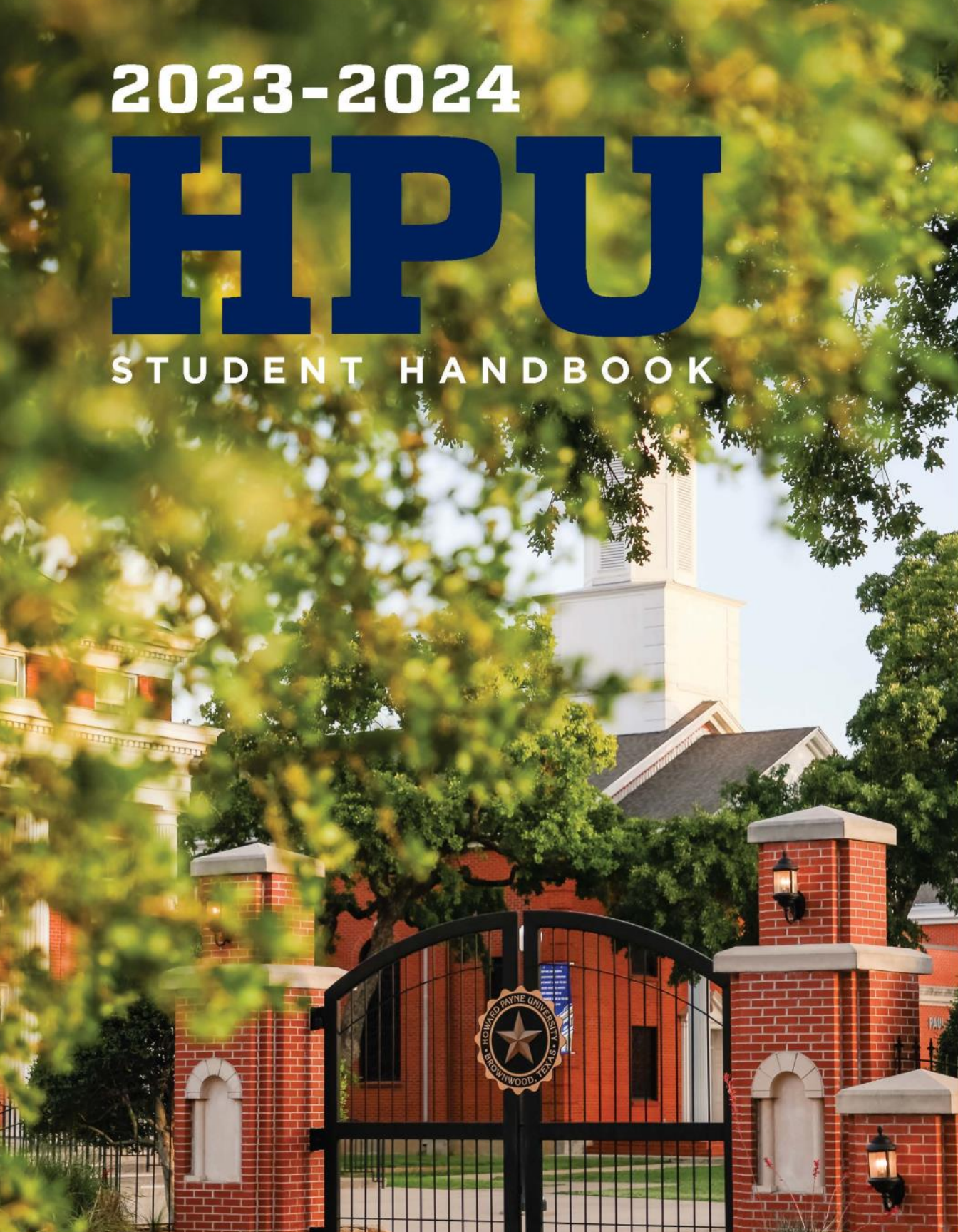


2023-2024

HPU

STUDENT HANDBOOK



# HOWARD PAYNE UNIVERSITY

## **Student Handbook 2023-2024**

Published by the  
Office of Student Experience  
Howard Payne University  
1000 Fisk Street  
Brownwood, Texas 76801  
(325) 649-8017 - office  
(325) 649-8067 - fax  
[studentexperience@hputx.edu](mailto:studentexperience@hputx.edu)  
[www.hputx.edu](http://www.hputx.edu)

*The online version of the Student Handbook will be the official version.*

## CAMPUS PHONE NUMBERS

*For all campus departments, dial (325) 649 + extension.*

Academic Advising (Center for Student Success, TAC)	Ext. 8200
Admissions (Newbury Family Welcome Center)	Ext. 8020
Athletics (McCullough Athletic Center)	Ext. 8100
Baptist Student Ministry (The Hub)	Ext. 8319
Cashier/Student Accounts (Business Office, Packer Admin. Bldg.-2 <sup>nd</sup> floor)	Ext. 8013
Calendar of Events (University Services, Mabee University Center-2 <sup>nd</sup> floor)	Ext. 8054
Chapel (Student Experience, Mabee University Center-2 <sup>nd</sup> floor)	Ext. 8017
Career Services (Mabee University Center-2 <sup>nd</sup> floor)	Ext. 8179
Christian Service/Vocation (Christian Studies, Faith and Life Leadership Center)	Ext. 8403
Copy Center & Mailroom (Mabee University Center)	Ext. 8050
Counseling (Health Services Office, Jennings B Pod)	Ext. 8193
Department of Public Safety	Ext. 8609
Financial Aid (Packer Admin. Bldg.-1 <sup>st</sup> floor)	Ext. 8015
Graduation (Registrar's Office, Packer Admin. Bldg.-2 <sup>nd</sup> floor)	Ext. 8011
Housing/Residence Life (Student Experience, Mabee University Center-2 <sup>nd</sup> floor)	Ext. 8017
Identification Cards (Student Experience, Mabee University Center-2 <sup>nd</sup> floor)	Ext. 8017
Information Technology Services (Packer Admin Bldg.—1st floor)	Ext. 8040
International Students (Newbury Welcome Center)	Ext. 8027
Library (Walker Memorial Library)	Ext. 8602
Maintenance (Facilities Administrative Offices)	Ext. 8607
Maintenance (After Hours Emergency)	Ext. 8609
Publications (Marketing/Communication)	Ext. 8009
Scholarships (Financial Aid Office, Packer Admin Bldg.-1 <sup>st</sup> floor)	Ext. 8015
Student Activities (Student Experience, Mabee University Center-2 <sup>nd</sup> floor)	Ext. 8305
Student Conduct (Student Experience, Mabee University Center-2 <sup>nd</sup> floor)	Ext. 8017
Student Organizations (Student Experience, Mabee University Center-2 <sup>nd</sup> floor)	Ext. 8305
Student Experience (Mabee University Center-2 <sup>nd</sup> floor)	Ext. 8017
Testing, Academic (Center for Student Success, TAC)	Ext. 8616
Transcripts (Registrar's Office, Packer Admin. Bldg.-2 <sup>nd</sup> floor)	Ext. 8011
Tutoring (Center for Student Success, TAC)	Ext. 8200
University Nurse (Health Services Office, Jennings Pod B)	Ext. 8601
School of Business	Ext. 8704
School of Christian Studies	Ext. 8403
School of Education	Ext. 8203
School of Humanities	Ext. 8702
School of Music and Fine Arts	Ext. 8500
School of Nursing	Ext. 8182
School of Science and Mathematics	Ext. 8400

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# HOWARD PAYNE UNIVERSITY

## Introduction

Welcome to the Howard Payne family! It is our desire that your experience at HPU is one that is intellectually challenging, provides personal and spiritual growth through fellowship and worship, and develops strong servant leadership qualities. We are glad you are here.

The *Student Handbook* is provided to articulate the standards, policies, and other aspects of being a member of the HPU community. This handbook covers policies and services affecting all those who are students taking classes through HPU including undergraduate, graduate, on-line, and dual credit classes in all locations. The policies herein also provide guidance of expectations for students as representatives of HPU when off campus or on class field trips. Additionally, these policies are applicable to all those who visit and work at HPU.

As a Christ-centered higher education institution affiliated with the Baptist General Convention of Texas, HPU uses the Bible and affirmed documents of the BGCT as the foundation for institutional policies and practices.

Students, by virtue of admission to and enrollment at Howard Payne University, are agreeing to abide by all the terms and conditions of this handbook and the HPU catalog. It is the responsibility of the student to be familiar with expectations and live up to these policies and standards.

While every effort is made to ensure the accuracy of information in this handbook, it should not be considered a binding contract, and it may be updated and changed at any time. The university strives to communicate effectively through a variety of media. Students are expected to check their campus e-mail frequently as it is the primary source of university communication. Emails will contain important information and deadlines for students which may require follow through on the part of the student.

**Special Note:** Howard Payne University reserves the right to adjust policies, processes, and plans in order to address health and safety concerns

involving the HPU campuses and local communities. This includes, but is not limited to, the university calendar, teaching delivery systems, and/or housing arrangements. Any adjustments will be communicated through HPU email and/or Gateway, depending on the nature of the adjustments.

Howard Payne University has established specific health and safety policies, procedures, and protocols. Failure to comply could result in penalties.

## Howard Payne University Mission, Vision, and Core Values

### *Mission Statement*

Howard Payne University is a Christ-centered academic community dedicated to excellence by developing and equipping the whole person for intellectual inquiry, personal and professional integrity, and service to God and humanity. (Approved by the Howard Payne University Board of Trustees, July 27, 2010)

### *Vision Statement*

Howard Payne University aspires to excel as a Christian, academic, student-centered institution that is highly impactful for our students in their educational journey while supporting them in their preparation for their future goals.

### *Core Values*

- Centered on Christ  
cf. Col. 3:17, Matt. 7:2
- Focused on community  
cf. Eph. 4:4-6, 1 Pet. 3:8
- Called to service  
cf. Mark 10:45, Phil. 2:3-5
- Committed to excellence  
cf. Gen. 1:31, 1 Cor. 9:24
- Dedicated to stewardship  
cf. Gen. 2:15, 1 Pet. 4:10

## **Curriculum**

The educational program of the university is presented to residential and commuting students at the main campus in Brownwood, Texas, and to commuting students in New Braunfels and El Paso, Texas. The instructional programs are presented through traditional face to face lectures, laboratory experiences, and electronic delivery. The university operates distance learning programs in the following fields of study: Master of Business Administration (MBA), and Master of Education - Sports Wellness and Leadership (MEd). Various academic programs engage in service learning that include a public outreach component which is addressed in individual programs. Howard Payne University is not a research institution and does not include research in its Mission Statement.

## **Student Body**

HPU strives to have a diverse student body. While the University recruits primarily in Texas and the Southwest, the student body is comprised of men and women from many states and other countries. The university welcomes students from a wide range of socioeconomic, cultural, and ethnic backgrounds, including both traditional and nontraditional students with varying academic interests and abilities.

## **Faculty**

In its pursuit of excellence in academic endeavors, the university employs faculty who exemplify a commitment to Christian ideals and who are dedicated to the search for and dissemination of truth. HPU seeks gifted teachers from throughout the United States and the world who are dedicated to teaching, advising students in a professional context, serving the communities of the university and its locale, and continuing to grow in their profession as scholars and teachers.

A Christian liberal arts institution, Howard Payne University prides itself on fostering a close community where personal connection is valued. Through teaching, learning and service, the faculty and staff truly invest in students' success.

## **Governance**

The University is affiliated with the Baptist General Convention of Texas (BGCT), which elects a portion of the University's Trustees. The University and the BGCT work together in a spirit of voluntary cooperation. The history of the BGCT's influence at the University has been to support, enhance, and

facilitate the University's work and mission while leaving the governance of the University to the Board of Trustees. The Board of Trustees employs the president who is responsible for the operation of the University.

## **History**

Howard Payne College was founded by the Pecan Valley Baptist Association at Indian Creek, Texas, on June 20, 1889. The two men considered the founders of the college are John D. Robnett, pastor of the First Baptist Church in Brownwood, and Noah T. Byars, in whose blacksmith shop Texas declared her independence on March 2, 1836. They were memorialized when Texas State Historical Markers were placed in Old Main Park in 1998.

Robnett was president of the first Board of Trustees. Robnett busied himself in raising funds for the school during the summer of 1889. Visiting Missouri in August, he was successful in securing a sizable gift from his brother-in-law, Edward Howard Payne, and before November 1, 1889, the Board of Trustees resolved to name the school Howard Payne College.

The first session opened on September 16, 1890, with A. J. Emerson as president and a faculty of twelve. A separate preparatory department furnished instruction below the freshman level. The school granted its first academic degree in 1895 and continued as a degree-conferring institution until 1900. It operated as a member of the Baptist correlated system of schools with junior college status from 1900 to 1914, when it again became a senior college.

In 1953, Daniel Baker College, which originally had been a Presbyterian college and in 1950 had become the Episcopal College of the Southwest, was consolidated with Howard Payne. The Guy D. Newman Honors Academy, the Dr. Guy D. Newman Hall of American Ideals, and the Bettie and Robert Girling Center for Social Justice stand on the original campus of Daniel Baker.

In 1974, Howard Payne College became Howard Payne University upon approval of the Baptist General Convention of Texas.

© Dr. Robert G. Mangrum,  
HPU University Historian

## University Colors

Navy Blue and Old Gold

### Alma Mater

High above old bayou's waters out on Center's heights, stands our noble Alma Mater towering in her might. Keep her colors ever floating, sing her praises due. Hail to thee our Alma Mater, hail the gold and blue.

### Fight Song

Simmons' got some Cowboys we are going to beat - Howard Payne's got some Jackets who've never met defeat - And when we get together there's gonna be a scrap - We'll wipe those Cowboys right off the map - We're gonna ramble, ramble - Ramble up and down and all around the town - We're gonna ramble, ramble - Ramble 'til those Jackets get 'em down!

### Traditions

Howard Payne University is blessed with a rich heritage and many wonderful traditions. HPU traditions are deeply rooted and cherished aspects that contribute to its distinct institutional personality and the spirit of Howard Payne University. Some of these traditions include:

- The University community faces Old Main Park when the Alma Mater is played or sung.
- Friendliness on campus is so widespread and spontaneous that it is widely acknowledged to be one of the most remembered traditions at Howard Payne.
- Chime In is a ceremony in which new students are prayerfully welcomed into the University family. Chime In is held during Jacket Journey just prior to the start of the fall semester.
- Chime Out is a ceremony in which seniors pass a garland representing responsibility to members of the junior class. Chime Out is held on the Friday night before commencement in the spring semester.
- Homecoming (Fall)
- President's Reception for New Students
- Campus Revival/Encounter Week (Fall)
- Resurrection Week (Spring)
- Family Weekend (Fall)
- Spring Sing (Spring)
- Jacket Journey (Fall & Spring)

## THE FAMILY EDUCATIONAL RIGHTS & PRIVACY ACT (FERPA) INFORMATION

The *Family Educational Rights and Privacy Act (FERPA)* affords eligible students certain rights with respect to their education records. (An "eligible student" under FERPA is a student who is 18 years of age or older or who attends a postsecondary institution.) These rights include:

- The right to inspect and review their education records within 45 days of the day the University receives a request for access.

Students should submit written requests to the Office of the Registrar and identify the record(s) they wish to inspect. The staff of the office will make arrangements for access and notify the student of the time and place where the records may be inspected. If the requested records are not maintained in the Office of the Registrar, the student will be notified of the correct official to whom the request should be addressed.

- The right to request an amendment to the student's education records that the student believes are inaccurate or misleading.

Students who wish to ask the University to amend a record should write the Office of the Registrar, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.

If the University decides not to amend the record as requested by the student, the University will notify the student in writing of the decision and the student's right to a hearing regarding the request for amendment. Additional information regarding the hearing will be provided to the student when notified of the hearing.

- The right to provide written consent before the University discloses personally identifiable information from the student's education records, except to the extent that FERPA authorizes disclosure without consent.



One exception which permits disclosure without consent is to school officials with legitimate educational interests. A school official is a person employed by the university in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the university has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the University also discloses education records without consent to officials of another school in which a student seeks or intends to enroll. FERPA requires a school to make a reasonable attempt to notify each student of these disclosures unless the school's annual notification states that it intends to forward records on request.

- The right to file a complaint with the U.S. Department of Education concerning alleged failures by the college to comply with the requirements of FERPA.

The name and address of the office that administers FERPA is:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Ave., SW  
Washington, D.C. 20202-5920

FERPA allows institutions to disclose information designated as "directory information" without a student's consent. At Howard Payne University directory information includes a student's: name, address, telephone number, parent's or guardian's name, spouse's name, marital status, major field of study, dates of attendance, current enrollment status (full-time/part-time), classification, receipt or non-receipt of a degree, and academic awards received (dean's list, honor roll), past and present participation in official recognized sports and activities, physical factors (height, weight for

athletics, date and place of birth.)

Under FERPA, disclosure of information without a student's consent is permitted in the following situations:

- to school officials who have a legitimate educational interest,
- to federal, state, and local authorities involving an audit or evaluation of compliance with educational programs,
- in connection with financial aid; including Veterans' benefits,
- to organizations conducting studies for or on behalf of educational institutions,
- to accrediting organizations,
- to parents of an eligible student if the student is a dependent for IRS tax purposes,
- to comply with a judicial order or lawfully issued subpoena,
- in a health or safety emergency,
- information the university has designated as directory information,
- to an alleged victim the final results of disciplinary proceedings with respect to an alleged crime of violence or a non-forcible sex offense,
- to the general public, the final results of a disciplinary proceeding, subject to the requirements, if the school determines the student is an alleged perpetrator of a crime of violence or non-forcible sex offense and the student has committed a violation of the school's rules or policies with respect to the allegation made against him or her,
- to parents of a student regarding the student's violation of any Federal, State, or local law, or of any rule or policy of the school, governing the use or possession of alcohol or a controlled substance if the school determines the student committed a disciplinary violation and the student is under the age of 21.

FERPA protects students who are currently enrolled or formerly enrolled regardless of their age or status with regard to parental dependency. Students who have applied but have not attended an institution and deceased students do not come under FERPA guidelines.

Parents of students termed as "dependent" for income tax purposes may have access to the

student's education records. A copy of the parent's most recent Federal Income Tax return, where the parents declared the student as a dependent, must be submitted to the Office of Student Records to document "dependency."

