Parking in a fire lane.\* (**\$150 fine**)
7. Blocking a driveway or crosswalk.\* (**\$50 fine**)
8. Double parking.\* (**\$50 fine**)
9. Parking in a space designated for persons with disabilities.\* (**\$300 fine**)
10. Parking in a crosswalk or yellow-painted NO PARKING zone. (Please note, activating the emergency flashers on your vehicle will NOT exempt you from being cited while parking in a NO PARKING zone. Vehicles parked for ANY length of time even with emergency flashers on are subject to being cited and towed by police!)
11. Moving traffic violations (includes driving motorcycles and mopeds on sidewalks)\* (**\$60 fine**)

12. Failing to yield the right of way to a pedestrian.
13. Overtime parking (this includes areas controlled by parking meters).
14. Parking in an unauthorized area, no permit or incorrect permit, and spaces designated "VISITOR." **Students and employees are not considered visitors at any time.**
15. Parking outside the defined limits of a parking space (taking two spaces). Including parking over the line where the tire extends over the marked line into the space adjoining.
16. Parking on sidewalks or grass, mall, or lawn.
17. Parking a trailer or boat on campus without permission.
18. Failure to properly display a parking permit or have a current vehicle registered to an active permit.
19. Improper use of a University police citation.
20. Bicycle violations (e.g., blocking ramps for the disabled, handrails, chained to trees or lamp posts).\*
21. Parking in a "Reserved" parking space or area.\*
22. Vehicle impoundment\* (**\$30 per day storage fee**)
23. No valid decal. (**\$50 fine**)

*\*Note: Towing is at owner's expense. The towing and impoundment fee is in addition to the Violation Fine.*

## OTHER REQUIREMENTS

1. Parking is regulated by posted signs and curb markings, which take precedence over colored map indications.
2. *Commuters* may not park in areas reserved for campus residents, visitor areas, faculty, staff and law designated areas.
3. Limited-time parking areas (i.e. 30-minute) may be used by visitors, students, faculty and staff.
4. Spaces provided for disabled persons are indicated by posted signs.
5. In the event of conflict between traffic signs and the painted regulations, the signs will govern.

## PERMITS

### How can I purchase a permit?

Students and Employees will still be able to register for and purchase most permits online as they have always done. The only difference will be that entering license plate information is now required and must be kept current.

### Can I park in any lot now that there are no hangtags or stickers?

No. All lot privileges remain the same and are based upon your permit type or assignment (employee, student, etc.). Vehicles parked in an area on campus not associated with their permit type will be subject to citation.

### Will campus signage be changing?

Most signage on campus will remain unchanged regarding what permit types are eligible to park.

## LICENSE PLATES

### What if I get a new vehicle/license plate?

It is imperative that your license plate number(s) and vehicle information is current and remains up to date. Please use the parking portal to update your vehicle information. If you have difficulty doing so, please email [parking@smu.edu](mailto:parking@smu.edu), call Parking and ID Card Services Office for assistance.



### What if I have a personalized plate or a special character/symbol?

If you have a personalized plate with less than 7 characters, or if you have a special character within your plate (heart, star, etc.), you will skip the special character and enter in the number of characters remaining on the plate. This customer would enter "SAMPLE" at a pay station or during their online registration.

### What if I do not have a front license plate?

If your vehicle is registered in the State of Texas, the state requires two plates to be displayed, one in front and one in back of the vehicle. If you have a back-facing plate only, please park head-in so that the LPR system can read your registered license plate from the drive aisle. Failure to park head-in may result in a citation.

### Will I receive a citation if my license plate is dirty or if I have a decorative cover?

As long as your plates are legal for driving, our system can read them.

### What if I have a newly registered vehicle without a license plate?

Please enter the temporary license plate number when registering your vehicle and the VIN (Vehicle Identification Number). Do not forget to notify Parking and ID Card Services when you receive the permanent plate!

## **MULTIPLE VEHICLES / TEMPORARY VEHICLES**

### What if I own/drive more than one vehicle to campus?

Individuals are allowed to register multiple (up to three) vehicles on the same virtual parking permit. However, only one vehicle is allowed on campus at a time per permit. The LPR technology will recognize the first vehicle as valid, but any additional vehicles under the same permit will be subject to citation. Construction vehicle may have only one vehicle per permit

### What if I have a loaner or rental car?

Individuals are allowed to add or remove vehicles to their parking permit at any time, which will include loaner or rental cars. Once your usage of this temporary vehicle has ended, you will need to notify Parking Services to remove it.

## **VIRTUAL E-CITATIONS - HOW ARE CITATIONS ISSUED?**

If a vehicle is found to be in violations of SMU vehicle regulations, it is subject to citation. Citations for SMU Students and Employees will be emailed to the SMU email address. Courtesy notifications reminding students and employees will also be emailed. Citations for vehicles not registered or affiliated will be physically placed on vehicles and the registered owner notified by US mail.

## **PRIVACY**

### How will my license plate information be used?

The license plate information collected in this process will only be referenced against the campus database for purposes of verifying parking permits on campus.

## **HOURS OF RESTRICTION**

Many of the campus parking areas are restricted by the type of permit 24 hours a day, while others are designated as restricted from 7 a.m. to 5 p.m. Drivers should be aware of the signage restricting the area before attempting to park the vehicle. A permit is still required.

During the hours of restrictions, a vehicle may be parked only in the parking area to which the vehicle has been assigned and for which a permit has been issued. If restrictions are posted with no time designation, the restriction is enforced 24 hours daily. On Saturday and Sunday and official school holidays, only posted restrictions are in effect.

When restrictions are not in effect, vehicles bearing a current SMU parking permit may park in any space that is not in violation of state and local statutes or is not controlled by signs or curb markings indicating special provisions. Reserved parking areas are reserved 24 hours a day, seven days a week.

## ENFORCEMENT

1. Citations will be issued by the University Police or Parking Enforcement officials for violation of traffic or parking regulations.
2. A **sixth** traffic citation will result not only in a fine but also in the individual being designated a habitual violator.
3. Securing a parking permit using fraudulent registration information or displaying a fictitious permit will result in the revocation of parking privileges and referral to the Student Conduct & Community Standards Office for further action. **NOTE: Students who fraudulently register the vehicles of another will lose their parking privileges on the campus for the remainder of the academic year. Students should also be reminded that ANY citations received by others who have a registration permit in the registrant's name will be charged to the registrant's account.**
4. Improperly parked vehicles that interfere with usual staff functions, such as maintenance, delivery, emergency vehicles, etc. will be towed. Vehicles that damage lawns or other landscape will be towed.
5. In situations where the violation warrants, a vehicle either may be towed or immobilized by the use of a mechanical "boot." If the "boot" is used, the violator must not, under any circumstances, try to move the vehicle. Any attempt to move the vehicle will result in damage to the locking device and/or the vehicle. **SMU IS NOT RESPONSIBLE FOR DAMAGE TO A VEHICLE THAT IS MOVED WHILE SECURED BY A "BOOT". ANY DAMAGE TO THE "BOOT" WILL BE CHARGED TO THE VEHICLE OWNER.**

## MOTORCYCLES, MOPEDS & MOTOR-POWERED BIKES

There are special regulations that SMU has adopted from the State of Texas which apply to motorcycles, mopeds and motorbikes. Operators of these vehicles must be registered with the Parking and ID Card Services Office and must display a parking permit. The same penalties for violating any of the regulations apply to all motor vehicles on campus. Parking and traffic regulations for these vehicles are identical, with the following exceptions:

1. They may be driven only on the streets and driveways of the campus and are explicitly prohibited from pedestrian malls, plazas and sidewalks, lawns, flower beds and shrubbery, inside of buildings except parking centers, and areas where they are prohibited by posted signs.
2. They may be parked in any area authorized for automobiles.
3. With the exception of the front pad of Patterson Hall, motorcycles may not be parked in fire lanes, inside any building except parking centers, on sidewalks or lawns, in driveways or loading zones, within 10 feet of any building wall, in bicycle parking areas or where official signs prohibit.
4. No more than one passenger may be transported on a motor powered cycle.

### How will motorcycle permits be handled with License Plate Recognition?

Motorcycles may only park in designated in a regular parking space. Motorcycles are required to be parked in such a way in motorcycle parking areas that the LPR system can read the rear license plate from the adjacent drive aisle. Motorcycles may be included under one of the three registered vehicle license plates allowed under a purchased car parking permit.

The following is a set of guidelines that can be found at <https://www.dmv.org>.

### The Texas Certified Moped List

The TX DPS recently published a list of certified mopeds meeting the legal definition of a moped - <https://www.txdps.state.tx.us/msb/documents/CurrentMopedList.pdf>. Don't

see your bike on the list of certified mopeds? Ask yourself these questions:

- Can it exceed 30 MPH?
- Does it require shifting gears?
- Does it have a piston displacement of more than 50 ccs?

If you answered “yes” to any of the questions, your moped is classified as a motorcycle. This means you are not eligible for the “K” restriction, and you require a Class M motorcycle license.

If you answered “no” to all three questions, your moped is eligible for a “K” restriction. This means you do not have to take a motorcycle test. A “K” restriction limits you to moped riding only; you cannot operate a motorcycle. To obtain your restriction:

- Print out a moped affidavit.

**<https://www.txdps.state.tx.us/msb/documents/MopedAffidavit.pdf>**

- Take the affidavit to a moped dealer or manufacturer for completion.
- Deliver the completed affidavit to your local tax office (**<https://www.dmv.org/tx-texas/dmv-office-finder.php>**) to receive the “K” restriction. Be sure to have the proper identification and either your permit or license.

### **Motorized Bicycles in Texas**

All motor driven cycles in Texas (excluding electric bicycles) have to follow similar requirements as motorcycles. Most of the time you will need a moped license or Class M driver’s license, along with insurance, registration and a title.