With certain exceptions, an education record is any record (1) from which a student can be personally identified and (2) maintained by the university. A student has the right of access to these records.

Education records include records in any medium (handwritten, print, magnetic tape, film, diskette, etc.) that are in the possession of any school official. This includes transcripts or other records obtained from a school in which a student was previously enrolled.

Records that are not defined as "education records" include the following:

- sole possession records or private notes held by school officials that are not accessible or released to other personnel,
- law enforcement or campus security records that are solely for law enforcement purposes and maintained solely by the law enforcement unit,
- records relating to individuals who are employed by the institution (unless contingent upon attendance),
- records relating to treatment provided by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional and disclosed only to individuals providing treatment,
- records of an institution that contain only information about an individual obtained after that person is no longer a student at that institution, *i.e.*, alumni records.

To authorize the release of a transcript, students must submit a signed written request or by completing and signing a Transcript Request Form available in the Office of the Registrar or on the HPU website as a link on the Registrar page. Due to the signature requirement, transcript requests cannot be accepted by email; however, printed, signed, and scanned request forms attached to an email is acceptable.

The same principles of confidentiality that apply to paper records also apply to electronic data.

For more information about FERPA, see the Family Compliance Office Website at [www.ed.gov/fpc](http://www.ed.gov/fpc).

Contact the Office of the Registrar at:

Office: 325-649-8011

Fax: 325-649-8909

Howard Payne University

Office of the Registrar

1000 Fisk Street

Brownwood, TX 76801

## **POLICY AGAINST DISCRIMINATION AND HARASSMENT**

Howard Payne University is committed to providing a work and educational environment free of Discrimination and Harassment. Howard Payne University is equally committed to the principle of equal opportunity in education and employment. The University does not illegally discriminate or tolerate Discrimination or Harassment against individuals on the basis race, color, sex/gender (except where gender is a bona fide occupational qualification), ethnic or national origin, age, disability, genetic information, veteran status or (collectively, "Protected Status") in its employment, admissions, and/or education programs and activities.

### **I. Statement of Values**

The University affirms that all members of the University's Community are created in the image of God and therefore should be treated with dignity and respect. The University does not unlawfully discriminate on the basis of any status or condition protected by applicable federal or state law. Further, the University respects the inherent worth of each member of the University Community and does not tolerate conduct that fosters any form of harassment.

With a Biblical foundation of human dignity and worth, the University approaches issues of Discrimination not only as acts that may be potential violations of the law and policy, but also as conduct that is contrary to Christian scripture. Thus, Discrimination is harmful not only to the individuals involved, but undermines the Mission Statement and Core Values of the University.

In accordance with the University's mission and values, the U.S. Department of Education has granted the University exemptions from certain provisions of Title IX based on the religious tenets of the Baptist General Convention of Texas, and the University may act in accordance with these tenets in resolving complaints under this Policy. The University may discriminate on the basis of religion in employment in order to fulfill its mission, and preference may be given to Baptists.

## II. Scope

A. Generally this Policy applies to Prohibited Conduct in all University education programs and activities and to all participants in such education programs and activities, including administrators, faculty, staff, students, volunteers, contractors, and guests. This Policy covers Prohibited Conduct that occurs on campus, in connection with an official University program or activity (regardless of location), and to off-campus conduct when the conduct could deny or limit a person's ability to participate in or benefit from the University's programs and activities or when the University, in its sole discretion, has an identifiable interest in the off-campus conduct.

B. Interaction with University Title IX  
All allegations of sex discrimination which rise to the level of Sexual Harassment occurring within the University's Education Programs and Activities as defined by the University's Title IX Policy are handled exclusively pursuant to the procedures outlined in that Policy. All other acts of Discrimination, including acts of sex discrimination which do not rise to the level of Sexual Harassment occurring within the University's Education Programs and Activities as defined by the University's Title IX Policy are handled pursuant to this Policy.

## III. Definitions of Prohibited Conduct

The following are categories of conduct that are prohibited by this Policy ("Prohibited Conduct") and may result in disciplinary action when committed by University employees or students.

A. "Discrimination" is conduct directed at a specific individual or a group of identifiable individuals that subjects the individual or group to treatment that adversely affects their education or employment because of their Protected Status.

B. "Harassment" as used in this Policy is verbal and/or physical conduct (i) that is severe or pervasive, (ii) that is based on an individual's Protected Status, and (iii) that unreasonably interferes with the individual's work or academic activities, or that creates an intimidating, hostile, or offensive University environment.

C. "Other Sexual Harassment" as used in this Policy means unwelcome, sex-based verbal or physical conduct that:

1. in the employment context, unreasonably interferes with a person's work performance or creates an intimidating, hostile, or offensive work environment; or,
2. in the education context, is sufficiently severe, persistent, or pervasive that the conduct interferes with a student's ability to participate in or benefit from the University's educational programs or activities. Other Sexual Harassment does not include allegations of sex discrimination which rise to the level of Sexual Harassment occurring within the University's Education Programs and Activities as defined by the University's Title IX Policy.

D. "Sexual Exploitation" occurs when a person takes non-consensual or abusive sexual advantage of another for his/her own benefit, or to benefit anyone other than the affected individual, and that behavior does not otherwise constitute other Prohibited Conduct.

Examples of Sexual Exploitation include, but are not limited to:

1. causing or attempting to cause the incapacitation of another individual for sexual purposes;
2. electronically recording, videoing, photographing, or transmitting sexual sounds or images of another individual without their consent;
3. allowing a third-party to observe sexual acts without all parties' consent;
4. engaging in voyeurism (e.g., watching private sexual activity without the Consent of

the participants or viewing another person's intimate parts (including genitalia, breasts, or buttocks) in a place where that person would have a reasonable expectation of privacy); or

5. knowingly exposing another individual to a sexually transmitted disease/infection or HIV.

E. "Other Unprofessional/Inappropriate Conduct" is behavior or conduct of a sexual nature that is unprofessional and/or inappropriate for the educational and/or working environment, but does not rise to the level of Sexual Harassment or other form of Prohibited Conduct outlined above.

F. "Retaliation" is any attempt to seek retribution against an individual or group of individuals involved in filing a complaint or report under this Policy, filing an external complaint, participating in a disciplinary process, or opposing in a reasonable manner an action believed to constitute a violation of this Policy. Retaliation can take many forms, including abuse or violence, threats, and intimidation. Actions in response to a good faith report or response under this Policy are considered retaliatory if they have a materially adverse effect on the working, academic or University-controlled living environment of an individual; or if they hinder or prevent the individual from effectively carrying out their University responsibilities. Any individual or group of individuals can engage in retaliation and will be held accountable under this Policy.

G. "Complainant" means an individual who is alleged to be the victim of Prohibited Conduct.

H. "Respondent" means an individual who has been reported to be the perpetrator of Prohibited Conduct.

#### **IV. Reporting Complaints of Prohibited Conduct**

Community members who experience or witness Prohibited Conduct should submit a complaint to the appropriate University administrator. The following offices have been designated to handle complaints of a violation of this Policy:

##### **Student Complaints**

Tammy Arreola

Dean of Students & Title IX Coordinator  
Howard Payne University  
1000 Fisk Street  
Mabee University Center, Office of Student Life  
Brownwood, TX 76801  
325-649-8630  
tarreola@hputx.edu

##### **Employee Complaints**

Katrina Lynn  
Director of Human Resources  
Howard Payne University  
1000 Fisk Street  
Packer Administration Building  
Brownwood, TX 76801  
325-649-8012  
klynn@hputx.edu

While verbal reports of Prohibited Conduct will be received and responded to as appropriate considering the wishes of the reporting individual(s) and the circumstances of each case, the University strongly recommends reports of violations of this Policy be submitted in writing. The written complaint should identify the parties involved; describe the Policy violation, including when and where it occurred; and identify by name or description any witnesses and/or evidence. Written complaints will be treated as confidentially as practical and shared only on a need-to-know basis.

##### **V. Supportive Measures**

Regardless of the complaint resolution process utilized in response to a complaint of Prohibited Conduct, the University will, to the extent practicable based on the University's resources, provide the Complainant with support and resources to restore or preserve equal access to the University's education programs and activities and/or employment. Such measures are designed to protect the safety of all parties implicated by a report or to deter Prohibited Conduct. Supportive measures may include, but are not limited to: counseling, extensions of academic or other deadlines, course-related adjustments, modifications to work or class schedules, campus escort services, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of campus, and other similar measures. Supportive Measures may also include mutual



restrictions on contact between the parties implicated by a report.

## **VI. Complaint-Resolution Process**

### **A. Receipt of a Complaint and Preliminary Assessment**

Upon receipt of a complaint, either the Vice President for Student Experience, Dean of Students, or the Director of Human Resources (or their designee) (hereinafter the “Administrator”) will conduct a preliminary inquiry designed to assess:

1. the institutional policy or policies potentially invoked by the alleged conduct,
2. the appropriate University official to respond to the complaint, and
3. the best path of resolution for the complaint. In the event the Administrator determines there are no reasonable grounds for believing the conduct at issue constitutes a violation of this Policy, the Administrator will close the complaint.

### **B. Informal Resolution**

The Administrator will determine whether informal resolution is an appropriate mechanism of resolution based on the information provided about the incident. Options for informal resolution include, but are not limited to, mediation, restorative justice, or other form of alternative resolution. If informal resolution is determined to be appropriate, the Administrator or their designee will meet separately with both parties to discuss an informal resolution based on the information available. If the proposed resolution satisfies the University’s obligation to provide a safe and non-discriminatory environment for the University Community, the resolution will be implemented, and the matter will be closed. The Human Resources and/or Student Life offices will maintain records of all reports and conduct referred for informal resolution.

### **C. Formal Resolution Procedures**

If the Administrator determines that a formal investigation is warranted to resolve a complaint, the University will determine whether an employee or student is responsible for a violation of this Policy and what, if any, corrective action is

appropriate, in accordance with the procedures described below.

#### *1. Assignment of Investigator*

The Administrator will appoint an investigator or investigative team with experience investigating allegations of discrimination and harassment. The investigator(s) may be an employee of the University or an external investigator engaged to assist the University in its fact gathering.

#### *2. The Investigation*

The investigation will be conducted in a manner appropriate in light of the circumstances of the case. The investigation may include, but is not limited to, conducting interviews of the complainant(s), the respondent(s), and any witnesses (witnesses must have observed the acts in question or have information relevant to the incident); reviewing law enforcement investigation documents, if applicable; reviewing personnel files; and gathering, examining, and preserving other relevant documents and physical, written, and electronic evidence (including text messages and other phone records, social media posts, security camera footage, etc.). The parties will be afforded an opportunity to identify and present relevant witnesses and evidence to the investigator, as well as identify witnesses who may have relevant information.

#### *3. The Investigator’s Report and Conclusions*

The investigator will make conclusions as to whether the respondent violated any provision of this Policy. The standard of proof shall be by a preponderance of the evidence. Investigator findings and conclusions may be shared with the Administrator in a written report.

##### *a. Determination of No Policy Violation*

If the investigator determines that the respondent did not violate any provision of this policy, the Administrator will determine and document the appropriate resolution of the complaint and notify the parties of that determination. Appropriate resolutions may include, but are not limited to, dismissal of the complaint, conferences with one or more of the parties, and the introduction of remedial and community-

based efforts such as educational initiatives and/or trainings.

*b. Determination of a Policy Violation*

If the investigator determines there is sufficient information to find, by a preponderance of the evidence, that the respondent violated this Policy, the matter will be referred for corrective action.

**D. Corrective Action**

If the Respondent is found responsible, corrective action will be addressed as follows:

1. For Policy violations by employee (including staff, faculty, and students acting in their capacity as student employees), the Director of Human Resources will consult with the individual supervisor and department head to determine appropriate corrective action including, but not limited to:

*a. Warning:*

Written notice to the employee that the employee is violating or has violated Administrative Policies of Howard Payne University and that continuation or repetition of misconduct may result in a more severe sanction.

*b. Mandatory Sanctions:*

Mandatory counseling arranged by the University, drug or alcohol assessment/treatment, seminar attendance, or other discretionary sanctions as deemed appropriate (all at the employee's expense).

*c. Termination:*

Employees who engage in serious misconduct or persistent misconduct will have their employment terminated. At will employees may be terminated at any time, with or without reason. Faculty employees may be terminated as described in Section III, Faculty Matters, in the Administrative Policies of Howard Payne University.

All actions taken above will be documented and placed in the employee's personnel file.

2. For Policy violations by contractors, vendors, and others doing business with the University, the Director of Human Resources

will consult with the contracting department to determine the appropriate resolution, up to and including termination of a contractual relationship.

3. For Policy violations by students, the Vice President for Student Experience or Dean of Students will take corrective action including, but not limited to, the following sanctions:

*a. Warning:*

Oral or written notice to the student that the student is violating or has violated the Code of Conduct and that continuation or repetition of misconduct may result in a more severe sanction.

*b. Disciplinary Probation:*

A status that indicates that a student's relationship with the university is tenuous. Probation is for a designated period and includes the probability of more severe disciplinary sanctions if the student is found in violation of any university regulations. Probation may also result in the loss of privileges, depending on the policies of various university departments and organizations. For example, a student becomes ineligible to hold some leadership positions when placed on probation.

*c. Loss of Privileges:*

Such loss may include, but is not limited to, financial assistance, eligibility to represent the university officially on athletic teams or performing groups, or use of specific university facilities, computer systems, equipment, or services.

*d. Educational Sanctions:*

Mandatory work hours, reading/writing assignment, drug or alcohol assessment/treatment (at the expense of the student), seminar attendance, or other discretionary sanctions as deemed appropriate.

*e. Dismissal from University Housing:*

Loss of privilege to live in university housing. Students in a contract or required to live on-campus who are dismissed from university housing will be responsible for any remaining monetary charges for the term of their contract.

*f. Suspension:*

Removal from the university environment for a designated period of time, usually one or two semesters, although the period may be longer depending on the circumstances. A student who is suspended from the university may not attend classes, university events or organizational meetings, may not visit the campus, and may not reside in university housing. A student who has successfully served his/her suspension period may apply for readmission through the regular university re-admission procedures.

*g. Expulsion:*

Students who engage in serious misconduct or persistent misconduct may be expelled. A student who is expelled is not eligible for re-admission to the university.

### **Mandatory Transcript Notations**

Texas law requires a notation on the transcript of any student who is ineligible to re-enroll in the University for a reason other than an academic or financial reason. Therefore, this requirement applies to violations of Policy that result in ineligibility to enroll in the University for any period of time, such as suspension and expulsion. In addition, if a student withdraws while there are pending disciplinary charges that may result in the student becoming ineligible to re-enroll in the University for a reason other than an academic or financial reason, the University will not end the disciplinary process until a final determination of responsibility has been made. A disciplinary charge becomes a pending matter upon the initial receipt of the complaint, whether oral or written.

### **E. Appeals**

Appeals of findings of responsibility against Student-Respondents will be handled pursuant to the Student Conduct Appeals process contained in the University's Student Handbook. Appeals of findings of responsibility against Employee-Respondents will be handled pursuant to the University's applicable administrative policies.

### **F. Knowingly Filing a False Complaint**

Knowingly filing a false complaint is a violation of this Policy. Such conduct may result in corrective action up to and including separation from the

University.

## **VII. Academic Freedom**

This Policy is not intended to inhibit or restrict academic freedom and this Policy shall be interpreted in a manner that is consistent with the University's academic freedom policies.

# **ACADEMIC POLICIES & RESOURCES**

### **Academic Testing Services**

The University offers a variety of academic tests to meet the needs of students. The College Level Examination Program® (CLEP) exam is one major test that is offered. CLEP is a nationally recognized, subject-specific test that is used to gain credit for college level classes. A full list of CLEP tests that are accepted for credit at HPU is available in the University catalog. CLEP testing is offered by appointment and students may call 325-649-8620 to set up an appointment to take a CLEP® exam. HPU Testing Services also serves as an official testing location for ACT®, SAT®, and TExES/ExCET/TOPT exams as well as an official Pearson VUE testing center. For assistance or information regarding academic testing, students should call 325-649-8620.

### **Academic Advising**

The University understands that navigating the requirements of any degree can be overwhelming at times, so we have created an academic advising program to facilitate and guide students to develop and implement appropriate educational plans that are consistent with their academic, personal, and career goals. For more information regarding advising, please call 325-649-8620.

### **Chapel**

Chapel is an important part of Student Experience at Howard Payne University. Undergraduate students are required to complete six semesters of Chapel to graduate from Howard Payne University. The mission of Chapel is to provide a community worship experience that promotes personal relationships with Jesus Christ. Chapel services may feature a variety of formats including speakers, music, and programs that present the gospel, encourage spiritual development, promote cultural awareness, explore world events, and recognize

academic excellence, service, and leadership in a context that prompts a greater understanding of the Christian faith.

Chapel services are held on Wednesdays at 10:00 a.m. in Mims Auditorium (unless otherwise publicized) during the fall and spring semesters. Students are encouraged to attend all Chapel programs.

Students receive chapel credit by having their ID scanned upon entry into chapel service. Students arriving late to chapel are not eligible for chapel credit. Students who leave chapel service before it has been dismissed will have that day's chapel credit revoked. Repeated offenses may result in the student failing chapel for the semester. It is the student's responsibility to ensure that his/her attendance is being accurately recorded and/or that his/her ID card is scanning properly. Questions regarding chapel credits may be directed to the Office of Student Experience

#### *Chapel Requirements*

1. Each student must pass six (6) semesters of Chapel attendance.
2. Each student will receive a Pass/Fail grade based on her/his attendance. The grade has no bearing on the student's grade point average.
3. There will be no pre-scheduled "extra credit" opportunities for Chapel credit.
4. Students must earn 14 attendance credits by attending Chapel.

All full-time HPU students are required to attend Chapel unless they are 24 years of age or older. Students who turn 24 years old after the first class day of the fall or spring semester will be required to complete that semester's Chapel attendance requirements.

For every 15 hours of transfer credit accepted by HPU, a student will receive one semester of Chapel credit.