### **Electric Bicycles**

In the State of Texas, electric bicycles are defined as bikes that are powered by an electric motor that have a top speed of 20 MPH on level ground. You don’t need a driver’s license or anything else to ride one, but you also can’t drive on highways.

## **BICYCLES**

Bicycles must be ridden in accordance with state and local laws pertaining to them. The SMU Police Department will provide a synopsis of such laws upon request.

1. As a deterrent to theft and to aid in prompt identification of a lost or stolen bicycle, the SMU Police Department will provide a FREE registration decal to an owner supplying the serial number or identification number of the bicycle. Registration of bicycles is mandatory.
2. A bicycle may not be ridden, parked or stored on any campus lawn or other areas where pedestrians may walk. Pedestrians have the right-of-way on all sidewalks. Bicycles are not permitted where official signs prohibit parking or riding.
3. The operator of a bicycle must give the right of way to pedestrians at all times.
4. Bicycles may not be secured to any tree, shrub, or plant, including average step railings, or any structure NOT designated as a bicycle rack or locking facility. An exception is a chain-link fence.
5. Bicycles may not be left unattended on any sidewalk, street, driveway, loading zone, fire lane, building, porch or patio, or pedestrian mall.
6. Violations of these regulations will result in the removal of the bicycle by the SMU Police Department; the owner may retrieve it after showing proper identification.
7. All violations of campus bicycle regulations are considered minor traffic violations and fines will be assessed accordingly.
8. State law requires bicycle riders to obey all traffic control devices, stop signs, etc.
9. Special bicycle lockers located near residence hall areas are available through Residence Life and Student Housing for a small fee per semester.

## HOME FOOTBALL AND BASKETBALL GAMES

When home football or basketball games are scheduled, SMU parking permits not valid. When home football game day is on a Saturday, all permit holders must move their vehicles during the evening prior to the game. After 5:00 PM on the Friday evening before game day, vehicles with SMU parking permits must relocate their vehicles. The Athletics Department will tow vehicles not removed from restricted areas at the owner's expense.

## IN-LINE SKATES, SKATEBOARDS, AND TRICK BIKES

The on-campus use of skateboards, in-line skates ("roller-blades"), and trick bikes is restricted to University faculty, staff and students. All other individuals are prohibited from using this recreational equipment on University property.

## ELECTRIC SCOOTERS

Electric scooter use is permitted on the SMU campus subject to all ordinances enacted by local governments with authority over the SMU campus, including, but not limited to, City of University Park Ordinance No. 18-048 and Ordinance No. 18-049. These guidelines apply to all students, faculty, staff, and visitors and to both shared-use and privately-owned electric scooters. Electric scooters are "motor-assisted scooters" as defined by Texas Transportation Code Sec. 551.351.

### 1. Rules of the Road

- Electric scooter users must be eighteen (18) years of age or older.
- Electric scooter use may only occur in permitted areas – on designated University Park streets and sidewalks, and on the SMU campus, excluding the George W. Bush Presidential Center - <https://www.smu.edu/scootermapping>.
- Electric scooter users must obey traffic rules on campus, including stopping at stop lights and stop signs.
- Electric scooter users must stay to the right on all roadways, pathways, and sidewalks.
- Electric scooter users must yield to pedestrians in walkways and sidewalks and provide audible or hand signals when approaching or passing pedestrians.
- Speed of electric scooters must be limited to ten (10) miles per hour or as reasonable for the traffic of both pedestrians and vehicles, whichever is less.
- Electric scooters are not allowed in SMU owned, leased, rented, or occupied buildings.
- Electric scooter users shall not operate an electric scooter while under the influence of alcohol and/or controlled substances.
- Tandem riding is prohibited.
- Electric scooter users shall be mindful of their safety, the safety of others, and shall be alert to pedestrians and other vehicles.
- SMU Police may cite electric scooter users who are behaving recklessly.

### 2. Parking Etiquette

- Electric scooters shall not be parked:
  - o On the sidewalk;
  - o On turf or flowerbeds;
  - o In the street;
  - o At the top or bottom of any stairs or steps;

- o In any university owned, leased, rented, or occupied building;
- o In front of entrances or exits to buildings; or
- o In any manner that would impede access to handicap ramps.
- Electric scooters shall be parked upright on hard surfaces in designated parking zones only as outlined at <https://www.smu.edu/scootermap>.

### 3. Electric Charging:

The charging of electric scooters in any university owned, leased, rented, or occupied building is prohibited.

### 4. Safety Recommendations

- Electric scooter users are encouraged to use a helmet when operating an electric scooter.
- Electric scooter users should avoid using in areas with heavy pedestrian traffic.
- Electric scooter users should avoid using phones, headphones, or earbuds when operating an electric scooter.
- For safety issues, concerns, or emergencies, contact campus police at 214-768-3333.

## RESOLVING CITATIONS

The operator of a vehicle in violation of regulations will receive a citation. A violation fine is a University fee and must be paid at the Student Financial Services Office at the Laura Lee Blanton building. Failure to pay the citation fee will result in delays for students in receiving degrees and transcripts and in refusal of permission to register. Visitors may pay via mail or online or at the Parking and ID Card Services Office.

## APPEALING CITATIONS

The appeals process is intended to provide an objective process to review a citation. There must be substantial and valid evidence that the parking violation was not committed or that it occurred due to circumstances beyond the appellant's control.

### How to Appeal a Citation

1. Log into <https://www.smu.edu/parkingservices> and use your ID number and password, or, if you are a visitor or guest, create a guest account. (Computers are available at the Parking Office for those without internet access.)
2. Click "View Your Citation" under Parking Portal to the right, find the citation and click Appeal.
3. Follow the steps to complete an appeal. Include a detailed explanation of the appeal in the designated box including any supporting evidence (photos, receipts, maps, etc.) send extra files to [parking@smu.edu](mailto:parking@smu.edu) with your citation number or US mail by 8 p.m. the following business day.

### Appeals Process

- Appeals must be submitted 15 calendar days from the day of the citation.
- Additional supporting information or documentation can be submitted with your appeal.
- Appeals submitted after 15 calendar days will not be accepted for review.
- An anonymous Appeals Committee will review all appeals.
- The decision of the committee are final, and no further appeals will be granted.
- If an appeal is denied, payment can be made through the BURSAR Office, <https://www.smu.edu/bursar> or online at your my.SMU account.

## Appeals Tips

If you have supporting evidence, submit it. **Do not** include one of the following reasons when writing your detailed explanation.

- Lack of knowledge of the regulations
- Other vehicles were parked improperly
- Only parked illegally for a short period of time
- Parked with my flashers on
- Stated failure of parking officer to ticket previously for similar offenses
- Late to class or appointment
- Inability to pay the amount of the fine
- No other place to park

## Additional Information

- Appeals must be submitted within 15 calendar days of issuance.
- If you have hold on your account and have appealed your citation please make payment to remove the hold, once a decision is granted in your favor you will be refunded the amount back to your account.
- Appellants receive email notice of receipt of a completed online appeal. If you do not receive an email acknowledgment, please contact [parking@smu.edu](mailto:parking@smu.edu) or (214) 768-7275.
- Notice of the decision regarding your appeal will be sent by email or US mail.
- Please allow three to four weeks for a decision regarding your appeal. The number of appeals filed increases near the end of the semester and may result in longer wait times.

## UNIVERSITY PARK CITATIONS

In some instances, violators of University Park ordinances will be issued City citations. These cases are filed in University Park Court and must be resolved by the judge of that court.

## HABITUAL VIOLATOR STATUS

1. Upon issuance of six parking and/or traffic citations, an individual will be automatically designated as a “**habitual violator**”. Habitual violators may continue to park on campus as long as the vehicle is in an appropriate and legal space. However, subsequent violations will subject the violator to a fine and vehicle immobilization (booted).
2. If a vehicle owned or operated by a habitual violator is illegally parked anywhere on campus, that vehicle will be immobilized. Towing may be necessary in certain circumstances. All tow fees apply to the owner/operator of the vehicle.
3. **The citation payment does not constitute reinstatement of a person’s parking privileges.**
4. Subsequent violation of parking regulations will result in the student being referred to the Dean of Students for action.

## TOWING/IMPOUND POLICY

Vehicles in violation of posted restrictions (i.e., cited two times or more for parking without a current decal, parked in a fire lane, occupying a space reserved for the disabled with no visible authorization, parked in a reserved space, in a service vehicle space without a hang tag, blocking traffic flow or a danger to the safety of others) will be towed, immobilized or impounded at the owner’s expense. Arrangements to retrieve the vehicle must be made at the Parking and ID Card Services Office during regular business hours or SMU Police Department all other hours.

All tows are made by a licensed towing service. SMU is not responsible for any damage sustained as a result of a tow. The tow service accepts responsibility for the vehicle during the towing process.

## **ABANDONED VEHICLES**

Any vehicle parked on University property without University permission for a period of 48 hours or more is considered abandoned under state law and can be towed from the campus at the owner's expense. After the vehicle is towed, the owner who is listed on the state registration of the vehicle will be informed about location of the vehicle via certified mail. Failure to claim the vehicle from the storage company within 20 days of the notice will result in the vehicle becoming the property of the storage company. Vehicles that are not in driving condition are not allowed to be stored on University property. Vehicles that are under repair are not to be stored on SMU property.

## **BOATS, TRAILERS, MOBILE HOMES, AND BUSES**

Students may not store or park a boat or trailer on campus. Permission to temporarily park a mobile home on campus will be granted by Parking and ID Card Services on a specific-need basis. Buses are not allowed to park permanently on campus. Temporary arrangements involving special events can be made through the Parking and ID Card Services Office (214-768-PARK) or scheduled using the form on the Parking and ID Card Services website for Campus Bus Visits. All golf carts and ATVs must meet requirements of The Office of Risk Management (<https://smu.edu/BusinessFinance/RiskManagement>).

## **UNIVERSITY CLOSING DUE TO BAD WEATHER**

### **(Please do not call the police department for this information)**

The decision to close the University due to weather conditions is made by the University president. The decision will be announced to the local television and radio stations by 6 a.m. Voice mail messages announcing the closing will be available by calling SMU-MAIL (214-768-6245) or SMU-INFO (214-768-4636) and will also be posted on the main SMU homepage at <https://smu.edu>.

## **CITY OF UNIVERSITY PARK RESIDENTIAL PARKING DISTRICTS**

The City of University Park has established residential-only parking districts in neighborhoods adjacent to the SMU campus. On-street parking within established residential parking districts is restricted between 8 a.m. and 5 p.m. Monday through Friday. Only UP residents are allowed to park on City streets within the established residential parking districts with a displayed resident parking or guest permit issued by the City of University Park. Please respect our neighbors and park your car in the appropriate on-campus locations, and do not park on residential streets or at commercial establishments in areas surrounding the SMU campus.

# LAW ENFORCEMENT & SECURITY

Southern Methodist University is pledged to fulfill its promise as a private university of the highest quality. Toward that end, a variety of services and programs are offered which are conducive to the support of the learning that occurs in the classroom. Uppermost among the services and programs are those that promote the safety and security of the campus community.

## **JURISDICTION OF THE UNIVERSITY POLICE**

### **Law Enforcement Authority**

The SMU Police Department is a fully empowered law enforcement agency that is certified by the State of Texas. SMU Police Officers are armed, state-commissioned peace officers with full police authority, duties and responsibilities. The SMU Police Department provides 24-hour emergency services with patrol officers and a communications officer on duty at all times. The department consists of 36 staff members; 30 of whom are armed, commissioned peace officers. The SMU Police Department has the responsibility and duty to enforce all local, state, and federal laws and to effect arrest and to provide for referral for prosecution of crimes to the city and county judicial systems. Criminal violations will be processed through the Dallas County District Attorney's Office, or Federal criminal justice system. Officers also write citations for the City of University Park and the City of Dallas, Justice of the Peace, Precinct 3.

### **Municipal Law Enforcement Jurisdiction**

In addition to the SMU Police Department (SMU PD), the University Park Police Department (UPPD) has an excellent working relationship with SMU PD and has concurrent jurisdiction on the campus. University Park police officers regularly patrol the campus and augment SMU PD during emergencies. The University Park Fire Department (UPFD) is within six blocks of the SMU campus and provides fire prevention, suppression and emergency paramedic services to the campus. Through interagency agreements, the City of University Park, the Highland Park DPS, the Dallas Police Department and the Dallas County Sheriff's Department will also provide assistance if requested by the SMU Police Department.

## **REPORTING CRIME**

### **Procedures for Reporting Crimes and Other Emergencies**

All University community members and guests of the University are encouraged to report suspected criminal activity to the police as soon as possible. Fires, health emergencies, crimes, and violations of University policies and procedures should be reported to the SMU Police Department either in person at 3128 Dyer Street, Room 200, Patterson Hall, or by telephone by dialing 911 on campus or at 214-768-3333 or on the website, <https://www.smu.edu/police>. Conspicuously placed, lighted emergency (Blue Light) telephones with direct lines to the SMU Police Department are located throughout the campus to facilitate reporting. The department also has an anonymous tips line where community members can leave information without providing their identity. The SMU Anonymous Tips Line is 8-2TIP on campus or 214-SMU-2TIP from cell phones/off campus phone lines and online at <https://www.smu.edu/police>.

### **Reporting Crimes to Other University Officials or Counselors**

Who Are Campus Security Authorities?

The Clery Act also mandates that institutions must disclose statistics both for crimes reported to local police agencies and crimes reported to campus security authorities. Campus security authorities include the following:



- A member of a campus police department or a campus security department of an institution.
- Any individual or individuals who have responsibility for campus security, but who do not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into institutional property).
- Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
- An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, the following areas:
  - Athletics
  - Division of Student Affairs
  - Office of Police and Risk Management
  - Non-Police & Special Event Security Staff
  - Any other staff/ faculty member with significant oversight over student activities
  - Parking and ID Card Services
  - Engaged Learning
  - Faculty Advisors to Student Groups
  - Taos/Plano Campus Administrators
  - Student workers monitoring access to facilities/events
- An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.

The intent of including non-law enforcement personnel as campus security authorities is to acknowledge that many people, students in particular, are hesitant about reporting crimes to the police, but may be more inclined to report incidents to other campus-affiliated individuals.

Examples of individuals who DO NOT meet the criteria for being campus security authorities include a faculty member who does not have any responsibility for student and campus activity beyond the classroom, clerical staff, custodians and maintenance personnel and cafeteria staff. A pastoral or professional counselor on campus does not have significant responsibility for student and campus activity and are exempt from reporting crimes to the campus police. However, physicians and nurses of the Memorial Health Center who treat a victim of a violent crime that occurred on the campus or a facility, under the control of the university, must disclose the reported crime to the university police. They are not required to release the names of victims/patients.

## Reporting Crimes Outside of the SMU Jurisdiction

The SMU Police Department makes a good faith effort to stay informed of all criminal activity involving students at off-campus locations. Surrounding municipal agencies, state law enforcement agencies such as the TABC, and federal agencies routinely inform campus police about incidents where their officers contact SMU students. Annually, the department also requests area agencies to provide crime statistics for those areas immediately adjacent to the campus boundaries. When received, these statistics are included in the Annual Security Report.

## CAMPUS FACILITIES

Most campus buildings and facilities are accessible to members of the campus community, guests and visitors during normal business hours. Access to buildings after normal business hours, weekends and holidays is restricted unless they are sites for specific classes or special events. Some buildings may be accessed after normal business hours through prior approval of the building facility manager.

The exterior doors to all residence halls remain locked 24 hours a day. Unlimited access is available to residents of each particular facility via a card swipe access control system. Residence halls are randomly patrolled 24 hours per day by uniformed police officers. Residents are encouraged to report all suspicious people and activity to Residence Life staff and the SMU Police.

Visitors to the residence halls, as well as fraternity and sorority housing, must be accompanied by the resident being visited. Visitors to campus are welcome, but are expected to adhere to all campus regulations and policies. Visitors are encouraged to stop by the SMU Police Department located on the second floor of Patterson Hall for information on university regulations. The University reserves the right to restrict the access of any person who does not adhere to University policies and procedures. ANY person may be required, upon request by the SMU Police Department, to present identification while on campus.

Faculty, staff and students are required to have an SMU ID CARD in their possession at all times and to present their SMU ID CARD upon request by a University Official. The SMU ID CARD is available at the Parking and ID Card Services Office located on L1 of the Hughes-Trigg Student Center, 3140 Dyer Street, Suite 107, Dallas, TX 75275.

Security cameras are positioned at several locations around campus including the entrances and exits of parking garages, some public plazas, libraries, and areas that contain high value artwork. These cameras are not monitored at all times; however, they are equipped to digitally record activity within the field of view. Presence of security cameras should not preclude individuals from practicing good, common sense crime prevention practices and exercising caution.

## **MAINTENANCE OF CAMPUS FACILITIES**

University facilities, lighting, and landscaping are maintained so as to reduce hazardous conditions. The University also has emergency blue light phones installed throughout the campus. SMU Police Officers regularly test the emergency phones and submit work orders for those in need of repair. Officers also routinely report the need for replacement lights and any other physical hazard they note. Malfunctioning lights, emergency telephones and other unsafe conditions are reported to the Facilities Management & Sustainability Office for repair or correction on a daily basis.

## **CRIME STATISTICS**

Southern Methodist University has participated in the FBI's Uniform Crime Reporting Program since 1967.

## **POLICY FOR REPORTING ANNUAL DISCLOSURE OF CRIME STATISTICS**

The Southern Methodist University Police Department prepares and distributes an Annual Security Report for all of the SMU campuses in accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. This report, published annually by October 1, contains three (3) years' worth of crime, arrest and disciplinary referral statistics and outlines security policy statements including sexual assault policies. The statistics include incidents occurring on campus, public areas adjacent to campus, and certain non-campus facilities including fraternity and sorority housing and remote classrooms. The statistics are also gathered from the University Park Police Department, Highland Park Department of Public Safety, Dallas Police Department, Plano Police Department, Taos County Sheriff's Office in New Mexico and other University/College officials who have significant responsibility for students and campus activities (including but not limited to directors, deans, department heads, designated RLSH staff, student affairs, advisors to students/student organizations, athletic coaches).

The Southern Methodist University Police Department makes these reports available at no cost via the following Internet web page:

SMU - All Campuses

On October 1, 2020 <https://www.smu.edu/cleryreport>

Students may request a printed copy of this report by contacting the SMU Police Department in person at the SMU Police Department administrative offices located at 3128 Dyer Street in Patterson Hall during normal business hours Monday - Friday. Students may also request a printed copy by calling the SMU PD at (214) 768-3388, via email at [police@smu.edu](mailto:police@smu.edu), or by mail at the following address: Southern Methodist University Police Department, Attention: Annual Security Report Requests, P.O. Box 750334, Dallas, TX 75275-0334.

In addition to this report, the police department provides a daily crime log that may be viewed on the web at <https://www.smu.edu/BusinessFinance/Police/CrimeLog>.

## **SERIOUS CRIMES (TIMELY WARNINGS)**

In order to keep the SMU community informed about serious crimes and security issues, timely warnings may be issued in the form of a Crime Alert. Crime Alerts are issued on a case-by-case basis in a manner that will provide notification to the campus community about certain reportable criminal incidents that occur on or very near the campus. The institution must also believe the criminal incident poses a continuing threat to the community and the alert will aid in the prevention of similar crimes in the future.