**Should a student fail to accumulate the required number of semester credits to pass Chapel, s/he will not be permitted to graduate. There are no make-ups for missed semesters of Chapel.**

Questions about Chapel policies or records:  
Office of Student Experience  
Mabee University Center, 2nd Floor

(325) 649-8017 | [studentexperience@hputx.edu](mailto:studentexperience@hputx.edu)

#### **Class Attendance**

##### In-Residence Attendance Policy

There is no system of free absences at Howard Payne University. To ensure that students do not miss significant instructional material that jeopardizes their success in class, students are expected to attend all class sessions. Students are responsible for accounting to their instructor for absences. Absences are counted from the first day the class meets, not from the date the student registers. A student must attend class a minimum of 75% of the sessions in order to receive credit for the course. Students who fail to attend at least 75% of the class sessions may be assigned a grade of F. However, given extenuating circumstances, a student may request an opportunity to rectify the deficiencies created by their absences. In such cases, the faculty member may approve a plan to complete missing assignments.

Instructors will include an attendance policy in the course syllabus. Each student is expected to familiarize himself or herself with this policy at the beginning of each course. EACH INSTRUCTOR MAY ESTABLISH A MORE STRINGENT ABSENCE POLICY IF IT IS OUTLINED IN THE COURSE SYLLABUS.

All absences, excused or unexcused, are counted as classes missed. Work missed for an excused absence may be made up but the absence is still considered in the total count. Students are expected to report for class on time. Habitual tardiness may, at the discretion of the instructor, be considered in computing class attendance.

When a student's number of absences (excused or unexcused) for any course causes them to be unable to attend at least 75% of the total class sessions, a grade of "WF" may be given for that course. Instructors have the prerogative to drop or withdraw students who exceed the university's attendance policy or the more stringent attendance policy outlined in the course syllabus.

The sponsor of an organized group chosen to represent the university off campus will provide a list of students who will be absent from class to the vice president of academic affairs one week prior to the activity. The list should include



departure and return dates. Approval of this list by the Vice President of Academic Affairs qualifies the absence as an excused absence.

### Online Attendance Policy

Online courses follow the University's attendance policy. Professors count attendance based on submission of assignments by specific due dates, by discussion board participation, or other academic-related activities (quiz, homework, sign-in sheet, etc.). Additional attendance monitors include logging on to a course on a regular basis (a minimum of once a week) and completing assignments on time. Deadlines for submitting assignments are treated like attendance in regular classes. A student's failure to complete a task will be considered an absence and will be treated in accord with University policies.

Attendance policies for a course are defined by instructors in the course syllabus. The last date of attendance will be determined by the student's most recent participation in course activities. Instructors whose courses are taught through Blackboard have access to Blackboard Course reports located within a course's Control Panel. Blackboard technical support recommends using the Access/Date area in the Overall Summary Report for identifying the last day of attendance for Census Dates, course withdrawal dates, etc.

### **Early Alert Program**

The university uses a program called Connections to support positive, effective study skills and encourage students to reach their highest academic potential. When instructors observe that a student needs assistance with academic support, study skills, or other issues which might impede their successful progress in the course, he or she may complete an alert in Connections. Staff in the student's circle of care will then seek to work with students and connect them with campus resources. The ultimate goal is to intercede as soon as possible to help support student growth toward academic success.

### **Tutoring Services**

Tutoring is available to all Howard Payne students through the Center for Student Success. Schedules vary but are posted at the tutoring center, located on the 2nd floor of the library. Along with face-to-face peer tutoring, The Center for Student Success also offers the ability to seek help online. To schedule a tutoring appointment, contact Dr. Wendy McNeeley at [wmcneeley@hputx.edu](mailto:wmcneeley@hputx.edu).

### **Learning Assistance Services**

It is the policy of the university to provide reasonable accommodations pursuant to all applicable laws for students with disabilities, including students with learning disabilities, health impairments, and other impairments that substantially limit one or more major life activities. For more information on services offered, please go to the HPU website. All information pertaining to Learning Assistance and the required forms are found under the Center for Student Success. Upon admission to the University, the student should submit all relevant information and current documentation (within the last 3 years) to:

Office of Learning Assistance  
Howard Payne University  
1000 Fisk Avenue  
Brownwood, TX 76801  
(325) 649-8616

In accordance with Section 504 of the Rehabilitation Act of 1973 and with the Americans with Disabilities Act (ADA) of 1990, the Office of Learning Assistance provides equal access to educational programs and safeguards against discrimination for qualified students with disabilities. Admission requirements for students with disabilities are the same as for all other students. University programs and activities are conducted in such a manner that no otherwise qualified individual shall, solely by reason of a disability, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any such program or activity. Notifications and inquiries regarding disabled student services should be directed to the Office of Learning Assistance.

The documentation submitted by the student must contain all the elements detailed below:

- Administered or completed by a licensed or credentialed examiner
- A diagnostic statement identifying the disability (Note: A condition does not automatically qualify as a disability.)
- A description of the diagnostic methodology
- A description of the current functional limitations
- A description of the expected duration and progression of the condition
- A rationale and justification for all requested accommodations

Academic accommodations for each student are determined by the Office of Learning Assistance on an individual basis, with input from qualified professionals. If the documentation provided by the student is determined to be insufficient by the Coordinator, Howard Payne University reserves the right to request additional documentation considered reasonably necessary to determine appropriate and effective accommodations on the college level. Accommodations are intended to level the playing field for students with disabilities, while maintaining the academic integrity and standards set by the University. Admission to the university and accommodations do not guarantee success. Therefore, in addition to accommodations, the university encourages utilization of auxiliary services available to all students to maximize opportunities for success. Students are strongly encouraged to develop self-advocacy skills; however, the Office of Learning Assistance may act as a liaison between the student and faculty/staff members.

The student needs to make an appointment with the Learning Assistance Coordinator after submitting the required documentation and completing the Learning Assistance Request Form.

Accommodations will be discussed, and if the student qualifies, an accommodation letter will be provided each semester to the student to give to his/her professors. Students need to allow 6 to 10 days for completion of requested accommodations. The first two weeks of the beginning of each semester are an ideal time to schedule an appointment.

In cases where the student feels the accommodations granted are not sufficient, a student may appeal those accommodations by adhering to the following guidelines.

### *Informal Process*

Before a formal appeal may be filed, the student must meet with the instructor to request changes and also contact the Learning Assistance Coordinator. If the student is not satisfied with the outcome, he or she must meet with the Dean of General Education to determine if a resolution can be reached. If the student is not satisfied with the

action taken at the informal level, the student may file a formal complaint in accordance with the following procedures.

### *Formal Process*

If a resolution is not reached and the student desires to pursue the appeal, the student will state specifically the basis of the appeal in writing to the Vice President of Academic Affairs of the University. The Vice President will determine if the appeal does or does not meet the requirements of the policy; he/she will communicate the ruling in writing to the student. The decision rendered by the Vice President will be final.

It is the responsibility of the student who requests educational accommodations to provide documentation prepared by a qualified professional based on the previously stated disability documentation. The university does **not** offer students with disabilities the following:

- Diagnostic evaluation for disabilities;
- A reduced standard for academic performance;
- Exemption from essential graduation requirements; or
- Credit for effort in place of demonstrated competence in the content.

### *Confidentiality*

The Office of Learning Assistance will adhere to its confidentiality policies regarding its responsibility to maintain confidentiality of the evaluation and will not release any part of the documentation without the student's informed consent or under compulsion of legal process.

### *Financial Aid*

Students with physical disabilities and are enrolled or will be enrolled at Howard Payne University should contact the Texas Rehabilitation Commission regarding financial aid for the disabled. In addition, qualifying students will be considered for other financial assistance by the Office of Financial Aid provided the necessary forms have been submitted.

### *Temporary Disabilities*

Students needing to discuss the availability of short term accommodations due to a temporary disability should contact the Office of Learning Assistance.

## STUDENT EXPERIENCE

### Philosophy

Howard Payne University is committed to providing students with a wide range of opportunities to learn both inside and outside the classroom. Residence halls, organizations, activities, athletics, and social experiences encourage deeper learning in areas such as practical Christianity, democracy, personal health and wellness, leadership, self-esteem, current events, and Christian worldview. Accepting the underlying premise that the more students know and understand, the better choices they will be able to make, the University commits its resources toward practices that encourage optimum growth and maturation in the social, spiritual, emotional, and physical areas of college life in concomitant support of their intellectual training.

## STUDENT ACTIVITIES & ORGANIZATIONS

Student activities are designed to enhance student development by addressing the physical, spiritual, intellectual, emotional, and social needs and interests of the student body.

Student activities, organizations, and intramurals are an important part of campus life and provide a variety of opportunities to build relationships, develop social and leadership skills, grow in relationship to Christ, exhibit personal responsibility, participate in service to the campus and community, engage in recreation, work with others, gain an enhanced understanding of the world and of one's self, and have fun.

### Intramural Sports

The University intramural program provides organized sport competition and recreational activities among students, faculty, and staff. HPU Intramurals offers a variety of team and individual recreational sport and activity competitions including flag football, volleyball, sand volleyball, basketball, ultimate frisbee, softball, pickle ball, and table tennis. Special activities are offered based

on student interest. All students are welcomed and encouraged to participate.

### Student Events

Howard Payne University provides a wide range of activities and programs for students.

Annual activities that are approved by the University include, but are not limited to:

- Chime In
- Chime Out
- Daze of Payne
- Homecoming
- HPU Fest
- Jacket Journey

The University Calendar of Events is available online at [www.hputx.edu/calendar](http://www.hputx.edu/calendar).

There are some activities which are not allowed by the University because of their illegal nature, potential for harming other individuals or University property, and/or purposes and functions that are contrary to the religious or ethical convictions of the University.

### Student Publications

*THE YELLOW JACKET* is the bi-weekly newspaper published by the University covering campus news. All student publications are subject to approval by a faculty/staff advisor.

## STUDENT ORGANIZATIONS

Any club, organization, or group functioning in an organized manner must be approved by the University, adhere to its policies and procedures, and respect the values and mission of the University. The Office of Student Experience oversees student activities and organizations. Certain student organization oversight functions are delegated to the Student Government Association.

### Organization Structure

Organizations are classified into one of three categories at HPU: "Departmental/National-Affiliated" (A, Affiliated), "Open" (O), and "Local Greek (G).

The "Departmental/National-Affiliated" category includes organizations which are either affiliated with the university (e.g., receive a budget from the

University, supervised by faculty, etc.), affiliated with a national entity, or whose members must meet specialized requirements such as a major field of study. There is no minimum membership requirement for organizations in this category,

though it should be noted that healthy, vibrant groups will more capably fulfill their respective missions with a sizeable group of dedicated members.

The “Open” category includes non-Greek student organizations which are not affiliated with a major or department of the university or a national entity. Organizations in this category must maintain at least 10 members. First-year students in their first semester of college at HPU are eligible to join open organizations.

The “Local Greek” category includes all socially-oriented fraternities and sororities which are open to the entire student body (of their respective gender). Organizations in this category must maintain at least 15 members. Once a student has been initiated into one of the Local Greek organizations, s/he cannot join and/or establish another Local Greek organization within one year of officially resigning from the first organization.

### **Official HPU Organizations**

#### ***STUDENT GOVERNMENT ASSOCIATION***

The Student Government Association (SGA) consists of all students who are enrolled in a degree program at HPU. Meetings are held weekly at a published time and location and are open for all students to attend. The group of officers and senators, who are elected by the student body, function as the official voice of the student body and act as a liaison between the students and the administration of the University.

Certain members of the Student Government Association may hear cases pertaining to elections, organizational complaints, and cases of student discipline forwarded by the Dean of Students or his/her designee.

Campus elections are conducted seasonally by the SGA to fill various offices. Students who wish to run for an office must have a cumulative grade point average of 2.0 and be in good standing with the University. Please see the Student Government Association Constitution for more information

about SGA. The Student Government Association constitution is available on the HPU website.

#### ***INTER-ORGANIZATIONAL COUNCIL***

The Inter-Organizational council is comprised of all organization presidents and organization advisors. This body meets once a semester to plan organizational cooperation with campus activities and is directed by the Director of Student Leadership and Engagement.

### **“Departmental/National-Affiliated” (A, Affiliated) Organizations**

*ALPHA PSI OMEGA* – Honorary dramatic fraternity to promote an honor society for those working in theater/arts.

*BETA BETA* – An honor society for the life sciences.

*CHEER TEAM* – A team dedicated to promoting school spirit and school pride while also achieving excellence in performance and personal development.

*GAMMA BETA PHI* – A national educational service organization dedicated to encouragement of scholastic effort, reward of academic merit, and promotion of worthy character and leadership.

*HEALTH OCCUPATIONS STUDENTS OF AMERICA (HOSA)* – An organization that strengthens the Health Science Education (HSE) - HOSA partnership through programs and activities, individual well-being, leadership, character, citizenship, and ethical practices and respect for the dignity of work.

*KAPPA DELTA PI* – An honor society for junior and senior students in education.

*KAPPA KAPPA PSI* – A national service fraternity for band students.

*MINISTERIAL ALLIANCE* – Engaged in deepening the spiritual being of men and women preparing for the Gospel ministry.

*PI GAMMA MU* – A national honorary organization for junior and senior students in the social sciences.

*SOCIAL WORK CLUB* – An honorary organization for social work majors.



*STUDENT ACTIVITIES COUNCIL* - The Student Activities Council is the University's student-operated campus programming organization. It plans, coordinates, and produces numerous events in an effort to provide the Howard Payne student body with quality entertainment and stimulating cultural programs.

*TAU BETA SIGMA* – A national service sorority for band students.

*BAPTIST STUDENT MINISTRY* – A student-led ministry under the guidance of the BSM director. This ministry seeks to follow the vision of I Thessalonians 2:8, summed up in saying that we will share the Gospel and our lives with those around us. The BSM is divided into three main areas of focus: Missions/Evangelism, Prayer/Discipleship and Worship/Church Life.

#### *Missions & Evangelism*

Serving the least of these in our world and community through a variety of creative student-led initiatives and exploring together how we might make a difference for those in need. Students are also given the opportunity to apply and serve through Go Now Missions, a collegiate mission sending agency of the Texas Baptists (see [gonowmissions.com](http://gonowmissions.com)). Providing students opportunity to know Christ's love and make that love known on our campus, in our community, and throughout Texas through evangelism training, ministry to children, youth and the elderly, outreach events and more.

#### *Prayer & Discipleship*

We seek to help students grow deeply in their relationship with God and others as they know God better. Opportunities are available for students to read and study the Bible with their peers, worship and pray as they live out their faith at Howard Payne.

#### *Worship & Church Life*

The BSM at HPU exists because churches exist. We are always seeking ways to connect our students to local churches by getting them involved. Students can participate in a campus worship experience, but are also encouraged to find a local church home. Students can also serve as disciple now leaders in area churches, lead fifth quarters, and help us give back to our local churches in service.

## **“Open” (O) Organizations**

*BLACK STUDENT ASSOCIATION (BSA)* – An organization that strives to promote cultural awareness, enhance understanding of black history, appreciate diversity, and promote unity.

*Amigos Unidos* – An organization to promote peace through understanding among all people of different ethnicities, to celebrate Hispanic culture and endorse interest in the study of Spanish, and to engage in cultural activities and participate in services to our community.

*FELLOWSHIP OF CHRISTIAN ATHLETES* – A program to confront students, student-athletes, and coaches--and through them the youth of the nation--with the challenge and adventure of following Christ through the fellowship of the church.

*GAMING GUILD* – The purpose of this organization is to make and strengthen friendships through a medium of entertainment not expressed by other organizations of HPU.

## **“Local Greek” (G) Organizations**

*CHI ALPHA OMEGA* – A sorority that emphasizes school spirit, Christian fellowship, and lasting sisterhood.

*DELTA CHI RHO* – A social service organization dedicated to serving the school and community.

*DELTA EPSILON OMEGA* – A men's social organization that is dedicated to serving Christ as well as the school, holding one another accountable, and being Christ-like examples.

*IOTA CHI ALPHA* – A men's service organization created to serve HPU and the surrounding community and to exemplify the likeness of Christ by placing Him first.

*PI THETA CHI* – A sorority designed to promote service, good character, and the Christian faith.

## **University Expectations of Organizations**

Organizations of the University are to abide by all policies of the University. Organization members behave as integrity-filled leaders and adhere to all University policies. Violations committed by the organization as a distinct campus group or by individual members may result in disciplinary actions for the organization. Illegal discrimination

by student organizations is prohibited. The University requires that student organizations be organized, admit to membership and participation, and in all respects function without regard to a student's race, national origin, age, or disability. Only when the law permits discrimination by student organizations on the basis of gender will the University allow sex discrimination in student organizations (for example, in membership of sororities and fraternities). The following are a few of the expectations for student organizations.

#### *IOC Involvement*

Organizations are required to send a representative to Inter-Organizational Council (IOC) meetings held at the beginning of each semester.

Organizations should make prior arrangements with the Director of Student Leadership & Engagement if a representative is unable to attend. All event, financial, and marketing requests cannot be approved until the organization has met with the Director of Student Leadership & Engagement.

#### *Rosters*

Organization rosters are due by the second Friday of the semester. New member rosters are due at the beginning of each new member education period. All event, financial, and marketing requests cannot be approved until rosters have been submitted. Additions to an organization's roster after the specified roster due date need to be submitted and approved by the Director of Student Leadership & Engagement.

To remain an active University-recognized student organization, minimum membership requirements are set forth based on organizational classification (see subsequent section, "Organization Structure," for details). All members must meet and maintain membership requirements during the academic year.

#### *Officers*

Officer rosters are due at the beginning of each semester. Organizations should submit an updated executive roster if there are changes during the semester.

#### *T-shirts*

All designs need to be approved via the T-shirt approval form prior to placing the order. Please allow at least 3 business days for approval of designs. If your design includes any official HPU

logos or artwork, University Communications must provide approval.

#### *Risk Management Training*

A risk management training program is required for designated student organization leaders and advisors. A subsequent section of this handbook provides additional details regarding this requirement.

#### **Organization Disciplinary Sanctions**

Possible sanctions for an organization found to be in violation of University policy include:

##### *Probation*

Probation of an organization is a formal censure by the Office of Student Experience. During probation an organization must adhere to all University policies pertaining to organizations and its members. Any noncompliance with these regulations will be viewed seriously and may lead to the suspension of the organization.