The crimes that typically result in a timely warning are referred to herein as “Clery Act Crimes”. These crimes, as defined by 34 CFR 668.46(b)(c), are: Criminal Homicide, Forcible Sex Offense, Non-Forcible Sex Offenses, Robbery, Aggravated Assault, Burglary, Auto Theft, Arson, Domestic Violence, Dating Violence and Stalking.

These crimes must have occurred within those areas of the campus that are specifically defined in 34 CFR 668.46(a). These areas are broken down into the following categories:

- On Campus Property (includes Residential Facilities)
- Non-Campus Property
- Public Property

(Definitions for these categories can be viewed by visiting <https://www.clerycenter.org>)

**NOTE:** SMU will not necessarily issue timely warnings for every Clery Act criminal incident that is reported since that specific incident may not pose a continuing threat to the community. Certain Clery Act crimes like motor vehicle theft, for example, occur infrequently on the campus at random locations. Suspect information is often never provided or determined. This is also true of the Dallas/Ft Worth area. Individuals should exercise due care and caution to avoid being victimized. Check out the crime prevention tips posted by the SMU Police to deter these crimes or attend a crime prevention briefing.

## **CRIME ALERT (Off Campus)**

SMU may post a Crime Alert (Off Campus) for certain Clery Act crimes occurring outside the patrol jurisdiction of the SMUPD, when timely notification is received by the SMU PD and the offense is considered to represent a serious or continuing threat to the students and employees of SMU due to the nature of the crime, and/or proximity to the campus

Even though this action is not required by law, SMU strongly believes in supporting the spirit of the Clery Act by informing the community about certain crimes that are reported in the areas immediately surrounding our campus; yet still outside the normal SMU police patrol area.

## When are Timely Warnings issued?

In accordance with the published guidelines used to interpret 34 CFR 668(e), the decision to issue a timely warning is made on a case-by-case basis in light of all facts surrounding the crime, including factors such as the nature of the crime, the continuing danger to the community, and the possible risk of compromising law enforcement efforts. Neither the Clery Act nor the Department of Education defines “timely”. The Department of Education has stated the warning should be issued as soon as the pertinent information is available.

Timely warnings may be issued for other offenses not covered by this regulation if a determination is made that the warning will aid in preventing similar offenses from occurring.

## How are Timely Warnings issued?

In an effort to provide timely notice to the SMU community, and in the event of a serious incident which may pose an on-going threat to the members of the SMU community, a warning will be issued. The method of delivery will be determined on a case-by-case basis, in light of all the facts. Various methods of delivery will be employed, including email, crime alert posters, text message, voice mail, website, and/or social media to inform students and employees on campus. The alerts are generally written by the Chief of Police or designee and they are distributed to the community by the Office of Public Affairs. Crime Alerts are issued on a case-by-case basis in a manner that will provide notification to the campus community about certain reportable criminal incidents that occur on or very near the campus. The University must believe the criminal incident poses a continuing threat to the community and the alert will aid in the prevention of similar crimes in the future. Updates to the SMU community about any particular case resulting in a crime alert may also be distributed in a similar manner listed above. When crime alerts are posted in campus buildings, they are printed on brightly colored paper and posted in the lobby/entrance area of campus building(s) for seven days. *The Daily Campus* newspaper will also be asked to print the warning in the next available issue. Timely warnings will also be published on the SMU Police Department web page.

## SAFE AND SOUND ADVICE - GENERAL SAFETY TIPS

1. Familiarize yourself with campus safety resources.
  - a. SMU Police Department – 2nd Floor.
  - b. Blue light emergency phone stations.
  - c. “TAPRIDE” campus escort service - <https://www.smu.edu/BusinessFinance/CampusServices/ParkingAndIDCardServices/parkingservices/TapRide>
2. Always lock up your valuables.
3. Maintain privacy on social media.
4. Know where you're going.
  - a. Get to know your surroundings—take notice of the blue light locations and don't be hesitant to use them if necessary.
5. Be aware & stay alert.
  - a. Don't use headphones or let your phone distract you.
6. Take extra precaution at night.
  - a. Use the buddy system or call for an escort.
7. Make plans & be prepared
  - a. When going out, know ahead of time who is going and plan to stay together as a group.
  - b. Have a plan so that all of your friends know where to meet up if someone gets separated and/or their phone dies.
  - c. Don't leave someone stranded in an unfamiliar or unsafe situation.

8. Be responsible with alcohol. If you are intoxicated, you are less alert and an easier target.
9. Be a good friend;
  - a. Watch out for each other.
  - b. Stick together in groups.
  - c. If a friend is acting in a way that seems out of character, take notice.
  - d. If a friend is overly intoxicated or seems to need assistance, get them to a safe place and support them.
  - e. If you suspect that a friend has been drugged or needs medical attention because of over-intoxication or for any other reason, call a resident assistant, campus police, or 911.

## SECURITY IN THE RESIDENCE HALLS & COMMONS

Residence Halls & Commons are patrolled regularly by SMU Police Officers. They perform periodic walk-throughs to ensure building safety and security.

1. Never leave your door open, even if you will be gone for only a few minutes; especially, never leave a door propped open. Always lock doors, screens and windows to prevent uninvited access to your room.
2. Don't mark your room key or key chain with your name, address, or telephone number.
3. Do not give anyone a key to your room.
4. Do not leave valuables in plain sight.
5. Never let strangers into your hall. This puts you and others at risk.
6. Be aware of suspicious persons and activities. If you observe someone or something suspicious, notify the hall staff and the SMU PD at 214-768-3333.

**NOTE:** Calls to 911 from cellular telephones will be answered by the Dallas Police or the University Park Police. Students using cell phones should tell the 911 Operator they are calling from the SMU campus and need to speak to the SMU Police Department. The 911 Operator will immediately transfer the call to SMU.

# STUDENT APPEALS AND COMPLAINTS

At SMU, various policies reflect the SMU community's collective judgment about the academic, disciplinary, and academic honesty policies and procedures that best serve the interests of students and the overall academic community. Students sometimes might seek waiver of, deviation from, or appeal of these policies or applications of these policies. This page gives the links to the procedures for different types of student appeals or complaints available to undergraduates at SMU.

## **Undergraduate Student Academic Petition**

[https://www.smu.edu/Provost/ProvostOffice/PoliciesResources/  
FacultyResources/Committees](https://www.smu.edu/Provost/ProvostOffice/PoliciesResources/FacultyResources/Committees)

## **Appeal of Grade**

<https://smu.edu/catalogs>

## **Honor Code**

<https://www.smu.edu/HonorCode>

## **Code of Conduct**

<https://www.smu.edu/StudentHandbook>

## **Academic Grievance and Appeals Procedures for Students with Disabilities**

[https://www.smu.edu/Provost/SASP/DASS/DisabilityAccommodations/  
AppealsandGrievances](https://www.smu.edu/Provost/SASP/DASS/DisabilityAccommodations/AppealsandGrievances)

## **Appeal from financial aid decisions, including financial aid decisions based on lack of satisfactory academic progress**

[https://smu.edu/EnrollmentServices/FinancialAid/  
TypesOfAid/SatisfactoryAcademicProgressRequirements/](https://smu.edu/EnrollmentServices/FinancialAid/TypesOfAid/SatisfactoryAcademicProgressRequirements/)

## **Discrimination or Violation of Rights**

Petitions or complaints alleging discrimination on the basis of race, color, religion, national origin, sex, age, disability, sexual orientation, or veteran status; petitions or complaints alleging harassment, intimidation, or reprisal; or petitions or complaints alleging improper or discriminatory action that abridges the person's rights or contravenes the applicable policies and practices of Southern Methodist University or of any federal or state law.

<https://smu.edu/IAE/PoliciesandProcedures>

## **Policy for Non-Renewal of Athletic Aid**

<https://smumustangs.com/sports/2016/6/29/compliance-current-student-athletes.aspx>

# FEDERAL LAW & CONFIDENTIALITY OF RECORDS

The Family Educational Rights and Privacy Act of 1974 (FERPA) is a federal law that provides students the right to inspect and review education records, the right to seek to amend those records and to limit disclosure of information from the records. The intent of the statute is to protect the rights of students and to ensure the privacy and accuracy of education records. The *Act* and regulations are very lengthy, and for that reason SMU has issued guidelines that are available at the University Registrar's FERPA website (<https://smu.edu/FERPA>).

Although there are a number of exceptions, as a general rule, SMU will not disclose to third parties personally identifiable information from a student's education records without the student's written consent. Among the exceptions to the general rule are these selected examples: (1) Information defined by SMU as directory information may be released unless the student requested through my.SMU Student Homepage that it be withheld; (2) information authorized by student through my.SMU Student Homepage may be released to those individuals designated by the student; and 3) information may be released to a parent or guardian if the student is claimed as a dependent for income tax purposes on the parent's or guardian's most recent federal income tax return. For more information, visit <https://smu.edu/FERPA>.

If you wish to release or restrict access to your records, you must make the request through the Release of Education Records feature in my.SMU Student Homepage. All SMU students are considered adults and must authorize release of all records to anyone, including parents. Students have the ability through my.SMU Student Homepage to grant parents or other individuals view access to parts or all of their education records. More information on this feature is available at <https://www.smu.edu/FERPA/students>. For one-time access, students may fill out a form if they want their information released to a specified third party. The consent to release to specified third party form is available at <https://www.smu.edu/EnrollmentServices/Registrar/FormsLibrary>.

# SMU STATEMENT OF NONDISCRIMINATION

<https://www.smu.edu/LegalDisclosures/Nondiscrimination>

Southern Methodist University (SMU) will not discriminate in any employment practice, education program, education activity, or admissions on the basis of race, color, religion, national origin, sex, age, disability, genetic information, or veteran status. SMU's commitment to equal opportunity includes nondiscrimination on the basis of sexual orientation and gender identity and expression. The Executive Director for Access and Equity/Title IX<sup>1</sup> Coordinator is designated to handle inquiries regarding the nondiscrimination policies, including the prohibition of sex discrimination under Title IX. The Executive Director/Title IX Coordinator may be reached at the Perkins Administration Building, Room 204, 6425 Boaz Lane, Dallas, TX 75205, 214-768-3601, [accessequity@smu.edu](mailto:accessequity@smu.edu). Inquiries regarding the application of Title IX may also be directed to the Assistant Secretary for Civil Rights of the U.S. Department of Education.

<sup>1</sup>Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1688.

# SEXUAL MISCONDUCT POLICIES, PREVENTION & RESOURCES

Sexual misconduct is prohibited by SMU's Title IX Harassment Policy and the federal law Title IX of the Education Amendments of 1972. SMU's policy is online in the University Policy Manual, <https://www.smu.edu/policy>, and on the Office of Institutional Access and Equity website, <https://www.smu.edu/IAE>.

Sexual misconduct encompasses all forms of sexual harassment, including gender-based harassment, sexual violence, sexual assault, dating violence, domestic violence, stalking and sexual exploitation. Sexual misconduct will not be tolerated in our University community. Students found responsible for sexual misconduct face disciplinary sanctions up to and including expulsion from the University.

In the event that a student experiences sexual misconduct, SMU has policies, procedures and resources in place to provide support. SMU resources available to students include SMU Police, the SMU Title IX Coordinator and deputy Title IX Coordinators, confidential counselors and the Office of Violence Prevention and Support Services.

While much of the following information focuses on resources and procedures in cases of sexual assault, dating violence, domestic violence and stalking, resources are available in all cases of sexual misconduct. For more information, contact SMU's Title IX Coordinator in the Office of Institutional Access and Equity; 214-768-3601 or email [accessequity@smu.edu](mailto:accessequity@smu.edu).

Sexual misconduct is a serious issue at colleges and universities across the country. SMU takes seriously its obligations under Title IX, which requires colleges and universities to investigate allegations of sexual misconduct and to have internal grievance procedures to address Title IX violations. SMU is committed to providing prompt and effective resolution of complaints and to holding violators accountable, while treating all students fairly.

In fall 2012, President R. Gerald Turner appointed the Task Force on Sexual Misconduct Policies and Procedures to examine SMU policies and procedures related to sexual misconduct in comparison with benchmark practices nationwide. The task force made recommendations for revised and new initiatives, including initiatives regarding education, training, policies and procedures. These recommendations have been implemented and are monitored by the faculty, staff and students serving on the Task Force Implementation Group. SMU is committed to policies and procedures that support students' well-being and foster a healthy learning environment based on respect and responsible behavior. All students are urged to be aware of policies and resources, and to support the SMU community's efforts to raise awareness of and prevent sexual misconduct.

Learn more at <https://www.smu.edu/sexualmisconduct>.

## CAMPUS AND COMMUNITY RESOURCES

Students may choose to report sexual misconduct to the campus officials listed below. These resources are available to all students, including students who have been accused of sexual misconduct, witnesses in these cases and friends of students involved in these cases.

Except for confidential resources, all other SMU faculty and staff members are mandatory reporters; they must report cases of sexual misconduct to SMU's Title IX Coordinator for follow-up.



## Campus Resources

To the extent possible, the following campus officials will protect the privacy of all parties involved in a report of sexual assault, but are required to report sexual assaults to SMU's Title IX Coordinator for follow-up.

In addition, the following officials are some of the persons at SMU who are required by the federal Clery Act to serve as Campus Security Authorities and notify SMU Police when a case of sexual assault, domestic violence, dating violence or stalking has been reported. However, they are not required to provide the name of the person reporting the case.

- **SMU Police** (for criminal reporting)  
214-768-3333 <https://www.smu.edu/police>
- **SMU Title IX Coordinator** (for internal grievance information/reporting)  
214-768-3601 <https://www.smu.edu/IAE>
- **Violence Prevention and Support Services**  
214-768-4512  
<https://www.smu.edu/sexualmisconduct/Lear-More/Violence-Prevention-and-Support-Services>

## Confidential Campus Resources

The following resources must honor confidentiality, except under very limited circumstances such as an imminent threat of danger to self or others.

- **SMU Counseling Services** 214-768-2277 (an emergency contact number is provided at all hours)  
<https://www.smu.edu/counseling>
- **SMU Chaplain's Office** 214-768-4502  
<https://www.smu.edu/chaplain>

## Confidential Community Resources

- **Dallas Area Rape Crisis Center (DARCC)**  
972-641-7273 (24-hour hotline) <https://www.dallasrapecrisis.org>
- **TX Health Presbyterian Hospital Dallas Sexual Assault Nurse Examiner (SANE) Program**  
214-345-6203 <https://www.texashealth.org/DallasSane>

## Anonymous reporting

Those who wish to anonymously provide SMU Police with information regarding suspicious or criminal activity may call 214-768-2TIP (2847) or submit a report online at <https://www.smu.edu/2tip>. The form may be submitted anonymously or with a name and contact information.

Those who wish to anonymously file a complaint or provide information Title IX harassment to SMU's Title IX Coordinator can complete the Title IX Harassment Complain Form posted at <https://smu.edu/IAE>. The form may be submitted anonymously, or with a name and contact information, or by a third party. The form can be emailed to [acessequity@smu.edu](mailto:acessequity@smu.edu); submitted in Perkins Administration Building, Rom 204; or mailed to the Title IX Coordinator, P.O. Box 750200, Dallas, TX 75275-0200.

## DEFINING SEXUAL ASSAULT AND CONSENT

SMU strictly prohibits sexual misconduct, including sexual assault. SMU is committed to maintaining a campus where sexual assault does not occur. However, studies have shown that sexual assault is an underreported crime nationwide and that sexual assaults reported

on college campuses often involve students who know one another. SMU seeks to provide a supportive environment for students to come forward to report any violations and to obtain help. All campus community members should be aware that sexual assault can happen to anyone and that sexual assault is not the victim's fault.

SMU defines two forms of sexual assault: nonconsensual sexual contact and nonconsensual sexual intercourse. Nonconsensual sexual contact means any intentional sexual touching, however slight, with any object, by a man or woman upon a man or woman that is without consent and/or by force. Nonconsensual sexual intercourse means any sexual intercourse, however slight, with any object, by a man or woman upon a man or woman that is without consent and/or by force. Please see **“Sexual Misconduct Definitions and Examples”** on page 72 for more information.

**Consent means voluntary, clear, continuous, mutually understandable permission, given by words or actions, regarding one's willingness to engage in sexual activity.**

A sexual interaction is considered consensual when individuals willingly and knowingly engage in the interaction. Someone who is incapacitated (by alcohol, drug use, unconsciousness, disability, or other forms of helplessness) cannot consent. Consent cannot be procured by the use of physical force, compulsion, threats, intimidating behavior or coercion. Consent to one form of sexual activity does not imply consent to other forms of sexual activity.

Previous relationships or previous consent for sexual activity is not consent to sexual activity on a different occasion. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another person. Silence or absence of resistance is not consent. Consent can be withdrawn at any time. Previous consent does not mean ongoing consent. For example, consent to certain acts does not mean consent to the same acts later in the same evening.

**In addition to violating SMU policy and federal law, sexual assault is a crime punishable under Texas law by imprisonment from two to 20 years plus a fine up to \$10,000. A person convicted of sexual assault must register as a sex offender for the remainder of their life.**

For the definition of sexual assault under Texas Penal Code, see <https://www.statutes.legis.state.tx.us/Docs/PE/htm/PE.22.htm#22.011>

**Students reporting a sexual assault can choose to pursue criminal charges, an internal grievance process under SMU's Title IX Harassment Policy or both of these processes. See “The Criminal Process and SMU Grievance Process” on page 67 for more information.**

## **GETTING HELP IN CASE OF SEXUAL ASSAULT**

It is critical that any student who has experienced sexual assault find safety and seek medical attention immediately. Students also are urged to report sexual assault to police as soon as possible, call 911 or SMU Police at 214-768-3333. See **“Reporting to Police and Pursuing Criminal Charges”** for more information.

**Please know that sexual assault can happen to anyone and is never the victim's fault. If you are a victim, please know that you are not alone. SMU and community resources are available to help, including SMU Police, SMU Counseling Services, the Office of Violence Prevention and Support Services, and the SMU Title IX Coordinator.**

## Seek medical care and preserve evidence.

Victims of sexual assault are urged to obtain medical care and a sexual assault exam that preserves forensic evidence as soon as possible. Time is of the essence because certain types of evidence can dissipate or become unavailable.

If victims do not opt for forensic evidence collection, health care providers still can treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted diseases. Obtaining a forensic exam does not require a person to file a police report, but it will help preserve evidence in case they decide at a later date to do so.

To preserve evidence before obtaining a sexual assault exam: Do not change clothes, bathe, shower or douche; do not eat, drink or use toothpaste or mouthwash; do not wash clothing, bed sheets, pillows or other potential evidence.

## Where to go for a forensic exam

- At **Texas Health Presbyterian Hospital Dallas**, 8200 Walnut Hill Lane, a certified Sexual Assault Nurse Examiner (SANE) will provide medical care and a sexual assault exam; call 214-345-6203 or visit <https://texashealth.org/DallasSane>.
- The Dallas Area Rape Crisis Center (DARCC) is a community resource that provides confidential counseling and can assist students at Texas Health; call 972-641-7273 (available 24/7) or visit <https://www.dallasrapecrisis.org>.
- SMU Police officers, who are trained in sexual misconduct issues, are available to transport and accompany students to the hospital; call 214-768-3333. Officers will not be present during the exam. Students may bring a friend or family member for support. Please note that if asked to provide transport, SMU Police will file a police report; see “**Reporting to Police and Pursuing Criminal Charges**” for more information.
- A confidential counselor in SMU Counseling Services who specializes in sexual misconduct issues also can accompany students to the hospital. Call 214-768-2277 (an emergency contact number is provided at all hours), or SMU Police can contact Counseling Services for students.