##### *Suspension*

Suspension of a University organization due to flagrant violations of policy may last from one semester to a permanent suspension. Suspension will remove the organization from all University listings, prevent meetings and activities of the organization and freeze University financial accounts. If the suspension is permanent, the organization will be disbanded.

#### **Organization Policies**

To be recognized as an official student organization, students seeking to charter an organization must be aware of and abide by the following policies:

1. Any club or organization determined by the Office of Student Experience to fit the criteria of a student organization must apply for recognition with the University.
2. To receive University recognition, a new organization must submit a copy of its proposed constitution and a list of charter members (minimum roster requirements must be met) and advisors to the Director of Student Leadership and Engagement. The request will be processed as follows:

- A. Director of Student Leadership and Engagement Approval following a review of the proposed constitution, membership roster, and advisor forms

- B. Student Government Association Approval following a one-week study of the proposed constitution and by-laws
  - C. Vice President of Student Experience approval: Notification of approval will be given by the Office of Student Experience. Student organizations that are not approved must wait until the next academic year to reapply for recognition.
3. All organizations must maintain an up-to-date copy of the constitution and by-laws on file in the Office of Student Experience with the Director of Student Leadership and Engagement. Constitutional amendments must be reported to the Director of Student Leadership and Engagement for approval.
  4. Only recognized student organizations may use University facilities, be listed in HPU publications, and/or use the University name in any of its activities.
  5. All organizations must abide by and conform to University policies and administrative direction as instructed by the Office of Student Experience.
  6. Failure to comply with all policies or University directives will result in disciplinary sanctions, probation, suspension, and/or revocation of the charter of an organization.
  7. Students who hold an elected office must be free of disciplinary violations both prior to and during their terms in office.

### *Membership*

Only full-time undergraduate students (minimum enrollment of 12 credit hours) currently enrolled at HPU may participate in organizations (except in unusual circumstances), and a cumulative grade point average (G.P.A.) of at least a 2.0 must be maintained. Organizations may require a higher G.P.A. standard. Students on academic or disciplinary probation may not participate in campus organizations. Students not making satisfactory progress toward their degrees (as determined by the Registrar Office) are not eligible to participate in student organizations for the duration of the time period they are listed on the "non-satisfactory progress" roster. Exceptions to the academic probation and non-satisfactory progress participation rules may be granted for students who are enrolled and actively participating in the University's academic recovery program.

Students who drop below 12 credit hours during the

academic semester may not participate in athletics, student organizations, or intramural sports. Graduate students and nontraditional students taking less than 12 credit hours must appeal to the Director of Student Leadership and Engagement for approval to participate in student organizations; approval will be granted on a case-by-case basis. Students may participate in Baptist Student Ministry non-leadership capacities regardless of G.P.A. or satisfactory progress, and may be allowed or required to participate in certain departmental organizations based on academic major without regard to these criteria.

Organization membership and officer rosters must be updated each semester and submitted to the Director of Student Leadership and Engagement, and advisor/officer changes are to be immediately reported for approval by the Director of Student Leadership and Engagement.

### *Activity Approval*

All organizational activities, including meeting times, parties, trips, and other related events, whether they will be held on or off campus, must be approved and placed on the University calendar. Event request forms must be completed at least 10 working days prior to the event. Subsequent changes must be approved in the same manner.

### *Student Government Association Attendance*

"Local Greek" and "Open" organizations must be represented at Student Government Association (SGA) meetings in accordance with the SGA constitution. It is advisable for "Departmental/ National-Affiliated" organizations to attend SGA meetings, though not required; however, in order to be granted voting rights for the semester or to be eligible for SGA funding (for those organizations that qualify under SGA funding guidelines), "Departmental/ National-Affiliated" organizations must indicate their intent to participate in SGA at each semester's Inter-Organizational Council meeting. Once a "Departmental/ National-Affiliated" organization has opted in for SGA attendance, it will be subject to the standard SGA attendance requirements for that semester.

### *Policy for Organizations Falling Below Membership Requirements*

If a "Local Greek" organization falls below 15 members or an "Open" organization falls below 10 members, the following policies will take effect:

1. To petition for provisional active status, student organizations whose membership has fallen below the required threshold must submit a written appeal to SGA and be prepared to appear before the assembly if requested.
2. For the written appeal to be considered, it must contain the following information as a condition of receiving provisional active status for one academic year: 1) a recruiting strategy that details a recruitment timeline and goals; 2) a calendar of proposed events for the academic year; and 3) a list of fundraisers that the organization will accomplish during the provisional period.
3. Student Government can only waive the membership requirement for one academic year, after which those organizations not meeting the requirement will automatically be recommended for charter revocation to the Office of Student Experience without further consideration by the SGA.
5. Organizations are required to certify that all new members qualify in every way. They are to submit a New Member Roster Form to the Director of Student Leadership and Engagement for final certification of eligibility, along with a signed Greek Life New Member Form for each prospective new member. Improper certification of a new member may result in sanctions against the organization.
6. New member education will be restricted to the hours of 8:00 a.m. to midnight, Monday through Saturday.
7. New member education activities, either group or individual, are not allowed in classes, chapel, or the cafeteria.
8. New member education activities should not exceed six (6) weeks in length. The new member education period may be shorter than six (6) weeks.
9. Organization presidents, new member educators, and advisors must collaboratively complete and submit a New Member Education Proposal that explains the organization's events and policies to the Director of Student Leadership and Engagement.
10. Prior to participating in the new member education process, prospective new members must attend a mandatory meeting coordinated by the Director of Student Leadership and Engagement where these guidelines will be explained.

### **Greek Life New Member Education Regulations**

1. Students wishing to participate in the new member process must have a 2.0 cumulative grade point average (G.P.A.), may not be on academic or disciplinary probation, and must be making satisfactory progress toward their degrees as defined by the Registrar's Office.
2. A student must have completed at least 12 academic credit hours at HPU to participate in new member education. Students who have graduated high school within six (6) months of the start of a new member process may not participate in that semester's new member education process.
3. Transfer students meeting minimum standards may begin the new member education process but may not hold office until completion of one semester. Standards include the completion of at least 12 verifiable academic credit hours at another institution (not dual credit from high school) with at least a 2.0 cumulative G.P.A.
4. Provisional students who wish to join a Greek organization must receive written permission from the head of the Provisional Program prior to participating in any new member education activities.
11. New Members who do not complete the new member education process must meet with the Director of Student Leadership and Engagement and take their names off the chapter's roster.
12. Students may not begin the new member process with more than one organization within the same semester.
13. Students who discontinue new membership education at any point during the process may not go through the process with another organization for one full calendar year.
14. New members who are initiated into one Local Greek organization may not join another Local Greek organization at HPU.

### **Organization Financial Accounting**

Each organization is responsible for its financial obligations and is expected to fulfill all financial commitments. The University is in no way responsible for the financial obligations of the organizations. The University Business Office must be the depository for all funds of those

organizations that receive a budget from HPU or desire to utilize the University's tax-exempt status. For off-campus banking, checking accounts must be set up to require two signatures: the organization advisor's and treasurer's, and monthly statements must be submitted to the Director of Student Leadership and Engagement. An organization may choose to maintain an on-campus and an off-campus account at the beginning of the semester, but must fill out all of the proper paperwork with the Director of Student Leadership and Engagement. To maintain compliance with state fundraising and occasional sales laws, all monies generated through fundraising efforts must be deposited and maintained in an on-campus account. Organizations may deposit non-fundraised monies (e.g., dues) in an off-campus bank account if desired.

### **Fundraising/Solicitation of Donations**

There are several reasons for organization fundraising and/or solicitation of donations. These include fundraising to support:

- approved school-related travel involving the representation of the university
- approved mission trips
- approved activities benefitting non-profit organizations
- approved activities that promote campus community and student involvement

In order to solicit funds and donations on or off campus, the following steps are required:

1. Submit a Student Organization Fundraising Approval Form at least two weeks prior to the proposed fundraising activity.
2. The request will be reviewed by the Director of Student Leadership and Engagement and the Chief Development Officer. The decision to approve or deny the request will be communicated to the primary contact person.
3. If approval is granted, the organization must follow all university policies.

Prior to submitting a request, student organizations should be aware of the following resources and guidelines:

- SGA funding is available for student organization events. Student organizations

should review the SGA policies and request funds from SGA **before** requesting fundraising/solicitation approval.

- The Director of Student Leadership and Engagement is available to assist organizations with budgeting and planning in an effort to reduce the need for fundraising.
- Raffles are not permitted.
- Potential donors must not be contacted before fundraising approval is granted.

Following an approved fundraising event, the following steps are required:

1. Donations, goods, money, and/or services must be reported to the Development Office (Harrison House, 803 Center Ave).
2. Received funds must be deposited into the student organization's account on campus. (Deposits should be made at the Cashier's office.)
3. The student organization must send thank you notes or letters to the donors. This should be done in coordination with the Development Office.

### **Risk Management**

At least once per academic year, the Director of Student Leadership and Engagement will coordinate a risk management training program for student organization leaders and new advisors. The training is required for up to four officers (e.g., president, vice president, social/events chair, new member educator) and advisors. All must sign a statement of acknowledgement, confirming that training has been provided and the group will take adequate steps to minimize risks. The trained officers and advisors must report on the training program's contents at a meeting of the full membership of their student organization. Failure to meet the training attendance requirements will result in loss of recognition as a student organization. The risk management training may include any topic deemed appropriate by HPU but must address the following topics:

1. Alcohol and illegal drugs – possession, use, and penalties
2. Hazing
3. Sexual abuse and harassment
4. Fire and other safety issues, including possession/use of firearms, weapons, explosives



5. Group travel outside the surrounding area
6. Behavior at parties and other organization-sponsored events
7. Adoption by student organizations of a risk management policy

This policy is derived from *Texas Education Code, SECTION 1. Subchapter Z, Chapter 51, Section 51.9361*.

### **Prohibition of Hazing**

Under state law, individuals and/or organizations engaging in hazing could be subject to fines and charged with a criminal offense. Under HPU policy, individuals and/or organizations engaging in hazing may be subject to disciplinary sanctions including expulsion.

### **Important Definitions from Texas Law, Education Code**

#### **Sec. 37.151 (2), (3), (4), (5), (6)**

"Pledge" means any person who has been accepted by, is considering an offer of membership from, or is in the process of qualifying for membership in an organization.

"Pledging" means any action or activity related to becoming a member of an organization.

"Student" means any person who:

- A) is registered in or in attendance at an educational institution;
- B) has been accepted for admission at the educational institution where the hazing incident occurs; or
- C) intends to attend an educational institution during any of its regular sessions after a period of scheduled vacation.

"Organization" means a fraternity, sorority, association, corporation, order, society, corps, club, or student government, a band or musical group or an academic, athletic, cheerleading, or dance team, including any group or team that participates in National Collegiate Athletic Association competition, or a service, social, or similar group, whose members are primarily students.

"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 for the purpose of pledging, being initiated into, affiliating with, holding office in, or maintaining membership in an organization if the act:

- A) is any type of physical brutality, such as whipping, beating, striking, branding, electronic shocking, placing a harmful substance on the body, or similar activity;
- B) involves sleep deprivation, exposure to the elements, confinement in a small space, calisthenics, or other similar activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student;
- C) involves consumption of a food, liquid, alcoholic beverage, liquor, drug, or other substance, other than as described by Paragraph (E), that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student;
- D) is any activity that induces, causes, or requires the student to perform a duty or task that involves a violation of the Penal Code; or
- E) involves coercing, as defined by Section 1.07, Penal Code, the student to consume: a drug; or an alcoholic beverage or liquor in an amount that would lead a reasonable person to believe that the student is intoxicated, as defined by Section 49.01, Penal Code.

According to the law, a person can commit a hazing offense not only by engaging in a hazing activity, but also by soliciting, directing, encouraging, aiding, or attempting to aid another in hazing; by intentionally, knowingly, or recklessly allowing hazing to occur; or by failing to report in writing to the Dean of Students knowledge that a hazing incident is planned or has occurred (see Sec. 37.152).

An organization commits a hazing offense if the organization condones or encourages hazing or if an officer or any combination of members, pledges, or alumni of the organization commits or assists in the commission of hazing (see Sec. 37.153).

A person's consent to a hazing activity does not legalize and or legitimize the activity (see Sec. 37.154).

### **Important Note on Immunity from Prosecution or Civil Liability**

- A) In the prosecution of an offense under this subchapter, the court may grant immunity from prosecution for the offense to each person who is subpoenaed to testify for the prosecution and who does testify for the prosecution.
- B) Any person who voluntarily reports a specific hazing incident involving a student in an educational institution to the dean of students or other appropriate official of the institution is immune from civil or criminal liability that might otherwise be incurred or imposed as a result of the reported hazing incident if the person: reports the incident before being contacted by the institution concerning the incident or otherwise being included in the institution's investigation of the incident; and as determined by the dean of students or other appropriate official of the institution designated by the institution, cooperates in good faith throughout any institutional process regarding the incident.
- C) Immunity under Subsection (b) extends to participation in any judicial proceeding resulting from the report.
- D) A person is not immune under Subsection (b) if the person: reports the person's own act of hazing; or reports an incident of hazing in bad faith or with malice.

***The law does not affect or in any way restrict the right of the University to enforce its own rules and/or penalties against hazing.***

***Howard Payne provides an anonymous hazing form on the website for students to report hazing incidents to the Director of Student Leadership and Engagement.***

Copies of the entire hazing bill enacted by the Texas legislature are available from the Office of Student Experience or the hazing bill may be viewed in its entirety at the "Texas Legislature Online" website at: <http://www.legis.state.tx.us/>

The hazing bill is found in the Texas Education Code, Chapter 37, sections 37.151 through 37.158.

### **Advisor Responsibilities**

Each organization is required to have at least two faculty or staff advisors, registered and approved by the Director of Student Leadership and Engagement by the conclusion of the first meeting. Organization advisors must be employed by the university at least half-time and may not serve more than one social fraternity/sorority concurrently. The advisor's role is as follows:

1. To act as a consultant in the areas of setting goals, problem solving, policy making, and upholding guidelines and purposes.
2. To attend organization and officer meetings as determined appropriate.
3. To attend, as the University representative, all off-campus and overnight activities providing guidance and support and assuming leadership in the event of an emergency. In cases where an event is not for the entire membership (such as small service projects, group Bible studies, group cook-outs, etc.), the advisor may use discretion about whether or not advisor attendance is required. The University strongly encourages each advisor to occasionally check on various events to ensure transparency between chapter leaders and advisors.
4. To review and approve all activity requests.
5. To provide continuity for the organization from year to year.
6. To provide guidance for understanding and adhering to University policies, including those regarding new member processes and membership.
8. To supervise financial arrangements making certain that a purchase order is obtained and available before signing the requisition. Invoices should be submitted to the Business Office promptly.
9. To attend an initial risk management training coordinated by the Director of Student Leadership and Engagement and help ensure advised organization complies with sound risk management protocols. Advisors are encouraged to attend annually for updates.
10. At least one advisor per organization attends the Student Organization Advisor meetings when scheduled with the Director of Student Leadership and Engagement.

11. **Float Building and Spring Sing practices:**  
Advisors are not expected to be present during float construction or rehearsals for Spring Sing at off-campus locations, though they are asked to go to the location occasionally to check progress and provide encouragement to the organization members. Advisors must approve the final Spring Sing production to ensure appropriate conduct. Advisors must also ensure that the building where the float is constructed is used respectfully.

### **Organization Responsibilities to Advisors**

Student Organizations must give the following considerations to their advisors:

1. The leaders of the organization are expected to consult the advisors well in advance of all activities and obtain their approval before plans are finalized. Advisors may refuse to approve any activity that they believe is not consistent with the university mission, policies, or procedures, or is not in the best interest of the organization and/or its members.
2. The organization is expected to keep the advisor informed of all organization business. It is an expectation that advisors are welcome to attend any meeting (committee, new member, or executive council included) at any time.
3. The organization is expected to pay babysitting fees for advisors who need this service in order for them to attend an activity for the organization; food, travel, and lodging must also be paid for advisors and spouses when attending required events off-campus or out-of-town.
4. Students are expected to recognize the major responsibilities of an advisor and show them appreciation throughout the year.

### **Campus Chalking**

Campus chalking must be approved through the Office of Student Experience with the Director of Student Leadership and Development. Guidelines for chalking will be provided upon approval.

### **Music Policy for University-Sponsored Events**

Music selected for play at University-sponsored events, including but not limited to athletic events, cheerleading/drill team performances, and Spring Sing, should reflect the character of the institution and its dedication to honoring Christ. As such, music selected should not contain lyrics or

messages containing sexual content, foul language, or racist connotations.

### **Posting Policy**

Flyers/Posters must be approved by the Office of Student Experience prior to being posted. If the advertising is for an event, the event must be approved before flyers/posters are posted. Advertisements should be removed by the posting organization within 24 hours after the event. Do not cover up existing flyers or take down other flyers unless they are clearly expired. Additional guidelines for posting flyers, banners, handbills, or posters include:

1. No glitter is to be used on any flyer, banner, handbill or poster.
2. All flyers, banners, handbills, or posters must include the date, time, place, and the name of the sponsoring organization.
3. Approval stamp on advertising must be clearly identified on the front of the poster.
4. Post on designated bulletin boards only – not on doors, windows, light posts, walls, trees, outdoor furniture, etc.
5. Off-campus organizations, businesses, churches, etc. must have flyers approved and stamped in the Office of Student Experience.
6. University departments are not required to obtain approval stamps for postings.

## **STUDENT SERVICES & RESOURCES**

### **Bookstore**

The HPU Bookstore is powered by eCampus Virtual Bookstore and may be accessed by visiting the school website or [www.ecampus.com/hputx](http://www.ecampus.com/hputx). Bookstore links are at the bottom of the HPU webpage and under the “Current Students” menu.

The Bookstore will accept returns for a full refund with 30 days from the course start date under the following conditions:

- Items must be returned in the condition in which they were received.
- Shrink-wrapped items cannot be returned if the wrapping is broken unless the items are defective.

Items with access codes/cards that have been opened/activated are non-refundable. For specific return instructions, please see the bookstore website.

As a service to the students, representatives from eCampus Virtual Bookstore will be on campus for two days at the end of each semester and will pay cash for books. Students may also sell their books back and return their rentals online at any time by visiting the bookstore website.