In addition to Texas Health Presbyterian Hospital Dallas, other area hospitals that have health care professionals authorized to perform medical/legal examinations are:

**Parkland Hospital**, 5201 Harry Hines Blvd.

Main phone, 214-590-8000

Victim Intervention Program/Rape Crisis Center, 214-590-0430 or

<https://www.parklandhospital.com/vip-rape-crisis-center>

**Methodist Dallas Medical Center**, 1441 N. Beckley Ave.

Main phone, 214-947-8181

Sexual Assault Nurse Examiner (SANE), 214-947-8181 or

<https://www.methodisthealthsystem.org/sane-program>

**Texas Health Presbyterian Hospital Plano**, 6200 W. Parker Road

Emergency room, 972-981-8003

<https://www.texashealth.org/plano/services/emergency-department/sexual-assault-nurse-examiners-program>

## **For confidential counseling**

SMU Counseling Services provides confidential counseling and assistance from counselors who specialize in sexual misconduct issues. Call 214-768-2277; an emergency contact number is provided at all hours.

The SMU Chaplain's Office also provides confidential counseling; call 214-768-4502.

A community resource, the Dallas Area Rape Crisis Center (DARCC), provides confidential counseling and other assistance; call 972-641-7273 (available 24/7) or visit <https://www.dallasrapecrisis.org>.

## **Academic and Campus Assistance**

SMU also can assist victims by providing no contact orders, letters to professors requesting leniency, escort and transportation services, classroom and housing accommodations, assistance filing protective orders through the district attorney's office and assistance contacting local law enforcement if the sexual assault occurred off campus.

For more information, contact SMU's Title IX Coordinator, 214-768-3601, or email [accessequity@smu.edu](mailto:accessequity@smu.edu). You also may contact the Office of Violence Prevention and Support Services, 214-768-4512 or email [preventviolence@smu.edu](mailto:preventviolence@smu.edu).

## **Dating Violence, Domestic Violence, or Stalking**

As in cases of sexual assault, the first priority for victims of dating violence or domestic violence is to get to a place of safety and obtain medical attention and a forensic exam that preserves evidence. Victims of domestic violence, dating violence or stalking also are urged to contact police as soon as possible. Victims of violence or stalking also should save evidence such as any letters, emails, phone calls, videos, photos, texts, social media postings, computer screenshots, voicemails or other evidence that may be helpful in obtaining a protective order or pursuing criminal charges.

In addition to the SMU resources listed above, community and national resources include:

- Genesis Women's Shelter in Dallas, 214-946-4357 or <https://www.genesshelter.org>
- The Family Place in Dallas, 214-941-1991 or <https://www.familyplace.org>
- Texas Council on Family Violence, 512-794-1133 or <https://www.tcfv.org>
- National Domestic Violence Hotline, 1-800-799-SAFE (7233)
- Stalking Resource Center, 855-4-VICTIM (855-484-2846)

or <https://www.victimsofcrime.org>

## **THE CRIMINAL PROCESS AND SMU GRIEVANCE PROCESS**

Students reporting sexual assault, dating violence, domestic violence or stalking have the right to choose to pursue a criminal process, an SMU internal grievance process or both processes. Students also may choose not to file a grievance or pursue criminal charges.

The internal grievance process and the criminal process, which are independent of each other, can be pursued at the same time. Please see the following sections for more information.

### **Reporting to Police and Pursuing Criminal Charges**

SMU urges anyone who has experienced sexual assault, dating violence, domestic violence or stalking to alert police as soon as possible. SMU campus authorities can provide assistance in notifying law enforcement authorities, at the victim's request.

**On campus**, SMU Police can be reached at 911 from a campus phone; at 214-768-3333 from a cell phone; or by picking up a blue-light phone on campus at any time of day or night.

**In the case of an off-campus incident**, students should call 911 to reach police in that jurisdiction or call 214-768-3333 to reach SMU Police, who can connect callers with police in the appropriate jurisdiction.

Crime victims have the right to choose to talk to police when they feel ready to do so, and also can choose to decline involvement with the police. SMU urges victims to notify police as soon as possible. Reporting an incident to police does not automatically lead to criminal charges being filed or criminal prosecution. However, when a victim immediately reports an incident, police are better able to collect evidence that may be helpful in building a criminal case, even if the victim decides to wait until a later date to pursue criminal charges. In addition, the victim will have input about their case after talking with police.

SMU is committed to responding to reports in a timely and respectful manner. When a victim makes a report to SMU Police, the police will request information about the circumstances of the incident and the alleged perpetrator in order to aid the investigation and build a criminal case.

In their operations and criminal investigations, SMU Police follow state and federal rules of procedure and evidence. The investigation conducted by SMU Police can include gathering evidence and witness statements, and obtaining search warrants and arrest warrants from a judge.

A crime alert is issued by campus email if SMU determines there is imminent danger, or the likelihood of a continuing danger, against which the campus community needs to be warned, or if an alert would aid in the prevention of similar crimes in the future. Crime alerts also are posted online at <https://www.smu.edu/police>.

SMU Police notify the Dallas County District Attorney's Office or other appropriate external law enforcement agency when a case of sexual assault has been reported and is under investigation.

When a victim decides to pursue criminal charges, a prosecutor in the District Attorney's Office determines whether sufficient evidence exists to press charges and present the case to a grand jury to obtain an indictment and proceed with a trial, after SMU Police have presented the findings of their investigation.

SMU Police are available to counsel and accompany students through the criminal process; call 214-768-3333 for more information.

In addition, when a case of sexual misconduct is reported to SMU Police, the police notify the SMU Title IX Coordinator, as required by the federal law Title IX. The SMU Title IX Coordinator will provide information about the victim's option to pursue an SMU grievance process under University policy, in addition to the criminal process. See **"Reporting to the SMU Title IX Coordinator and Pursuing an Internal Complaint"** on page 69 for more information.

### **Protective Orders**

Crime victims in Texas are guaranteed certain rights, as outlined in the Code of Criminal Procedure. The Office of the Attorney General has more information:

<https://www.texasattorneygeneral.gov/cvs/crime-victim-publications>

SMU can assist victims in applying for a protective order, which tells a person to stay 500 feet from where the protected person lives or works. It instructs a person not to commit or threaten violence, or stalk the person applying for protection. Applications for protective orders are made at the Dallas County District Attorney's Office Family Violence Division at the Frank Crowley Courthouse, 133 N. Riverfront Blvd., 214-653-3528. For more information: <https://www.dallascounty.org/government/district-attorney/divisions/family-violence.php>.

SMU Police keep a copy of protective orders on file. SMU honors protective orders and complies with the state laws regarding protective orders. If a protective order is violated, the protected person should call police immediately. For more information, call SMU Police at 214-768-3333.

### **Protecting Information**

In accordance with the Texas Code of Criminal Procedure, Chapter 57, victims may use a pseudonym to protect their identity. A pseudonym is a set of initials or a fictitious name chosen by the victim to be used in all public files and records concerning the alleged offense.

SMU will not include a victim's personally identifying information in any publicly available recordkeeping, including Clery Act reporting and disclosures such as the annual security report and the daily crime log. In some cases, SMU may need to disclose some information about a victim to a third party to provide necessary accommodations or protective measures in a timely manner.

## **REPORTING TO THE SMU TITLE IX COORDINATOR AND PURSUING AN INTERNAL GRIEVANCE PROCESS**

A student who reports sexual misconduct – including sexual assault, dating violence, domestic violence or stalking – may file a complaint under the University's Title IX Harassment Policy with the SMU Title IX Coordinator in the Office of Institutional Access and Equity. The policy is online in the University Policy Manual, <https://smu.edu/policy>, and on the Office of Institutional Access and Equity website, <https://smu.edu/IAE>.

The internal grievance process includes an investigation of the allegations, sanctions and an appeal process. Students reporting sexual misconduct are encouraged to share as much information as they are comfortable sharing. Pending the outcome of the grievance process and to protect the safety of the SMU community, the University may impose temporary interim measures, such as no contact orders, campus restrictions and temporary suspension.

Students involved in a sexual misconduct case may qualify to receive amnesty for other violations of the Student Code of Conduct, such as alcohol violations, as outlined in the Conduct Review Process. The investigation will focus primarily upon the allegations of sexual misconduct.

For more information about this process or to file a grievance, contact the SMU Title IX Coordinator in the Office of Institutional Access and Equity at 214-768-3601 or email [accessequity@smu.edu](mailto:accessequity@smu.edu).

### **Retaliation prohibited**

SMU prohibits threats or acts of retaliation against students who are involved in any manner of a report of sexual misconduct, investigation, proceeding, or hearing under SMU's Title IX Harassment Policy. Retaliation can take many forms, including sustained abuse or violence, threats, coercion, intimidation and discrimination. Students who engage in retaliation or harassment by any means – including in person, through others, or on social media – will be subject to disciplinary action.

Retaliation is also a criminal offense under Texas law, and students may face criminal charges.

Students who observe retaliation or who are threatened in any way should promptly notify SMU Police, 214-768-3333; the SMU Title IX Coordinator, 214-768-3601; or the Office of Student Conduct & Community Standards, 214-768-4563.