Book buybacks will operate under the following conditions:

- The price offered for a used book is based on its future use. Up to half of the purchase price may be offered for books that will be re-used in upcoming semesters.
- Although students can sell their books back online at any time, the highest price will be offered at the end of each term.
- Buyback items may contain highlighting, writing or margin notes throughout, but not to excess. Items must be generally clean in appearance with no torn pages and with the cover and spine still intact.
- Items listed on the buyback page as package editions must arrive with all items intact or they will not be accepted.
- Teacher's editions, instructor's editions, and international editions will not be accepted.
- If students choose to sell their books back or return their rentals online, they will be furnished with a free shipping label.

Students may sell their books back online and receive a check, direct deposit, or in-store credit. If the student chooses in-store credit, a 20% bonus will be added to the book price. The full credit amount is good towards a future order on the bookstore website and has no expiration date.

### **Check Cashing**

Checks amounting to \$50.00 or less may be cashed at the Cashier Window (second floor Packer Administration bldg.), limit one check per student per day. A \$25.00 charge will be made for each returned check. A returned check may result in check cashing privileges being revoked. A person knowingly giving a bad check may be prosecuted. No checks will be cashed other than those made out to Howard Payne.

### **Copy Center & Mailroom**

#### *Mail Service*

The HPU Copy Center & Mailroom is located in the Mabee University Center.

#### *Window Services*

- Window hours are 8:00 a.m. to 5:00 p.m., Monday through Friday. Closed on weekends, federal holidays, or University holidays.
- The Mailroom receives mail and packages from all couriers. Nothing is delivered to the residence halls. Should a student receive a package, an e-mail will be sent to the student.

#### *Mailboxes*

- On-campus residents enrolled at HPU are provided with mailboxes. All on-campus residents must maintain and regularly check their assigned mailboxes.
- Mail addressed to an HPU box number with a name that is not in the Mailroom records will be returned to sender.
- The Mailroom staff must be notified of any changes, additions, and/or nicknames, so that mail is not returned.
- All mail should be addressed as follows:  
Name  
1000 Center Ave. # \_\_\_\_\_ (box number)  
Brownwood, TX 76801.
- A student moving off-campus should fill out a HPU change-of-address form. This form is required for mail to be forwarded. Only *First Class* mail can be forwarded. Neither UPS, FedEx, nor other couriers can be forwarded; they can only be returned to sender.
- Mail from a student's box cannot be released to anyone except the student.
- Students must show Student ID cards to receive any packages or to have a mail box opened.
- Students may not share mailboxes unless there are more students than available mailboxes, at which time the Mailroom staff will make the necessary arrangements.

### **Counseling Services**

Solutions-focused counseling services are available for HPU students at no charge. Counselors (LPC-I, LPC, LPC-S, LPC-Associates, LPA, LSSP) provide short-term counseling to support educational success. Counseling interns working toward their Licensed Professional Counselor certifications work under the supervision of the University Counselor and/or a local LPC-Supervisor. All counseling sessions are confidential except where a legal requirement to report is

mandated or where there is an indication that the student may be "a harm" to himself, herself, or others. Those in need of long-term counseling will be referred to appropriate sources where these services may be secured by the student. Medical diagnosis and/or pharmacological assistance are not provided through the HPU counseling program. Issues addressed through this University-sponsored program may include goal-setting, relationships [roommate, dating/marriage, parenting, etc.], self-esteem, grief, sadness and depression, spirituality, sexual topics, abuse, and alcohol and drug abuse.

The counseling sessions are conducted in a professional counseling environment with a Christian perspective. Students are encouraged to utilize this service in times of difficulty but also as an opportunity for personal growth. Seminars and workshops may be offered to enhance personal growth by dealing with emotional/relational issues and integrating faith and life issues.

For more information on counseling services, please contact:

Counseling Services  
Jennings Hall-B Pod  
325-649-8195 | 325-649-8193 | 325-649-8194  
counseling@hputx.edu

In the event of an emergency, students should contact the HPU DPS at 325-649-8609 or 911.

### **Dining Services**

HPU contracts with Sodexo Campus Services to provide all dining services on campus. All residence hall students are charged for room and board at the time of registration. Off-campus students may also purchase a meal plan. Weekly meal plans (19, 15, 12) start over each week on Monday morning. Unused meals are forfeited and are not subject to refund or rollover. Unused Jacket Bucks on a student account at the end of the fall semester will roll over to his/her balance for the spring semester; however, unused Jacket Bucks at the end of the spring semester will be forfeited. Hours of operation for all dining operations will be posted by the front doors and are subject to change.

### *Dining Service Policies* **Cafeteria**

1. The student identification card must be presented to the cashier at the entrance of the

cafeteria so that the card can be scanned. An ID/Meal card is non-transferable and cannot be used by any other individual. Only those persons with valid meal cards, or those paying cash for a meal, have permission to enter and remain in the cafeteria.

2. Because the cafeteria is an all-you-care-to-eat dining room, no food is to be taken out except in certain pre-approved instances.
3. No food may be brought into the cafeteria from any outside vendors.
4. Should a student's class schedule interfere with cafeteria meal times, the student may choose to schedule a to-go meal for pick-up. This program is available seven days a week and will deduct one meal for each meal provided. Requests must be made at least 24 hours in advance.
5. Students with special dietary needs may provide a statement from a licensed medical professional and work with the cafeteria manager to create a suitable meal plan.
6. We value student feedback and encourage students to utilize provided comment cards to help us provide the best service possible.
9. Students are welcome to bring guests to the cafeteria. The costs for guest meals are posted at the cashier stand inside the cafeteria.

### *Fambrough's*

1. A valid student identification card must be presented to the cashier in order to purchase food products with Jacket Bucks or Stinger Bucks. The ID/Meal card is non-transferable and cannot be used by any other individual.

### *Stinger Bucks*

Local participating restaurants include:

- Buffalo Wild Wings
- Chili's
- Common Grounds Coffee House
- Domino's Pizza
- Fambrough's
- Golden Chick
- Taco Casa
- Tea2Go
- Underwood's Cafeteria
- Wingstop

1. A valid student identification card must be presented to the cashier at all participating vendors in order to make purchases using



Stinger Bucks. No exceptions will be made to this policy.

2. A student's Stinger Bucks will become active upon completion of registration.
3. Funds may be added to the Stinger Bucks balance via an online credit/debit card transaction or at the HPU Cashier's office.
4. Stinger Bucks roll over from semester-to-semester and year-to-year (provided a student is enrolled in consecutive academic semesters).

### **Financial Aid Office**

The primary purpose of the student financial aid program is to provide assistance to qualified students who, without some aid, would be unable to attend HPU.

Financial aid consists of grants, scholarships, student employment, and loan. A financial aid application must be submitted to assist in determining eligibility. Students are encouraged to complete the Free Application for Federal Student Aid (FAFSA) to determine eligibility for federal, state, and some institutional forms of Financial Aid. Recipients are selected on the basis of need, academic achievement and future promise. Students are required to be making Satisfactory Academic Progress to be eligible for financial aid. This includes the opportunity to work through the federal, state, or institutional work programs. Additional information may be found in the University catalog and in the Office of Financial Aid.

### *Financial Information*

All information related to financial affairs, student accounts, etc. can be found in the University catalog.

### *Refunds*

Refunds of tuition will be considered in cases where students find it necessary to withdraw from the University or drop a course prior to the end of the fourth week of the regular semester. Details can be found in the University catalog.

### **Health Services and Insurance**

The University employs a nurse who is available for consultation on minor ailments and first aid. In addition, the nurse will approve individual health readiness of students to return to school after an illness. However, each student is responsible for his/her own health care, medical expenses and treatment if needed. The nurse's office provides

some over the counter medications free of charge to students.

Each student may select his/her own physician and hospital when such services are needed. The University does not provide a health insurance policy for students. All students are responsible for securing their own accident and health policies. Students should consult with the attending physician's office to determine the acceptance of insurance coverage. If a student will continue to be covered on his/her family insurance policy, s/he should consult that company regarding coverage in the local area regarding in-plan physicians and the process of filing insurance paperwork.

Students needing medical attention can contact the following medical facilities for assistance or a local physician of their choice:

- Hendrick Medical Center Brownwood  
1501 Burnet Drive  
Brownwood, Texas 76801  
(325) 646-8541
- Hendrick Clinic Early  
2005 Hwy 183 North  
Early, Texas 76802  
(325) 643-3010
- Hendrick Urgent Care  
400 East Commerce Street  
Brownwood, TX 76801  
(325) 510-5418

The University Health Center is located in the B Pod outside Jennings Hall and open hours are posted for the fall and spring semesters. Summer hours are limited.

### *Health Forms*

Each student must have a copy of the HPU Student Health Form and shot records on file with the University Nurse. Students must notify the University Nurse of any changes in medical status to update the health form.

### *Vaccination Requirements*

On and after January 1, 2012, all first-time students, including transfer students, must present a certificate to the institution demonstrating they have been vaccinated against bacterial meningitis. The certificate must comply with the rules of the Texas Higher Education Coordinating Board (THECB). A student may be exempt from the requirement if

he or she presents a physician's certificate indicating the vaccination would injure the health of the student or if s/he signs an affidavit declining the vaccination due to reasons of conscience including religious belief. The latter provision does not apply during a public health emergency, terrorist attack, hostile military or paramilitary action or extraordinary law enforcement emergency. Students residing on campus must obtain the Texas Department of State Health Services affidavit at <http://www.dshs.state.tx.us/immunize/school/default.shtm#exclusions>. Students residing off campus may utilize the THECB affidavit form at <http://www.theccb.state.tx.us/>

A new student is defined by state law as a *first-time student of an institution of higher education or private or independent institution of higher education, including a student who transfers to the institution from another institution, and a student who previously attended such institutions of higher education before January 1, 2012, and who is enrolling in the same or another institution following a break in enrollment of at least one fall or spring semester.* The bill exempts a student who is enrolled only in online or other distance education courses or who is 22 years of age or older.

New and former HPU students to whom this requirement applies will not be permitted to schedule classes until compliance with this law is demonstrated by submitting the necessary paperwork (i.e., shot record, state affidavit, or physician's certificate). The vaccination or a booster must have been received within five years of the student's first day of classes. Additionally, a booster will be required if the first dose was received prior to the student's 16<sup>th</sup> birthday to ensure protection during the student's college career or at least until 22 years of age or older.

### Identification Cards

A student's identification card is his/her official University identification. It should be carried at all times. Lost student IDs should be reported to the Office of Student Experience where a replacement can also be obtained at a cost of \$15.00.

### Information Systems Policies

Howard Payne University Information Systems includes, but is not limited to, all university owned computers, printers, network hardware, cabling,

computer accounts, Internet access, web pages, software, video, telephone equipment, long distance service, and voice mail. Accounts to these systems are provided to students and employees to support University programs. It is the responsibility of each student and employee to use the information systems in a professional and ethical manner, consistent with the overall policies of the university. Use of the information systems is a privilege and any misuse can result in a student or employee being denied access to the information systems. The same policies on conduct stated in the Student Handbook and Employee Policies and Procedures Manual apply to any use of the information systems. By connecting to the university network, all users agree to abide by the Information Systems Policies.

1. All computers which are connected to the university network are subject to monitoring by the university system's administrator and technology staff. The university reserves the right to monitor any computer action that a user performs while using the campus network.
2. All computers, including student owned computers, attached to the university network must have antivirus software with a current update subscription, and the computer name must identify the owner or user by containing their user name. Computers that do not comply will be removed from the network.
3. Individuals are responsible for the proper use of any information system account issued to them. Individuals who give someone else access to their account are responsible for the other person's actions. The proper use of password protection to prevent unauthorized access to accounts is expected of all users.
4. When accounts expire, any files or messages associated with that account are deleted. Student accounts expire the last day of the semester in which the student either graduates or leaves school. Employee accounts expire the last day of employment.
5. Some information transmitted on the system is private and confidential. Each authorized user is responsible for maintaining the confidentiality of such information.
6. The system is not to be used to promote political or other campaigns.
7. Use of the system to display antagonism toward the Christian faith, the university, or its personnel will not be permitted.

8. Threatening, sexist, racist, obscene, pornographic, or harassing materials or messages may not be accessed, sent from or stored on a university computer system.
9. Any action that would cause damage to hardware, software, or disrupt the operation of any information system is prohibited.
10. All computer software residing on any computer connected to the network must be installed in compliance with the licensing agreement accompanying the software. The user of a university owned computer is responsible for all software residing on that computer.

Unless they are placed in public domain by their owners, software programs are protected by Section 117 of the 1976 Copyright Act.

1. Educational institutions and their constituencies are not exempt from the law. It is illegal to duplicate, copy, or distribute software or its documentation, or anything else that is considered to be intellectual property, without the permission of the copyright owner.
2. Since use of the Internet enhances the educational process, it is a resource that should be utilized in agreement with and support of the mission statement of Howard Payne University.
3. Violations of these policies will be handled by the normal disciplinary procedures as outlined in the Policies and Procedures Manual and the Student Handbook. Some violations may result in penalties under the Texas Computer Crime Law (Texas Penal Code, Title 7, Chapter 33) or federal laws that govern computer crime.

## ***University E-mail Policies***

### ***Official Use and University E-mail Accounts Required***

E-mail is an official communication means used by the Howard Payne University community. As such, all students and employees are required to access their HPU e-mail accounts for university business. The University expects recipients of university e-mail to retrieve and read the communication in a timely fashion. As an official communications tool, the HPU e-mail system should be used primarily to facilitate the academic and administrative needs of the University. Personal use is allowed, but should be kept to a minimum.

### ***E-mail User Names***

Student addresses are standardized in the form of firstname.lastname@hputx.edu. The names used are the official first and last names of the student as registered and may not contain middle names or nicknames. Faculty/staff addresses utilize the first letter of the first name and the entire last name (e.g., jsmith@hputx.edu).

### ***University Oversight of the HPU E-mail System***

The University's Information Systems Department is responsible for the implementation, direction and supervision of the HPU e-mail system. Users are required to abide by all e-mail policies and procedures issued by the University and Information Systems Department. While the University strives to respect the privacy of individuals, the HPU e-mail system and communications transmitted through it are the property of the University. As such, the University reserves the right to monitor any and all communications and activity involving the HPU E-mail system.

### ***Inappropriate Usage***

As a Christian university, HPU expects all users to be responsible in their usage of the e-mail system. The HPU e-mail system may not be used for illegal purposes, harassment or offensive communications, vulgar or lewd materials, slander, or transmittal of any materials, images or messages inconsistent with our Christian mission. The HPU e-mail system may not be used to solicit business or fundraising endeavors unrelated to the academic or administrative needs of the University. Users should not advertise items for sale or rent or communicate information not applicable to the general campus community. Misuse or abuse of the HPU e-mail system may result in disciplinary action. Illegal usage may result in criminal prosecution.

### ***Expectations Regarding Regular Use of E-mail***

Students and employees are expected to check their official HPU e-mail accounts on a frequent and consistent basis in order to stay current with university-related communications. Failure to read and properly manage one's HPU e-mail account is not an acceptable excuse for not receiving official university communications via e-mail. Student's should not share his or her HPU e-mail password with any other individual. Official e-mail addresses will be included in directory information, unless a student requests otherwise.

### *Forwarding E-mail*

If a student or employee forwards e-mail from their HPU address to another e-mail address (e.g., @aol.com, @hotmail.com), they assume risks in doing so. The University is not responsible for the handling of e-mail by outside vendors. Forwarding e-mail does not absolve a student or employee from the responsibilities associated with retrieving and reading official communications sent to his or her HPU e-mail account.

### **Library**

Walker Memorial Library has print books, journals, government documents, electronic books, and journals accessible through the library's website. The barcode on the back of the student ID allows access to all the online materials from any computer anywhere. There are many areas in the library for quiet study and/or group work. There are also special libraries for music and education students. Wireless access is available for personal laptops, and computers are available within the library.

### **Lost and Found**

Items found should be turned into the Office of Student Experience. Every attempt will be made to return the item to the owner. Unclaimed articles will be disposed of after 60 days. The University is not responsible for lost, stolen, or damaged items.

### **Shuttle Service**

HPU provides a shuttle service throughout the main campus and east campus. Shuttle routes, times, and stops can be obtained from the University website.

### **Student Complaint Process**

#### ***Informal Complaint Procedures***

The University's wish is to provide an education and services of high quality to its students and to provide equity and harmony in the application of policies and procedures. When a student has a complaint which does not involve sexual violence or assault, the University encourages resolution be sought through informal communication with the appropriate instructor, school dean, staff member, or administrative officer who may be able to help rectify or clarify the situation before a written complaint is initiated.

#### ***Formal Complaint Procedures***

This complaint policy does not supersede specific policies involving special cases such as grade appeals, illegal discrimination, sexual violence or

assault, sexual harassment, appeal and due process, etc.

### ***Lodging a Formal Student Complaint***

A student who wishes to lodge a formal complaint with the University must complete and submit the formal complaint form to the appropriate cabinet level officer. A form is available online.

### ***Administrative Complaint Acknowledgment***

Formal student complaints will be forwarded to the administrator immediately responsible for the area to which the complaint pertains. The administrator will send a written acknowledgment to the student within five working days of receiving the complaint indicating: (1) the receipt of the formal complaint and (2) the nature of the complaint. The student will receive a written response after deliberation within fifteen working days. Copies of the written student complaint and the acknowledgement letter will be sent to the cabinet level officer over the area.

### ***Administrative Deliberation and Response***

If the administrator to whom the complaint is forwarded determines that the nature of the complaint is beyond his/her area of supervision or expertise, the next level administrator in the area should be consulted and may be requested to respond to the student. Administrative disposition of the complaint will generally consist of investigation into the source of the complaint, previous efforts to resolve the issue, and any contingencies that will aid in the deliberation and disposition of the problem. The responding administrator will send to the student a written statement of attempted resolution to the problem. A copy of the deliberation response will be sent to the appropriate cabinet level officer. All formal student complaints will be forwarded upon resolution to the President's office by each cabinet officer where a log will be kept.

### ***Student Appeal Process***

Upon receiving a deliberation response to the written complaint, the student has the right of appeal to a senior administrator who oversees the area about which the complaint was lodged. The appeal must be made in writing within five working days of receiving the Administrative response. The student will receive an acknowledgement of the appeal within five working days and a deliberation response within fifteen working days from the date of the acknowledgment letter.

### *Administrative Levels for Student Complaints*

The appropriate cabinet level officer for student complaints will be as follows:

#### Vice President for Academic Affairs:

academic, accreditation, information technology, institutional research, library, registrar, retention issues, and extension campus issues

#### Vice President for Finance and Administration/ Chief Financial Officer:

auxiliary services (bookstore, dining hall), facilities, financial aid, human resources, and student accounts issues

#### Vice President for Advancement

alumni, development, and fundraising issues

#### Vice President for Student Experience:

athletics, public safety, residence life, spiritual life, student activities, student organizations, and student conduct

#### Associate Vice President for Enrollment Management:

admission

#### Assistant Vice President for Communications:

media, publications, and public relations issues

In the event that the original Administrative response was sent by one of the cabinet level officers listed above, the student's appeal should be directed to the Student Experience Appeals Committee. The appeal timeline stated above applies. Following its investigation and deliberation, the committee will send the student a written statement of the decision. The decision of the committee will be final.

### ***Texas Higher Education Coordinating Board (THECB) Student Complaint Process***

After exhausting the Howard Payne's complaint process, current, former, and prospective students may initiate a complaint with THECB by sending the required forms either by electronic mail to [StudentComplaints@theccb.state.tx.us](mailto:StudentComplaints@theccb.state.tx.us), or by mail to the Texas Higher Education Coordinating Board, Office of General Counsel, P.O. Box 12788, Austin, Texas 78711-2788. Facsimile transmissions of the forms are not accepted. For more information regarding the THECB Complaint Process, visit <http://www.theccb.state.tx.us/>

[index.cfm?objectid=051F93F5-03D4-9CCE-40FA9F46F2CD3C9D](http://www.theccb.state.tx.us/index.cfm?objectid=051F93F5-03D4-9CCE-40FA9F46F2CD3C9D).

### ***Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)***

#### ***Complaint Process***

For information regarding the process of filing a complaint with HPU's accrediting organization, SACSCOC, visit <http://www.sacscoc.org/pdf/081705/complaintpolicy.pdf>. Note that the complaint policy only addresses significant, documented, alleged non-compliance with the SACSCOC accreditation standards, policies, or procedures. Complainants are expected to have attempted to resolve the issue through the institution's complaint processes before filing a complaint with SACSCOC. The SACSCOC complaint process is not intended to be used to involve the Commission in disputes between individuals and member institutions or to cause the Commission to interpose itself as a reviewing authority in individual matters; nor does the policy allow the Commission to seek redress on an individual's behalf. The primary purpose of the SACSCOC complaint procedure is to acquire valuable information regarding an accredited institution's possible non-compliance with accreditation standards, policies, and procedures rather than to resolve individual disputes. Complaints must be tied to specific standard numbers from The Principles of Accreditation: Foundations for Quality Enhancement. To file a complaint, Complete the Commission's Complaint Form and send two print copies to the President, Southern Association of Colleges and Schools Commission on Colleges, 1866 Southern Lane, Decatur, GA 30033-4097.

#### ***Veteran's Affairs***

##### ***Veteran's Education Benefit Program***

Students eligible for Veteran's Administration educational benefits may contact the VA Certifying Official in the Office of the Registrar, Packer Administration Building - Room 209 or at 325-649-8011.

Howard Payne University's programs are approved for individuals who wish to attend and receive benefits under Chapter 30 - Montgomery G.I. Bill - Active Duty, Chapter 31 - Vocational Rehabilitation and Employment, Chapter 33 - Post 9/11 G.I. Bill, Chapter 35 - Survivors/Dependents Education Benefits, Chapter 1606 - Montgomery



G.I. Bill - Selected Reserve, and Chapter 1607 - Reserve Education Assistance Program.

Veterans applying for admission to HPU follow the same procedures as other applicants, but should also contact the VA Certifying Official in the Registrar's Office to expedite handling of VA forms needed to qualify for benefits.

### ***Certification of Enrollment***

A VA student may not receive payment for courses previously completed, for courses that are in excess of degree requirements, for courses **not required** for the student's approved degree, course repeats in which a grade of "D" or better was earned, unless a higher grade is required for a particular course of study (example, a "C" required for all courses in a major), or courses from which the student withdraws without mitigating circumstances. The fact that a "D" will not transfer to an upper-level school is **NOT** a consideration.

The official letter of eligibility or Certificate of Eligibility received from the Veterans Administration by the veteran or veteran dependent must be submitted to the VA Certification Officer before certification of their enrollment may be submitted. The enrollment of students receiving VA Education Benefits will be certified when their registration is "finalized." Certification cannot be submitted more than 30 days in advance of the beginning of the semester. Benefits take 4 to 8 weeks after the certification has been submitted to arrive at the student's home or banking institution.

Students must notify the certifying official in the Office of the Registrar of any changes in their status caused by their failure to enroll, any increase or decrease in their training time, or if they stop attending class.

### ***Progress Policy Guidelines***

The academic standards for a student who is receiving VA educational benefits will be governed by the Academic Probation, Academic Suspension, and Satisfactory Progress policies for all students as stated in the University catalog. Students who fail to make satisfactory progress, who are placed on academic suspension, or whose cumulative grade point average does not meet the required level for two consecutive semesters will be reported to the Veterans Affairs Regional Office.

### ***Information Links***

- GI Bill Website: [www.gibill.va.gov/](http://www.gibill.va.gov/)
- Veterans Administration  
Muskogee Regional Office  
Phone: 1-888-442-4551
- VA Certifying Official at HPU  
Phone: 325-649-8011  
Fax: 325-649-8909

## **STUDENT RIGHTS & RESPONSIBILITIES**

Howard Payne University believes in individual freedom, both as a right and as a responsibility. Students, by virtue of admission to and enrollment at HPU, accept responsibility for complying with HPU behavioral standards, academic regulations, and University policies.

HPU expects its students to abide by local, state, and federal laws as well as University policies and behavior standards. Although the University's role is not to duplicate civil law enforcement or judicial actions, it may exercise authority for reasons indigenous to its functioning as an educational institution. Compliance with civil law is the minimum standard for acceptable behavior for any student who wishes to become or remain a part of HPU's academic and social community.

**Special Note:** Howard Payne University has established specific health and safety policies, procedures, and protocols in the Campus-Wide Health and Safety Policies published on the HPU website. HPU expects all students, faculty members, staff members, and off-campus visitors to follow all policies, procedures, and protocols during their time on the HPU campus. The failure to comply by or intentional disregard of the University's stated policies, procedures, and protocols will result in reprimand and potential penalties including, but not limited to, being permanently trespassed from all University campuses and events (off-campus guests), written reprimand (faculty and staff), and loss of on-campus dining and residency privileges (students).

### **Intellectual Property Right and Ownership**

"Intellectual property" is defined as anything developed that fits, but is not limited to, one or more of the following categories: an invention, an issued patent, a copyrighted work, a legal right that

inheres in a patent, copyright, trademark, or know-how or trade secrets.

Generally, employees or students have the right to patent, copyright, publish, or otherwise establish ownership of a creative work, to market any commercially valuable creative work which they produce by means of their own expertise and labor, and to receive any and all royalties which result from such a work subject only to the following conditions:

- A. If a creative work is produced as an assigned duty, i.e. a specific directive to prepare such a work, the intellectual property is considered “work for hire” and ownership rights belong to Howard Payne University, unless these rights are relinquished by the University to the individual.

Note: The general obligation to engage in research and scholarship which may result in publication is not an assigned duty nor does it result in works “made for hire”.

- B. If a creative work is produced by employees or students by making significant use of Howard Payne University facilities and resources, ownership rights may be jointly shared between the individual and Howard Payne University. What constitutes significant use of University facilities, personnel, and resources is a question that must be answered on the basis of the facts and circumstances of each case. A University-wide formula to define “significant use” is inappropriate because of the different needs among various disciplines. Normal usage of library resources, secretarial help, word processing equipment, or other support services do not constitute a significant use. If a question arises, the creator should seek a written opinion from the appropriate school dean. If there is a disagreement, the matter should be appealed to the Vice President for Academic Affairs.

### **Political Activity**

The University is a nonprofit institution of higher education and is a charity regulated by Section 501 (c)(3) of the Internal Revenue Code. As such, the University is prohibited from participating or intervening in any political campaign of a candidate for public office. Students are expected to act in

harmony with this restriction upon the University, and avoid the appearance of policy, practice, or conduct by the University which is inconsistent with this restriction.

Students are free to express their individual and collective political views provided they make clear that they are not speaking for or in the name of the University, and provided they abide by other University policies as they express their views. However, endorsement of a particular candidate by a recognized student organization is not permitted. Student expressions of their personal endorsement of political candidates to others in the University community should be made with respect for the opinions of others, should be guarded so as not to be intimidating or harassing, and should in all respects be professional.

The appearance of a candidate for public office on campus must be for an educational purpose. Such appearances may only occur upon the approval of the University President, who will ensure that opportunities to appear are extended to all viable candidates for the office. No event shall be conducted as a campaign rally, and any event shall begin and end with a clear statement that the University does not support or oppose the candidate.

No literature or materials in support of or in opposition to a candidate may be posted, displayed or distributed on the campus or at any University sponsored event or any event sponsored by a University-approved student organization. Students may have such materials in their residence hall rooms and campus apartments/duplexes, but may not post them in windows and/or make them otherwise visible to persons outside the room. Students may wear small campaign buttons, and students and employees may place campaign bumper stickers on their automobiles brought onto the campus.

The University's facilities and services may not be used by or on behalf of an outside organization or individual whose purpose is to further the cause of a particular candidate or political party. No political activities on behalf of or in opposition to a candidate, including services and materials, may be paid for with University funds. Funds or contributions for a political candidate, or the recruitment of campaign workers, may not be

solicited in the name of the University, or on the campus, or at any event sponsored by a University-approved student organization.

University-approved student organizations, administrators, and faculty may use campus communications to announce political forums and discussions sponsored by the University or approved student organizations.

### **Student Participation in Decision-Making**

Students are involved in the decision-making process through their inclusion in University-wide committees. Students do not attend Board of Trustee meetings except by invitation.

### **Student Gatherings**

Public assemblies on University property must be approved at least three working days in advance by the Office of Student Activities via the activity request form. Any student or group of students who seek to disrupt the normal operation of the University will be subject to disciplinary action.

### **Voter Registration**

Students at Howard Payne University are the beneficiaries of many freedoms and privileges and are encouraged to promote good citizenship at the federal, state, local, and institutional levels. One of these privileges is the right to vote. Students are encouraged to vote either absentee or in person for all federal, state, and local elections. The University encourages its students to be good citizens and to exercise their voting rights. Texas voter registration forms may be obtained from the Copy Center & Mailroom in the Mabee University Center.

## **STUDENT CONDUCT**

### **University Policies and Regulations**

The University invites its students to enjoy and nurture this academic community whose purpose is to be a Christ-centered institution of learning. Students are expected to be honest, respectful of others, helpful to the University's pursuit of its purpose and mission, and law abiding.

The code of conduct provides students with general guidelines for acceptable, as well as prohibited, behaviors. The code is not written with the specificity of a criminal statute. These are not the only offenses for which disciplinary action may be taken.

### **Philosophy of Student Conduct**

It is expected that students maintain standards of personal integrity in line with HPU's educational goals; to be responsible for their actions; to observe national, state, local laws, and University regulations; and to respect the rights, privileges, and property of other people. The student conduct process is intended to be a learning experience which can yield growth, behavioral changes, and personal understanding of one's responsibilities. These responsibilities are based on four values:

*Respect for Self:* Students should conduct themselves through their words, actions, and appearance in a way which is honoring to God their creator.

*Respect for Others:* In recognition that God has created each of us, students should be courteous and respectful in their dealings with other individuals.

*Respect for the Environment:* Students should respect the environment in which they find themselves, conducting themselves in a manner that is respectful to the property of others.

*Respect for Authority:* Students should respect all other individuals, particularly those in leadership positions.

The University conduct process is designed as a learning tool to assist students in understanding how their choices impact their own lives and the lives of others. The University does not permit the use of legal counsel in any of its conduct proceedings. Behavioral matters are decided based on the preponderance of the evidence, which simply means the greater weight of the evidence.

Students, by virtue of admission to and enrollment at Howard Payne University, and employees, by virtue of entering into an at-will employment agreement or faculty contract with Howard Payne University, agree that they are responsible for complying with all University policies.

### **Student Behavior**

Upon admission to Howard Payne University, a student is required to know and abide by the regulations and policies of the University published in the University Catalog and the Student Handbook, copies of which are available to every student. Therefore, it is presumed that the student

who elects to attend Howard Payne University does so with the intent of being, in fact ad spirit, a cooperating member of this University community on and off campus.

Routine matters of misconduct, whether in the classroom, residence hall, chapel, or elsewhere on campus, are generally handled by the instructor, resident director, or supervising staff. When conduct issues escalate or are of a serious enough nature to warrant, they should be directed to the Office of Student Experience and will be handled by the Dean of Students or his/her designee. This provides greater assurance that serious matters of misconduct, legal parameters, and issues of civil liberties are handled consistently. Conduct leading to or rising to the level of a felony may result in suspension or expulsion from the University.

### **Breach of Personal and Professional Integrity**

*Cheating* is defined as any attempt to misrepresent a student's knowledge, understanding or ability to perform or any attempt to represent as his/her own the knowledge, understanding or abilities of another. Instances include, but are not limited to:

- Giving or receiving unauthorized assistance in the completion of any assignment;
- Using any form of technology to send or receive information pertaining to any assignment;
- Working with another student or students on an out-of-class assignment or assessment and presenting the group work product as one's own;
- Offering or receiving remuneration, monetary or otherwise, to or from any student, staff member or faculty member in exchange for information about examination materials or to procure or distribute academic papers, in whole or in part.

*Plagiarism* is the act of representing another person's intellectual property as one's own. Due to the serious nature of the charge, no faculty member will accuse a student of plagiarism without compelling evidence. Such evidence may consist of, but not limited to, writing samples identified by proprietary and/or open internet search engines, commonality between the student's work and written/ published works, the inability of the student to discuss on a rudimentary level the ideas or concepts presented as the student's own. Charges

of plagiarism must be documented by the faculty member. Examples of plagiarism include, but are not limited to, the following:

- Presenting another's words or ideas without duly noting the original source;
- Cutting and pasting text from electronic sources without duly noting the original source;
- Purchasing or receiving academic work product and attaching one's name as though originating the words and ideas;
- Simply altering the work of another (paraphrasing) without duly noting the original source.

Because the University seeks to help its students become persons of personal and professional integrity, breaches of this policy will not be taken lightly as both the University and the student are damaged by lack of integrity. As circumstances will differ in all cases, the faculty member observing the breach of integrity, either cheating or plagiarism, will assess the extent of the issue. The faculty member, in consultation with the School Dean, may record the grade of F for the assignment, or for the entire course. Furthermore, the incident will be communicated in writing to the Vice President for Academic Affairs who will maintain a Personal and Professional Integrity file. Repeated occurrence of a breach of integrity by the same student may result in suspension or expulsion. As with any grade, the student has a right to appeal the action of the faculty member.

### **Prohibited Behaviors**

The University expects its students to conduct themselves, on and off campus, in a manner consistent with University objectives and standards of conduct. A student who fails to abide by the University's Code of Conduct may be subject to disciplinary action including expulsion.

Examples of prohibited conduct include:

1. Intentional infringement upon the rights of any member of the community.
2. Engaging in physical, and/or verbal abuse, fighting, domestic violence, threats, intimidation, harassment, coercion, physical or electronic stalking or any other conduct which threatens or endangers the health, safety or welfare of any person.
3. The unauthorized use of, or the abuse, destruction, or theft of property.

4. Knowingly furnishing false information to a University officer or agent or the failure to provide University personnel with adequate identification upon request.
5. Forgery, alteration, or the unauthorized possession or use of University documents or instruments of identification.
6. Intentionally interfering with or engaging in behavior which disrupts the teaching-learning environment.
7. Unauthorized entry into or use of University property.
8. Tampering with building locks, unauthorized possession, use, or duplication of keys.
9. Tampering with security and safety devices and making false reports of emergency situations.
10. Violation of any law.
11. Lewd or indecent conduct.
12. The use or possession of cigarettes, cigars and/or electronic smoking devices on campus.
13. The use or possession of illegal drugs, non-prescription hallucinatory drugs, drugs without a valid prescription, and/or synthetic drugs.
14. The use or possession of drug paraphernalia (e.g., pipes, roach clips, etc.), or tobacco paraphernalia (e.g., e-cigarettes, hookah pipes, tobacco paper, etc.).
15. The use or possession of alcohol on campus, at a University-sponsored event or trip, or in any manner that violates municipal, county, state, or federal law.
16. The use or possession of alcohol paraphernalia (e.g., bongs, funnels, shot glasses, empty beer/liquor containers, etc.).
17. Any conduct which might be deemed to be hazing.
18. The use of obscene language/profanity (verbal, printed, or electronic).
19. The viewing of or the possession of obscene and/or pornographic literature, pictures, clothing, music, and movies.
20. Violation of motor vehicle regulations.
21. Gambling or cheating.
22. Violation of copyright policies, laws, etc. (see *Copyright Infringement Policy*).
23. Possession, use, and/or illegal carry of any firearms, handguns, knives, pellet guns, BB guns, electroshock weapons, guns that fire plastic projectiles of any type, ammunition, and fireworks.

Effective August 10, 2016, Texas Senate Bill 11 became law. The bill allows private universities

to opt out, not allowing concealed handgun license holders to carry their handguns on the campus. HPU has opted out. It is a criminal violation for a license holder to carry a handgun on campus, any grounds or building on which an activity sponsored by the institution is being conducted, or a passenger transportation vehicle owned or leased by the university.

Note: The open carry of handguns (or other firearms) on a Texas college campus continues to be prohibited by state law.

### **Animals/Pets**

Animals/pets are not allowed in University buildings and athletic facilities. Exceptions include service animals, approved animals for classroom activities, approved emotional support animals (housing only), approved dogs belonging to Resident Directors (housing only), and goldfish/tropical fish (housing only). Approved animals must be under the control of the owner at all times. The owner will be held responsible for all actions of his/her animal including liability and damages.