## Sanctions for Sexual Misconduct

When a student is found responsible for violating the Title IX Harassment Policy, a Sanctioning Panel imposes disciplinary sanctions. The Sanctioning Panel members are the director of the Office of Student Conduct and Community Standards or their designee; a deputy Title IX coordinator; and an SMU student, all of whom have participated in Title IX training. The Sanctioning Panel may impose one or more of the following sanctions in addition to educational sanctions including but not limited to training, reflection exercises, research papers and community service:

**Expulsion:** An individual or group will be separated from the University on a permanent basis. An individual's expulsion will be permanently recorded on their academic transcript. Before this sanction is enforced, the president of the University will review it. A student expelled from the University may not enter campus grounds for any reason without the express written permission from the Office of the Dean of Students. A student expelled from the University will not receive a refund of any monies paid, including tuition, fees, and room and board.

**Suspension:** An individual or group will be dismissed from the University for an assigned time period and under the conditions deemed necessary by the Sanctioning Panel. A student suspended from the University may not enter campus grounds for any reason during the period of their suspension without the express written permission from the Office of the Dean of Students. A student suspended from the University before an academic semester ends will not receive a refund of any monies paid, including tuition, fees, and room and board. No academic credit earned during the period of suspension at any other institution may be transferred to SMU. A disciplinary suspension and its effective dates are recorded on a student's academic transcript. The notation remains for the time the student is enrolled in the University and is removed three (3) years after graduation. If the student leaves the University before graduation, the notation is removed three (3) years after the anticipated date of graduation from the University.

**Deferred Suspension:** Individual or group suspension may be deferred (not enforced). Deferred terms (i.e., conditions of the deferred suspension and its duration) will be set by the Sanctioning Panel. If the student is found responsible for violating the terms of the deferred suspension during the period established by the Sanctioning Panel, the student may be suspended.

**Conduct Probation:** A student or group is given a warning that further violations will result in consideration of suspension. The student or a group representative may be required to report to a Conduct Officer on a regular basis during the period of the probation.

**Formal Conduct Warning:** The individual or group will be given formal notice by the Sanctioning Panel that they have violated this policy. If the individual or group is found in violation of a further charge, that case will be considered more seriously.

## TITLE IX AT SMU

As defined by the U.S. Department of Education's Office for Civil Rights, Title IX of the Education Amendments of 1972 protects people from discrimination based on sex in education programs or activities that receive federal financial assistance, including SMU.

Title IX prohibits all forms of sexual harassment, including sexual assault and other acts of sexual violence. Title IX requires universities and colleges to investigate reports of sexual harassment and to provide internal grievance procedures. These procedures offer students reporting sexual assault an avenue for holding violators accountable for their actions, in addition to the criminal process.

Title IX also requires the University to appoint a Title IX Coordinator. SMU's Title IX Coordinator resides in the Office of Institutional Access and Equity, which develops and

manages University policies, procedures and programs of equal opportunity, diversity and affirmative action. The office serves SMU students, employees, applicants and visitors. SMU's prohibition against discrimination, including on the basis of sex, includes any employment practice, education program or educational activity.

SMU's Title IX Coordinator and deputy coordinators are available to assist students who have questions or concerns regarding sexual misconduct or who wish to file an internal complaint under the University's Title IX Harassment Policy. The coordinator and deputies also can provide students with information about SMU and community resources. Please feel free to contact any of the following SMU employees for assistance. Deputies serve campus-wide; their departments and schools are listed for informational purposes only.

### **SMU Title IX Coordinator**

- Samantha Thomas, Office of Institutional Access and Equity  
214-768-3601 or [thomassa@smu.edu](mailto:thomassa@smu.edu)

### **SMU Deputy Title IX Coordinators**

- Denise Gauthier, Office of Institutional Access and Equity  
214-768-3601 or [dgauthier@smu.edu](mailto:dgauthier@smu.edu)
- Jasper Chieng, Office of Institutional Access and Equity  
214-768-3601 or [jchieng@smu.edu](mailto:jchieng@smu.edu)
- Steve Yeager, Dedman School of Law  
214-768-4178 or [syeager@smu.edu](mailto:syeager@smu.edu)
- Griffin Sharp, Office for Community Health Promotion, Student Affairs  
214-768-2393 or [gksharp@smu.edu](mailto:gksharp@smu.edu)
- Susan Vollmerhausen, Athletics  
214-768-4202 or [vollmerhause@smu.edu](mailto:vollmerhause@smu.edu)
- Bonnie Hainline, Intramurals/Sport Clubs, Student Affairs  
214-768-3367 or [bhainline@smu.edu](mailto:bhainline@smu.edu)

## **SEXUAL MISCONDUCT EDUCATION AND PREVENTION**

SMU's Office of Violence Prevention and Support Services (214-768-4512), the Women & LGBT Center (214-768-4792) and Counseling Services (214-768-2277) coordinate and provide educational and prevention programs on sexual misconduct. The Office of Institutional Access and Equity (214-768-3601) also provides education on Title IX and the University's Title IX Harassment Policy.

Education for incoming students includes a required comprehensive online course and an informational program before the first week of the fall term. All students are required to take Wellness courses, which provide information on respectful relationships. A research-based bystander intervention training program developed by SMU psychology professors also is provided in Wellness courses. Information about SMU's sexual misconduct procedures, policy and resources is posted at <https://www.smu.edu/sexualmisconduct>.

Campus-wide programs include Sexual Assault Awareness Month, Relationship Violence Awareness Month, National Night Out and Take Back the Night. Programs also are available to individual classes, Residential Commons and Greek organizations upon request. Students may call Violence Prevention and Support Services, 214-768-4512, or email [preventviolence@smu.edu](mailto:preventviolence@smu.edu). Students involved in raising awareness of sexual assault and relationship violence include the student organizations Not On My Campus; Team One Love; the Feminist Equality Movement (FEM); and The Well: Health Promotion and Wellbeing.



## Campus security

SMU Police officers are sworn police officers, licensed by the Texas Commission on Law Enforcement, who have the responsibility and duty to enforce campus regulations and all local, state and federal laws.

SMU Police patrol campus 24 hours a day, seven days a week. The department coordinates actions with neighboring agencies and criminal investigations with the Dallas County District Attorney's Office. Emergency blue-light phones across campus connect directly to SMU Police. SMU Police provide crime prevention education and self-defense training; call 214-768-3333.

SMU urges students to use a safety escort. SMU Safety Escort by Tapride offers free rides on campus from 7 p.m. to 3 a.m. during the fall and spring terms when classes are in session; download the app and learn more at <https://www.smu.edu/BusinessFinance/CampusServices/ParkingAndIDCardServices/parkingservices/TapRide>.

SMU Police are also available to provide secure rides on campus; call 214-768-3388. SMU Rides provides rides off and on campus 24 hours a day; the full cost of the ride is charged to the student's SMU account; call 214-768-7433 (RIDE).

## Crime reports

SMU Police maintain a daily crime log, which is available online at <https://www.smu.edu/police> and to the public for review during business hours, at the dispatch window at Patterson Hall, 3128 Dyer Street.

SMU's Annual Security and Fire Safety Report, posted online at <https://www.smu.edu/cleryreport>, includes reported crimes for the previous three years.

## SEXUAL MISCONDUCT DEFINITIONS AND EXAMPLES

### Definitions

**Consent:** Voluntary, clear, continuous, mutually understandable permission, given by words or actions, regarding one's willingness to engage in sexual activity. A sexual interaction is considered consensual when individuals willingly and knowingly engage in the interaction.

**Dating violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

**Domestic violence:** A felony or misdemeanor crime of violence committed by a current or former spouse of the victim or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, or anyone who is protected from the respondent's acts under the domestic or family violence laws of the jurisdiction.

**Gender-based harassment:** Acts of verbal, nonverbal or physical aggression, intimidation or hostility based on sex or sex-stereotyping, even if those acts do not involve conduct of a sexual nature.

**Incapacitation:** The inability to provide consent due to the use of drugs or alcohol, when a person is asleep or unconscious, or because of an intellectual or other disability that prevents an individual from having the capacity to give consent.

**Retaliation:** Any adverse action, or attempted adverse action, against an individual (or group of individuals) because of their participation in any manner in an investigation, proceeding or hearing under the University's Title IX Harassment Policy, including individuals who file a third-person report. This includes action taken against a bystander who intervened to stop or attempt to stop discrimination, harassment or sexual misconduct. Retaliation can take many forms, including sustained abuse or violence, threats, coercion, intimidation and discrimination. Action is generally deemed retaliatory if it would deter a reasonable person

in the same circumstances from opposing practices prohibited by the Title IX Harassment Policy. Any individual or group of individuals engaging in retaliation can be held responsible. Examples of conduct which may be retaliation include, but are not limited to:

- threats of harm to an individual or the individual's property
- forcing or pressuring an individual to take time off from school or work
- pressuring an individual to refrain from talking to the media
- removing an individual from sports teams or other extracurricular activities for reporting Title IX harassment
- unreasonably failing to accommodate an individual's housing or academic needs
- terminating, demoting, reassigning or denying benefits to an employee

**Sex discrimination:** Giving preferential treatment to one gender to the disadvantage of the other because of their gender. It may occur also when policies or practices are facially neutral, but have a disproportionately adverse impact on a particular gender when applied.

**Sexual assault (nonconsensual sexual contact):** Any intentional sexual touching, however slight, with any object, by a man or woman upon a man or woman that is without consent and/or by force. Sexual contact includes: intentional contact with the breasts, buttock, groin or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts; any intentional bodily contact in a sexual manner, though not involving contact with/of/by breasts, buttocks, groin, mouth or other orifice.

**Sexual assault (nonconsensual sexual intercourse):** Any sexual intercourse, however slight, with any object, by a man or woman upon a man or woman that is without consent and/or by force. Intercourse includes: vaginal penetration by a penis, object, tongue or finger; anal penetration by a penis, object, tongue or finger; or oral copulation (mouth to genital contact or genital to mouth contact), no matter how slight the penetration or contact.

**Sexual exploitation:** Occurs when a student takes nonconsensual or abusive sexual advantage of another for their own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct offenses.