For information regarding service animals and/or emotional support animals, contact the Office of Student Experience.

### **Dress and Appearance**

All members of our community are responsible for the way they present themselves. The university is a professional and educational environment seeking to prepare students for their chosen careers. The way you present yourself to faculty, staff, visitors, future employers, and fellow students should represent Christian values. These guidelines apply to all on or off campus university-sponsored activities including class, chapel, and athletic events.

- Clothes should fit appropriately to cover private areas when sitting, standing, and walking. Some extremes are not acceptable, including halter-tops, crop tops/open midriffs, and short and/or revealing skirts and shorts.

- Clothing with offensive, vulgar, or inappropriate advertising, pictures and/or slogans or that promote drugs or alcohol.

### **Hazing**

Under state law, individuals and/or organizations engaging in hazing could be subject to fines and



charged with a criminal offense. Under HPU policy, individuals and/or organizations engaging in hazing may be subject to disciplinary sanctions including expulsion.

#### Important Definitions from Texas Law, Education Code

Sec. 37.151 (2), (3), (4), (5), (6)

"Pledge" means any person who has been accepted by, is considering an offer of membership from, or is in the process of qualifying for membership in an organization.

"Pledging" means any action or activity related to becoming a member of an organization.

"Student" means any person who:

A) is registered in or in attendance at an educational institution;

B) has been accepted for admission at the educational institution where the hazing incident occurs; or

C) intends to attend an educational institution during any of its regular sessions after a period of scheduled vacation.

"Organization" means a fraternity, sorority, association, corporation, order, society, corps, club, or student government, a band or musical group or an academic, athletic, cheerleading, or dance team, including any group or team that participates in National Collegiate Athletic Association competition, or a service, social, or similar group, whose members are primarily students.

"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 for the purpose of pledging, being initiated into, affiliating with, holding office in, or maintaining membership in an organization if the act:

A) is any type of physical brutality, such as whipping, beating, striking, branding, electronic shocking, placing a harmful substance on the body, or similar activity;

B) involves sleep deprivation, exposure to the elements, confinement in a small space, calisthenics, or other similar activity that

subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student;

C) involves consumption of a food, liquid, alcoholic beverage, liquor, drug, or other substance, other than as described by Paragraph (E), that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student;

D) is any activity that induces, causes, or requires the student to perform a duty or task that involves a violation of the Penal Code; or

E) involves coercing, as defined by Section 1.07, Penal Code, the student to consume: a drug; or an alcoholic beverage or liquor in an amount that would lead a reasonable person to believe that the student is intoxicated, as defined by Section 49.01, Penal Code.

According to the law, a person can commit a hazing offense not only by engaging in a hazing activity, but also by soliciting, directing, encouraging, aiding, or attempting to aid another in hazing; by intentionally, knowingly, or recklessly allowing hazing to occur; or by failing to report in writing to the Dean of Students knowledge that a hazing incident is planned or has occurred (see Sec. 37.152).

An organization commits a hazing offense if the organization condones or encourages hazing or if an officer or any combination of members, pledges, or alumni of the organization commits or assists in the commission of hazing (see Sec. 37.153).

A person's consent to a hazing activity does not legalize and or legitimize the activity (see Sec. 37.154).

#### Important Note on Immunity from Prosecution or Civil Liability

A) In the prosecution of an offense under this subchapter, the court may grant immunity from prosecution for the offense to each person who is subpoenaed to testify for the prosecution and who does testify for the prosecution.

B) Any person who voluntarily reports a specific hazing incident involving a student in

an educational institution to the dean of students or other appropriate official of the institution is immune from civil or criminal liability that might otherwise be incurred or imposed as a result of the reported hazing incident if the person:

reports the incident before being contacted by the institution concerning the incident or otherwise being included in the institution's investigation of the incident; and as determined by the dean of students or other appropriate official of the institution designated by the institution, cooperates in good faith throughout any institutional process regarding the incident.

C) Immunity under Subsection (b) extends to participation in any judicial proceeding resulting from the report.

D) A person is not immune under Subsection (b) if the person: reports the person's own act of hazing; or reports an incident of hazing in bad faith or with malice.

***The law does not affect or in any way restrict the right of the University to enforce its own rules and/or penalties against hazing.***

***Howard Payne provides an anonymous hazing submission form for students to report hazing incidents to the Director of Student Leadership and Engagement.***

Copies of the entire hazing bill enacted by the Texas legislature are available from the Office of Student Experience or the hazing bill may be viewed in its entirety at the "Texas Legislature Online" website at: <http://www.legis.state.tx.us/> The hazing bill is found in the Texas Education Code, Chapter 37, sections 37.151 through 37.158.

### **Pedestrians Crossing the Railroad Tracks**

The Burlington Northern/Santa Fe Railroad Police will ticket anyone crossing the railroad tracks at places other than the main crossing that leads from the main campus to the Athletic Complex. Pedestrians crossing the tracks illegally are subject to a Class C Misdemeanor charge that could carry a substantial fine depending on the judicial decision. A second offense is criminal trespassing, a Class B Misdemeanor. Crossing the railroad tracks illegally or unwisely can be deadly. Students should always

cross the tracks at the main crossing gate and exercise caution.

### **Recreational/Stunt Devices**

Personal transportation devices (e.g., scooters, longboards, skateboards, etc.) are not permitted in buildings.

### **Sexuality and Gender**

Howard Payne University welcomes all students into a safe and supportive environment to discuss and learn about a variety of issues, including those of sexuality and gender. HPU affirms the biblical understanding of sexuality and gender as gifts from God. Using the Bible and BGCT affirmed documents as the foundation for institutional policies and practices, HPU affirms fidelity in marriage, purity/celibacy in singleness, marriage as a union between a man and a woman, and God's creation of male and female through biological gender assignments.

HPU students are expected to conduct themselves in accordance with these standards of Christian morality. Students who engage in behaviors that violate these standards are subject to disciplinary sanctions up to and including expulsion from the University.

HPU students are expected to refrain from participating in advocacy groups and/or organizations that promote understandings of sexuality and gender identity contrary to biblical teachings and norms as defined by the University.

Students who have questions and/or struggle with these issues are encouraged to engage in confidential discussions with the University Counselor and/or appropriate personnel.

***Special Note:*** A student who reports an incident of sexual assault will not be sanctioned for behaviors that violate the student code of conduct and occurred in conjunction with the reported incident.

### **Sportsmanship**

Pursuant to the integrity of higher education, HPU joins our athletic conference--the American Southwest Conference--and the National Collegiate Athletic Association in seeking to promote the highest ideals of sportsmanship among all individuals associated with HPU's athletic department and events.

All athletic administrators, coaches, student-athletes, spirit groups, and fans shall act with respect, fairness, civility, and honesty in an effort to create an appropriate environment for athletics competition as well as a positive image for our institution. HPU students are reminded to uphold the Christian ideals upon which our University is based while attending HPU athletic events, whether the contests are in Brownwood or another location.

The following expectations will be enforced at HPU athletic events: (1) Cheer for HPU teams, not against the visitors; (2) Students should avoid getting personal in their comments about players, coaches, or officials; and (3) Profanity, vulgarity, and racist or sexist comments will not be tolerated. Students found violating the sportsmanship policy may be subject to disciplinary action.

### **Copyright Infringement Policy**

Institutions must annually make available to current and prospective students the institution's policies and sanctions related to copyright infringement, including

- a statement that explicitly informs students that unauthorized distribution of copyrighted material, including unauthorized peer-to-peer file sharing, may subject the students to civil and criminal liabilities;
- a summary of the penalties for violation of federal copyright laws\*; and
- the institution's policies with respect to unauthorized peer-to-peer file sharing, including disciplinary actions taken against students who engage in illegal downloading or unauthorized distribution of copyrighted materials using the institution's information technology system.

*Source Federal Regulation HEOA Sec. 488(a)(1)(E) amended HEA Sec. 485(a)(1) (20 U.S.C. 1092(a)(1)); added HEA Sec. 485(a)(1)(P); HEOA amendment effective August 14, 2008; October 29, 2009 FR notice (added 34 CFR 668.43(a)(10))*

Copyright law, as defined in Title 17 of the United States Code, protects "original works of authorship fixed in a tangible medium of expression" for a limited period. Copyright protection includes, for instance, the legal right to publish and sell literary, artistic, or musical work, and copyright protects authors, publishers and producers, and the

public. Copyright applies both to traditional media (books, records, etc.) and to digital media (electronic journals, web sites, etc.).

Copyright infringement is the act of exercising, without permission or legal authority, one or more of the exclusive rights granted to the copyright owner under section 106 of the Copyright Act (Title 17 of the United States Code). These rights include the right to reproduce or distribute a copyrighted work. In the file-sharing context, downloading or uploading substantial parts of a copyrighted work without authority constitutes an infringement.

Penalties for copyright infringement include civil and criminal penalties. In general, anyone found liable for civil copyright infringement may be ordered to pay either actual damages or "statutory" damages affixed at not less than \$750 and not more than \$30,000 per work infringed. A court may award up to \$150,000 per work infringed. A court can, in its discretion, also assess costs and attorneys' fees. For details, see Title 17, United States Code, Sections 504, 505.

Willful copyright infringement can also result in criminal penalties, including imprisonment of up to five years and fines of up to \$250,000 per offense.

For additional information regarding U.S. Copyright Law, please visit [www.copyright.com](http://www.copyright.com).

Students are responsible for complying with copyright law and applicable licenses that apply to software, files, documents, messages and other material they wish to download, copy, or transmit. All students obtaining access to any material prepared or created by another company or individual must respect any attached copyrights and may not copy, retrieve, modify or forward such copyrighted materials, except with written permission of the lawful owner. Students receiving electronic files via HPU's e-mail system or Internet connection should ensure that the sender is the lawful owner or has obtained the necessary license.

### *Library Policy*

Walker Memorial Library and all libraries contained within the Walker building have a special set of exemptions from liability for copyright infringement when they exercise some of the exclusive rights of copyright holders such as making copies, displaying and performing works publicly, and distributing works to the public (section 108). Our libraries are

also protected by fair use as guided by Federal guidelines (section 107) and advised by the American Library Association.

Library employees educate students on copyright policies and fair use through library instructions and guidance during reference interviews. Copyright policies are posted by the copiers and other areas of the library. These policies are available online in the HPU student handbook.

### *Photocopies*

The copyright law of the United States governs the making of photocopies or other reproductions of copyrighted material. Libraries and archives are authorized to provide photocopies or other reproductions of copyrighted material only under certain conditions, one of which is that the reproduction is to be used for private study, scholarship, or research only. Signs noting this provision are placed at the library copiers and scanners.

### *Fair Use*

The Fair Use Doctrine is arguably the most important limitation on the exclusive rights of the copyright holder. It not only allows but also encourages socially beneficial uses of copyrighted works such as teaching, learning, and scholarship. Without fair use, those beneficial uses – quoting from copyrighted works, providing multiple copies to students in class, creating new knowledge based on previously published knowledge – would be infringements. Fair use is the means for assuring a robust and vigorous exchange of copyrighted information.

### *Public Domain*

A public domain work is a creative work that is not protected by copyright and which may be freely used by everyone. The reasons that the work is not protected include:

- (1) the term of copyright for the work has expired;
- (2) the author failed to satisfy statutory formalities to perfect the copyright or
- (3) the work is a work of the U.S. Government.

For more information on public domain please go to: <https://www.teachingcopyright.org/handout/public-domain-faq>

### *Digital Archives*

Patrons and users have the right to use any online

materials for educational fair use from our digital media, databases, and online archives without prior permission. Our libraries ask that you provide proper citation information, indicated above, in all copies. Access to our original copies of online digital content need to set up an appointment with a librarian to access the original content.

**For additional information on fair use and copyright patrons will be encourage to visit:**

The Fair Use Index <http://copyright.gov/fair-use/>  
Copyright Clearance Center Copyright Basics: <https://www.youtube.com/watch?v=Uiq42O6rhW4>

### *Faculty*

Faculty are encouraged to know their rights by visiting websites and links including: Association for Research Libraries Guide to Copyright: <http://www.knowyourcopyrights.org/resources-for-teaching-faculty>  
MPAA and RIAA: <http://www.mpa.org/> & <http://www.riaa.com/>  
American Library Association: <http://www.districtdispatch.org/policy-issues/copyright/>

### *Technology Deterrents Regarding Copyright Infringement*

The University has a plan to combat the unauthorized distribution of copyrighted materials; this plan includes a variety of technology deterrents, including a method for deterring the downloading of music and movies. Any attempt to circumvent or violate these technology-based deterrents is strictly prohibited.

Current deterrents include:

configuring the network firewall to block all known and suspected peer-to-peer/file-sharing websites or IP addresses; configuring the network firewall to throttle any other traffic typical of these downloads; running reports that monitor bandwidth to check for excessive downloading or uploading or other unusual spikes of activity; configuring network access to prevent multiple (file/server) connections to a single computer connected to the network; and blocking access in the event of repeat offenses.

### *Disciplinary Actions by the University*

All policies regarding disciplinary action for students can be found in the Student Handbook under Student Conduct Sanctions and Processes. Policies regarding faculty and staff are included in the Policies and Procedures Manual for Employees.

Questions concerning academic copyright infringement may be directed to the Dean of Library at 325/649-8610 or 325/649-8602.

Questions related to technology may be directed to the Information Technology Office at 325/649-8075.

Questions related to student violations or disciplinary actions may be directed to the Office of Student Experience at 325/649-8017.

Questions related to employee violations may be directed to the Office of Human Resources at 325/649-8012.

## STUDENT CONDUCT SANCTIONS & PROCESSES

### Notice, Hearing, and Sanctions

When students are found to have violated the HPU Student Code of Code, the Dean of Students, may collaborate with other HPU representatives (such as the Athletic Director, Counselor, VP of Student Experience) when necessary, and will propose disciplinary sanctions (e.g. penalties or corrective actions) designed to (1) remedy harmful impacts on the University community (2) educate students about risks related to their choices, and (3) deter future misconduct. Disciplinary sanctions are intended to be corrective and restorative with the goal of redirecting inappropriate behavior, protecting the rights of others in the campus community, encourage and teach responsibility, and maintain a Christian environment compatible with the mission of HPU.

Under most circumstances, before a student receives any sanction for the violation of the University's behavioral rules and policies, the student will be informed of the reported violations and offered the opportunity to be heard and offer evidence in his or her defense. Failure to honor an administrative notification (official summons) to appear is a serious breach of conduct and will only serve to complicate the original situation.

At no point during any student conduct proceedings may legal representation be present on behalf of the student or the student organization.

The University student conduct process consists of three levels:

*Level One:* Level One student conduct proceedings are under the supervision of the Resident Directors for on-campus students and the Dean of Students for students residing off campus. Level One conduct issues are reported to the Dean of Students.

The following types of violations are typically handled at level one: profanity, noise violations, possession or viewing of pornography, gambling, and disrespectful behavior.

Sanctions for level one violations may include but are not limited to, loss of privileges, restitution, fines, changes in living assignment, assigned work, and/or behavior contract.

*Level Two:* Level Two student conduct proceedings are under the supervision of the Dean of Students.

The following types of violations are typically handled at level two: repeated violations of level one offenses, failure to cooperate with a University official, fighting, harassment, threats, overnight visitation violations, academic dishonesty, theft or vandalism, or any violation referred by a Resident Director, faculty member, etc.

Sanctions for level two violations may include but are not limited to, loss of privileges, restitution, fines, changes in living assignment, assigned work, behavioral contract, disciplinary probation, suspension or expulsion, and/or loss of institutional financial aid.

*Level Three:* Level Three student conduct proceedings are under the supervision of the Dean of Students.

The following types of violations are typically handled at level three: repeated violations of level one or level two offenses, possession of tobacco, vape products, alcohol or illegal drugs, illegal activity, assault, inappropriate sexual activity, possession of a firearm on campus, etc.

Sanctions for level three violations may include but are not limited to, loss of housing privileges, restitution, fines, changes in living assignment, assigned work, behavioral contract, disciplinary probation, suspension or expulsion, and/or loss of institutional financial aid.



Students under sanctions may not be eligible for any extracurricular activities as a representative of HPU, including athletics, until all sanctions are complete.

### **Assigned Work**

All assigned work given will be administered through the Office of Student Experience. All time sheets and related documentation will be turned into the Dean of Students in the Office of Student Experience. While completing assigned work hours an individual may practice, but may not compete, in intercollegiate athletics or intramurals. A student should never miss class to complete assigned work. Whenever assigned work is issued near the end of a semester it will be determined by the Dean of Students or his/her designee if there is time to complete the assigned work. If it is determined that there is not enough time remaining to complete the assigned work, the student will be given the opportunity to pay a fine for the hours not completed. Assigned work fines should be paid in the Office of Student Experience. Assigned work hours issued for code of conduct violations occurring during the last three weeks of each semester may be doubled.

### **Probation**

1. A student is placed on disciplinary probation for willful and/or continued disregard of University policies and regulations.
2. A student on disciplinary probation is not eligible to hold membership in a campus organization, to serve on a committee, to play on a college or intramural team, to sing in a choir, to play in a band, or to perform or to represent the University in any public or intercollegiate activity.
3. Counseling services may be required for students on disciplinary probation.
4. Disciplinary probation is typically issued in increments of semesters.
5. Further disregard of University policies and regulations may result in automatic suspension or expulsion from the University.

### **Suspension**

1. Suspension terminates a student's active status at the University for a specified period of time.
2. A student who is suspended from the University will not be allowed on campus or

allowed to attend University events during the suspension.

3. A student who has been suspended has the option to apply for re-admission to the University following the completion of the suspension.
4. A student who has been suspended will be given notification of the time within which he/she is expected to leave the campus after the suspension becomes effective.
5. The student's academic transcript will include a notation stating that the student is ineligible to reenroll at HPU for a specified period of time for a reason other than an academic or financial reason.

Note: If a student withdraws from HPU pending disciplinary charges that may result in a suspension, HPU may not end the disciplinary process until a final determination of responsibility is made, including, if applicable, a determination of whether the student will be ineligible to reenroll at HPU for a reason other than an academic or financial reason.