**Sexual harassment:** A form of sex discrimination that means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- a. submission to such conduct is made either an explicit or an implicit term or condition of an individual's employment, academic evaluation or advancement, or status in a course, program or activity of the University;
- b. submission to or rejection of such conduct by an individual is used as a basis for academic or employment decisions affecting such individual; or
- c. such conduct has the purpose or effect of creating an intimidating, hostile or offensive working or academic environment or unduly interfering with an individual's work or academic performance. For purposes of the Title IX Harassment Policy, "undue interference" is defined as improper, unreasonable or unjustifiable behavior going beyond what is appropriate, warranted or natural.

Sexual harassment includes two categories:

- "Hostile environment sexual harassment" means verbal, physical or visual forms of harassment that are sexual in nature, "sufficiently severe, persistent, or pervasive" and unwelcome. A single, severe incident, such as a sexual assault, could create a hostile environment. A "hostile environment" is often created by a series of incidents.
- "Quid pro quo sexual harassment" means "this for that." An example of this form of sexual harassment occurs if a member of the faculty (or staff member) stipulates that one's grade or performance rating (or participation on a team, in a play, etc.) will be based on whether one submits to unwelcome sexual conduct. Whether one refuses a sexual demand or submits to it is not relevant; the conduct violates the law.

**Sexual misconduct:** Includes sexual harassment, gender-based harassment, sexual violence, sexual assault, dating violence, domestic violence, stalking and sexual exploitation.

**Sexual violence:** A physical sexual act perpetrated against a person's will or where a victim is incapable of giving consent due to their use of drugs or alcohol. An individual also may be unable to give consent due to an intellectual or other disability. A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, and sexual coercion. All such acts of sexual violence are forms of sexual harassment prohibited by Title IX and the University's Title IX Harassment Policy.

**Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- fear for their safety or the safety of others or
- suffer substantial emotional distress.

### Examples

If sufficiently severe or pervasive, the following types of actions serve as non-exhaustive examples of Title IX harassment prohibited by SMU:

- physical sexual acts perpetrated against a person's will, or where a person is incapable of giving consent due to that person's use of drugs or alcohol or due to an intellectual or other disability
- direct or implied statements, threats or demands for sexual favors, sexual advances, accompanied by implied or actual promises of preferential treatment for submission to such demands; or implied or actual threats that failure to submit to such demands may result in adverse treatment concerning the person's admission, enrollment, employment, work status, promotion, grades or recommendation
- persistent unwelcome flirtation, requests for dates, repeated and unwanted staring, advances or propositions of a sexual nature
- gratuitous displays of sexually suggestive objects or pictures, including images displayed, transferred, forwarded or shared via the Internet, text messaging or other electronic means
- a pattern of conduct unrelated to an academic course or the requirements of the workplace intended to cause discomfort or humiliation or both that includes one or more of the following: comments of a sexual nature; sexually explicit statements, questions, jokes, anecdotes or gestures; a pattern of conduct that would cause discomfort or humiliation, or both, to a reasonable person to whom the conduct is directed and that includes one or more of the following:
  - unnecessary touching, such as patting, pinching, hugging or repeated brushing against a person's body;
  - remarks of a sexual nature about a person's clothing or body; or
  - remarks about sexual activity or speculations about previous sexual experience
- treating individuals adversely because they do not conform to stereotypical norms of feminine or masculine gender behavior

Acts of Title IX harassment may take many different forms. Examples include the following: direct threats and other verbal statements; email or other electronic messages; physical contact; jokes; gestures; and pictures or other visuals.

Harassment that violates SMU policy goes beyond the mere expression of views or thoughts (spoken or written) that an individual may find offensive. The conduct must be sufficiently severe or pervasive as to limit unlawfully an individual's ability to participate in or benefit from the activities of SMU. Further, one must evaluate such conduct from the perspective of a reasonable person in the alleged victim's position, taking into account the totality of the circumstances involved in a particular matter.

# ALCOHOL & DRUG ABUSE PREVENTION

A licensed substance abuse counselor is available to assist SMU students who may be “at risk” or struggling with alcohol or other drug problems. This counselor provides assessment, intervention, referral, short-term counseling, as well as on-going support for recovering students. Sessions with the licensed counselor are confidential and no information is released without written consent of the student.

## STANDARDS OF CONDUCT

Alcohol: A) The Student Code of Conduct prohibits possession and consumption of alcoholic beverages in public places on campus. B) The University strictly enforces city and state law and prohibits the possession and consumption of alcohol by those younger than 21.

Controlled substances (drugs): The Student Code of Conduct requires that all students be in compliance with all local, state, and federal laws regarding controlled substances including prohibition of their use, sale, possession, or manufacture.

## HEALTH RISKS OF ALCOHOL AND DRUGS

**Alcohol:** a) Acts as a depressant, affects mood, dulls the senses, and impairs coordination, reflexes, memory, and judgment

b) More serious effects may be damage to the liver, kidneys, pancreas and brain.

c) It is the leading cause of death among people ages 15-24.

d) On average, heavy drinkers shorten their lives by approximately 10 years.

e) Overdose can be fatal

Indicators of high-risk alcohol use:

- Drinking underage
- Drinking to the point of impairment
- Drinking and driving
- Playing drinking games
- Drinking shots of hard liquor
- Drinking while using medications or other drugs

**Marijuana:** a) Prolonged use can lead to severe psychological dependence.

b) May cause paranoia and panic anxiety reactions.

c) Impairment of memory and learning, altered sense of time and inability to concentrate.

d) May cause apathy/loss of motivation.

**Cocaine:** a) Increase in heart rate, blood pressure, and body temperature.

b) High addiction potential.

c) Overdose may result in seizures, heart failure, coma or death.

**Opiates:** a) Rapid development of tolerance and physical dependence.

b) May cause infections of the skin, liver, heart and lungs.

c) Overdose can be fatal

**Tobacco:** a) Shortness of breath, nagging cough, and heart difficulties.

b) Long-term effects may include emphysema, bronchitis, heart disease and cancer.

## **Personal Risks of Alcohol and Drug Use:**

- Possible death or injury
- Academic problems
- Assault / Sexual abuse
- Unsafe sex
- Property damage
- Legal / Police involvement
- Health problems
- Addiction / Dependence

## **SMU SANCTIONS**

When the standards of conduct regarding alcohol and drugs are violated, SMU will impose, at a minimum, the following sanctions:

**Alcohol:** A minimum of a \$100 fine. Additional sanctions will be assigned as deemed necessary by the appropriate conduct officer or conduct board. Additional sanctions may include, but are not limited to, notification of parents and referral to an Alcohol and Drug Abuse Prevention counselor in the SMU Health Center. (See The University Conduct Review Process section).

**Drugs (illicit):** Sanctions will be imposed by the appropriate conduct officer or conduct board. Possible sanctions include, but are not limited to: a fine of \$500, notification of parents, drug testing, suspension, or expulsion. (See The University Conduct Review Process section).

## **LEGAL SANCTIONS**

**Alcohol:** Minors convicted in the criminal court system of possession or consumption of alcoholic beverages may be subject to fines, suspension of drivers license, community service and a mandatory alcohol education class. Convictions for providing to minors may subject individuals to fines and a jail term of up to one year. Convictions for driving while intoxicated may subject individuals to up to \$2000 in fines and a jail term of up to six months for a first offense. Fines and jail terms escalate after the first conviction.

**Controlled substances (drugs):** Sanctions upon conviction in the criminal court system for possession, distribution, or manufacture of controlled substances range from fines to probation to imprisonment. Amount of fines, terms of probation, or years of imprisonment generally are contingent upon the circumstances and amounts of drugs in possession, sale, distribution, or manufacture.

## **SERVICES AVAILABLE TO THE CAMPUS COMMUNITY**

An Alcohol & Drug Abuse Prevention counselor will provide students with a confidential source of help and information when confronted with alcohol or drug abuse or addiction issues; promote activities and programs with student support to focus campus attention on the problem of alcohol and drug abuse and help the student body claim ownership of alcohol and drug problems on campus and take charge of identifying solutions.

The following services are offered:

- 1) **ASSESSMENT:** Counselors assess student problems with alcohol and other drugs, which may range from misuse to abuse to addiction.
- 2) **INTERVENTION:** By working with friends, family, faculty and staff, counselors will reach out to students in trouble and provide access to appropriate help.
- 3) **SHORT-TERM COUNSELING:** As appropriate to the situation.

- 4) REFERRAL/AFTER-CARE: Based on assessment, counselors will assist students in finding specialized care.
- 5) CAMPUS AWARENESS: Counselors work with student organizations to coordinate projects to focus attention on the dangers of alcohol and drug abuse and the problems of dependency.
- 6) SUPPORT GROUPS: Counselors support self-help groups and refer students to a wide range of support groups in the community, as dictated by the needs of the individual. An on-campus SMU Student Recovery Support Group is available as well as off-campus AA meetings and other 12-step groups.
- 7) EDUCATION: Presentations are given about alcohol and other drugs, chemical dependency and substance abuse topics. Counselors utilize social norms marketing to correct student misperceptions about alcohol use.
- 8) TRAINING: Students, faculty and staff are trained to deal with others they believe may have a substance abuse or dependency problem.
- 9) PEER EDUCATORS: SMU supports a peer education program in which students provide prevention education on campus and in the surrounding community.
- 10) COLLEGIATE RECOVERY: The Collegiate Recovery Community (CRC) at SMU supports students who are seeking recovery or in recovery from substance use disorders, mental health concerns, behavior (process) addictions and otehr quality -of-life concerns. The CRC provides an affirming environment where students can pursue academic and personal success and improved quality of life. To learn about the CRC at SMU plesase call (214) 768-1490.

Additional information is available in the Dr. Bob Smith Health Center at SMU, from 8:30 a.m. to 5:00 p.m. Monday through Friday; (214) 768-1506 or (214) 768-2393.