### **Expulsion**

1. Expulsion terminates a student's active status at the University permanently.
2. A student who is expelled from the University is ineligible for re-admission to the University.
3. A student who is expelled will not be allowed on campus or allowed to attend University events.
4. A student who has been expelled will be given notification of the time within which he/she is expected to leave the campus after his/her relationship to the University has been terminated.
5. The student's academic transcript will include a notation stating that the student is ineligible to reenroll at HPU for a reason other than an academic or financial reason.

Note: If a student withdraws from HPU pending disciplinary charges that may result in an expulsion, HPU may not end the disciplinary process until a final determination of responsibility is made, including, if applicable, a determination of whether the student will be ineligible to reenroll at HPU for a reason other than an academic or financial reason.

## **Additional Information Regarding Transcript Notations**

On request by the student, HPU may remove the transcript notation if:

- the student is eligible to re-enroll in the institution; or
- the institution determines that good cause exists to remove the notation.

## **Student Conduct Appeals Process**

Howard Payne University has established a process for students to appeal disciplinary actions. Disciplinary action taken at the lowest levels should be appealed to the Dean of Students. More serious violations of student conduct will likely begin with a conduct hearing with the Dean of Students. The ruling made by the Dean of Students may be appealed. Appeals of a Dean of Students decision should be made to the Student Experience Appeals Committee.

While a student may appeal any decision, an appeal might be appropriate if the student feels:

- He/she has received unjust treatment;
- All the facts in the situation were not considered; or
- The action taken was too severe for the behavior involved.

Appeals must be made in writing to the appropriate individual/committee within 48 hours, not counting weekends and holidays, of receiving the decision that is being appealed. The Student Experience Appeals Committee is comprised of students, faculty, and staff. The Student Experience Appeals Committee may reverse, reduce, uphold, or alter the original sanction(s). The decision of the Student Experience Appeals Committee is the final step in the student conduct appeal process.

All levels of the University Appeals Process are outlined in the University Catalog and Student Handbook.

## **Charges of Violations of Local, State, or Federal Laws; Felony Charges**

If the University (a) has information from which to conclude that a student has been convicted of, has not contested having committed (e.g., has pleaded guilty or no contest/*nolo contendere*), or has been charged with or arrested for a violation of local, state, or federal law involving drugs, gambling, or

violence (e.g., rape, assault, destruction of property, etc.) or any felony, irrespective of the jurisdiction, or (b) has confirmed information that a student has engaged in conduct that may constitute a violation of the law as outlined above, the student shall be immediately suspended from participation in student athletics or activities until any charges have been addressed by the legal system and/or any applicable university or departmental disciplinary process has been completed. Information that may trigger the application of this policy shall include, but not be limited to, court, arrest, or other law enforcement, university or departmental records.

Students are expected to immediately self-report criminal convictions.

By suspending the student's participation, the department and the university are in no way prejudging whether any crime has been committed or whether any institutional or departmental discipline is warranted. Such action is taken to protect the integrity of University life and activities.

## **Withdrawal or Suspension Due to Health Problems**

Students who are no longer qualified to participate in the University's educational programs due to physical or mental health issues may be involuntarily withdrawn or suspended from the University. Whenever possible, the University will work with students who are experiencing health problems to resolve any issues by agreement. If an agreement cannot be reached, the University will follow the process below for imposing restrictions or sanctions on students who disrupt, or are unable to participate in, the University's programs.

As with all university policies, the University will apply this policy in a manner which does not illegally discriminate against students on the basis of race, color, national origin, sex, disability, or age.

### *Physical or Mental Health Emergency Procedures*

Any student who needs help because of an immediate crisis or life-threatening situation should contact HPU's Department of Public Safety at 325-649-8609 or dial 911.

If a student observes anyone harming, attempting to harm, or stating an intent to harm himself, herself, or another person, the student should report the matter immediately to the Dean of Students, the

HPU Department of Public Safety, or another University official.

### *Individual Threat Assessment*

HPU takes seriously any behavior by a student, including verbal conduct, which demonstrates a desire to inflict harm upon oneself or others.

The Dean of Students will initiate an individual threat assessment of any student if the Dean has reason to believe that the student has (a) engaged in or threatened to engage in behavior which creates a direct threat to the health or safety of another person or a high probability of substantial harm to the student himself or herself; (b) contracted a contagious disease or virus which creates a direct threat to the health or safety of another person or a high probability of substantial harm to the student; (c) caused or is likely to cause a substantial disruption in the University's academic or other programs; or (d) damaged or threatened to damage another's property.

The threat assessment will be made by the Dean of Students along with the Vice President for Student Experience. The assessment will be based upon the student's conduct, actions, and statements in order to create an individualized and objective assessment of the student's ability to participate safely in the University's programs. When necessary the team will consult with medical or mental health professionals. Unless the circumstances make it impractical or impossible, the student will be given notice that a threat assessment is being made and an opportunity to be heard before any adverse action is taken with respect to the student. Any appropriate accommodations or adjustments will be considered.

The Dean of Students and/or the Vice President for Student Experience will take action with respect to a particular student only if it is determined that the situation creates a high probability of substantial harm. Action will never be taken on the basis of generalizations or stereotypes about the effects of a particular disability or condition.

### *Responses and Interventions*

The student will be notified of any restrictions, interventions, or sanctions imposed on the student as a result of the threat assessment, which may include:

- A required course of medical treatment or mental health counseling;
- Removal from university housing;

- Removal from one or more classes or activities;
- Removal from the campus;
- Withdrawal from the university; or
- Other appropriate sanctions or precautions.

Sanctions imposed on a student under this procedure are not disciplinary in nature and will not be entered in the student's educational records as arising from disciplinary violations. However, if the student violates any restrictions imposed, the violation may result in disciplinary action in accordance with the student disciplinary process. It is the sole responsibility of the student to obtain at his/her expense any services which are necessary as a result of restrictions imposed such as alternative lodging or academic tutoring. Any departure from university housing rules must be approved by the Vice President for Student Experience.

### *Appeals Process*

A student may appeal a decision by submitting a written appeal to the Office of Student Experience within 10 calendar days after the decision. The student may submit medical evaluations, statements, or other pertinent information along with the appeal. A vice president level administrator selected by the president shall review any material provided by the student, the individual threat assessment, the decision of the Dean of Students and/or Vice President for Student Experience, and such other information as it may consider appropriate. A decision on the appeal shall be made within five business days or as soon thereafter as practical. The student shall be notified in writing of the reviewing administrator's decision, which shall be final. Any restrictions, interventions, or sanctions shall remain in effect before and during the appeal unless the reviewing administrator determines otherwise.

### *Reinstatement Process*

The restrictions, interventions, or sanctions imposed may be removed only with express permission from the Dean of Students and/or Vice President of Student Experience. Upon the student's request for reinstatement, the student will receive clear communication with a specific reinstatement process, which may include:

- 1) Evaluation by a qualified health care professional  
If the situation constitutes a medical or psychological emergency, the student may use a local emergency room physician. If the student is

currently under the care of a qualified health care professional, that person may evaluate the student. If the student is not currently in treatment, he or she will need to contact the qualified health care provider of his/her choice. If the student needs assistance with this process, he or she may contact the Office of Student Experience.

2) Communication of evaluation results by the qualified health care professional to the appropriate representative

*This will require written authorization by the student to the healthcare professional.* Evaluation results must substantiate (1) the readiness of the student to return to residential facilities, classes, and/or activities, and (2) any recommendations for continuing treatment. For preliminary purposes, the health care professional may communicate this information verbally; however, it is mandatory that written evaluation results be provided promptly.

3) Reinstatement interview with the Dean of Students and/or Vice President for Student Experience

The student must schedule an interview during regular office hours. If the University official consulted determines that the student is able to resume restricted activities, the student will be provided a reinstatement letter.

## **DRUGS/ ALCOHOLIC BEVERAGES/ TOBACCO PRODUCTS**

Because of the desire to protect the health and lives of everyone in the Howard Payne University community, smoking is banned on the HPU campus. Tobacco use of all kinds is prohibited in all campus buildings, and within 15 feet of any building entrance.

Howard Payne University prohibits the use of illegal drugs both on and off campus because they are detrimental to the physical, psychological, social, and spiritual well being of the individual. For the same reasons, the use or possession of alcohol on campus, at a University-sponsored event or trip, or in any manner that violates municipal, county, state, or federal law is prohibited. Abuses of substances also impede the student's academic progress and thus work against the very purpose of the University. HPU intends to cooperate fully with the Federal Government, the State of Texas, and

local authorities in the war against drug and alcohol abuse.

In compliance with the Drug-Free Schools and Communities Act Amendments of 1989 (Public Law 101-226), Howard Payne University supports the reports prepared by the Surgeon General and asserts that drugs and alcohol have proven to be hazardous to the health and well being of students and employees.

As a practical matter of enforcement and in order to prevent disagreements regarding violations of the alcohol policy and health hazards, empty alcoholic beverage containers are not permitted on campus. Such containers, if observed by staff, will result in students being charged with an alcohol violation.

Information about a drug and alcohol counseling and rehabilitation program is available through the Office of Student Experience.

Criminal convictions are not required for these sanctions to be imposed on employees and students of the University.

Further, it is a violation of the University's expectations for a student to drink, possess, or be impaired by drinking, alcoholic beverages, or to possess, use, or be under the influence of, illegal drugs or non-prescription hallucinatory drugs, on campus or at any event sponsored by the University or by a University-approved student organization. Without limiting the foregoing, this prohibition specifically includes any University sponsored trip.

Students may be requested to provide proof that use of prescription drugs or other controlled substances are under the supervision of a medical doctor. Students must provide this proof immediately upon demand by a University official. It is illegal to provide prescription drug(s) to another person. Using another person's prescription drug(s) is also illegal.

The University encourages students to notify their parents or guardians if the student is found to have acted in violation of this policy. If the University, through its judicial procedures, determines that a student has violated this policy, the University may disclose the violation to a student's parent or legal guardian if the student is under 21 years of age at the time of the notification.

Violation of this policy may result in any sanction deemed appropriate by the University, including, but not limited to, required participation in a drug or alcohol treatment or rehabilitation program, suspension, or expulsion. The University may refer any violation of the law to the proper law enforcement authorities.

### **Drug Testing Policy**

Designated University officials reserve the right to require a student to show proof of a drug-free condition including drug testing whenever such officials suspect or have reason to believe that a student might be engaging in drug use on or off campus. Reasonable suspicion for testing is to be determined by the sole discretion of University officials. Reasonable grounds for drug testing may include, but are not limited to:

- Unexplainable incoherent behavior
- Repeated tardiness and/or absenteeism from class
- Drug-related odors on person, clothing, and/or equipment
- Sudden, unexplainable drop in academic performance
- Possession of drug paraphernalia
- Previous positive drug screen results
- Being cited for or convicted of substance abuse violations by University or municipal authorities
- Observable phenomena, such as direct observation of substance abuse or physical symptoms or manifestations of being impaired due to substance abuse
- A report of substance abuse or use provided by a reliable and credible source

A student who refuses to submit to drug testing or to required assessment or refuses to authorize the release of test results as provided in this policy can be disciplinarily sanctioned up to and including expulsion from the University. A positive drug test may result in disciplinary action including, but not limited to, suspension or expulsion from the University. Testing for drugs will be administered by the University Nurse, or at a local clinic or hospital. Refusal to comply with testing when it is requested will be considered a violation of the University's drug policy. If a student's test results are positive, the student will be responsible for the expense of the test. If a student's test results are negative for drug use, the University will be

responsible for the expense of the test.

The University reserves the right to use canine detection services whenever drugs are suspected on University property and are undetected by other means, as well as a deterrent to drug possession or use among students.

### **Criminal Sanctions**

The University provides the following information to give notice regarding legal considerations related to drug and alcohol use, possession, purchase, etc. For the latest and most detailed versions of these various governmental statutes, please refer to the original sources.

#### ***City, County, and State Law***

*Texas Penal Code Sec. 49.02:*

Being intoxicated in public such that one is a danger to oneself or others is punishable by a fine of up to \$500.

*Texas Alcoholic Beverage Code Sec. 1.05, 101.31:*

It is illegal to possess or distribute alcoholic beverages in a dry area. Violation of this law carries a penalty of up to \$1,000 and/or up to one year in prison.

*Texas Alcoholic Beverage Code Sec. 106.02, 106.04-106.05:*

The purchase, possession, or consumption of alcoholic beverages by a person under 21 years of age subjects that person to a fine of up to \$500 for the first offense and up to \$2,000 for the second offense. Regarding consumption and possession, a minor may avoid charges if s/he requests emergency medical assistance in response to the possible alcohol overdose of the minor or another person, was the first person to make the request, and if the minor remained on the scene until medical assistance arrived and cooperated with medical and law enforcement personnel.

*Texas Alcoholic Beverage Code Sec. 106.06:*

Furnishing alcoholic beverages to a minor is punishable by a fine of up to \$2,000 and potential imprisonment of up to 180 days in jail. If charges stemmed from gatherings where participants were involved in alcohol abuse, including binge drinking or forcing/coercing individuals to consume alcohol, defendants charged for such crimes shall, in addition to standard sentences handed down by a judge, be required to perform 20-40 hours of community service (related to alcohol education, misuse, or prevention), be mandated to attend an



alcohol awareness program, and have the driver's license suspended or denied for 180 days.

*Texas Penal Code Sec. 49.04:*

Driving under the influence of alcohol is punishable by a fine of up to \$2,000 and/or three days to two years in prison for the first offense and up to a \$4,000 fine and 60 days to five years in prison for subsequent offenses.

*Texas Alcoholic Beverage Code Sec. 106.07:*

A person under 21 years of age who misrepresents his or her age for the purpose of purchasing alcoholic beverages may be punished by a fine of up to \$500.

*Texas Health and Safety Code Sec. 481.106-107:*

The illegal distribution, possession, or use of controlled substances may be punished by five years to life in prison and up to a \$20,000 fine.

*Texas Health and Safety Code Sec. 481.112-120 and 481.121(c) and (d):*

The delivery or possession of controlled substances with the intent to manufacture controlled substances is punishable by a jail term of ten years to life and up to a \$100,000 fine.

*Texas Health and Safety Code Sec. 481.121(a) and (b):*

The possession of marijuana may be punished by six months to 20 years in prison and/or up to a \$10,000 fine depending on the amount of marijuana involved.

*Texas Health and Safety Code Sec. 481.122:*

The distribution of marijuana to a minor is punishable by two to 20 years in prison and/or up to a \$10,000 fine.

**Federal Law**

*21 United States Code 844(a):*

1st conviction: Up to one year imprisonment and fined at least \$1,000 but not more than \$100,000, or both.

After one prior drug conviction: At least 15 days in prison, not to exceed two years, and fined at least \$2,500 but not more than \$250,000, or both.

After two or more prior drug convictions: At least 90 days in prison, not to exceed three years, and fined at least \$5,000 but not more than \$250,000, or both.

Special sentencing provisions for possession of crack cocaine: Mandatory at least five years in

prison, not to exceed 20 years, and fined up to \$250,000, or both, if:

(a) 1st conviction and the amount of crack possessed exceeds five grams.

(b) 2nd crack conviction and the amount of crack possessed exceeds three grams.

(c) 3rd or subsequent crack conviction and the amount of crack possessed exceeds one gram.

*21 United States Code 853(a)(2) and 881(a)(7):*

Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than one year imprisonment. (See special sentencing provisions re: crack.)

*21 United States Code 881(a)(4):*

Forfeiture of vehicles, boats, aircraft, or any other conveyance used to transport or conceal a controlled substance.

*21 United States Code 853a:*

Denial of federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to one year for first offense, up to five years for second and subsequent offenses.

*18 United States Code 922(g):*

Ineligible to receive or purchase a firearm.

*Miscellaneous:*

Revocation of certain federal licenses and benefits (e.g., pilot licenses, public housing tenancy, etc.) are vested within the authorities of individual federal agencies.

**Health Risks Associated with Drug or Alcohol Use**

Narcotics such as opium, morphine, and heroin can cause euphoria, drowsiness, respiratory depression, constricted pupils, and nausea. The symptoms of an overdose of narcotics are slow and shallow breathing, clammy skin, convulsions, coma, and possible death. Persons experiencing withdrawal from addiction to narcotics can experience watery eyes, runny nose, yawning, loss of appetite, irritability, tremors, panic, cramps, nausea, chills, and sweating.

Depressants such as barbiturates and Quaaludes can cause slurred speech, disorientation, and drunken behavior. An overdose of a depressant can result in shallow respiration, clammy skin, dilated pupils, weak and rapid pulse, coma, and possible death. Withdrawal symptoms include anxiety, insomnia, tremors, delirium, convulsions, and possible death.

Stimulants such as cocaine and crack can cause increased alertness or euphoria, an increased pulse rate and blood pressure, insomnia, and loss of appetite. An overdose of stimulants results in agitation, an increase in body temperature, hallucinations, convulsions, and possible death. Withdrawal symptoms include apathy, long periods of sleep, irritability, depression, and disorientation.

Hallucinogens such as LSD and amphetamines cause illusions and hallucinations, and poor perception of time and distance. The effects of an overdose include psychosis and possible death.

Marijuana and hashish can cause euphoria, increased appetite, relaxed inhibitions, and disoriented behavior. The effects of an overdose include fatigue, paranoia, and possible psychosis. Withdrawal symptoms include insomnia, hyperactivity, and decreased appetite.

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life-threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can

also lead to permanent damage to vital organs such as the brain and the liver.

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than other individuals of becoming alcoholics.

## **RESIDENCE LIFE (UNIVERSITY HOUSING)**

The Howard Payne University residential communities provide a supportive framework for intellectual, social, and spiritual growth.

Living in community involves the cooperation of all community members. To promote a positive, safe, and healthy experience for all students, HPU has established a Student Code of Conduct and expectations for student behavior. Students are responsible for knowing and following the HPU policies and guidelines.

Due to the Howard Payne University commitment to the residential experience, students are required to live in the residence halls unless students meet one or more of the following exemptions:

- Brownwood area resident living with parents within a 30 mile radius of HPU
- Lived in a residence hall for four long semesters (i.e. fall and spring semesters)
- Completed 60 HPU academic credit hours
- Legally married to a person of the opposite sex and submit a marriage license
- 21 years old by August 1 (for fall semester) or January 1 (for spring semester.)

Students under the age of 17 are not allowed to live in university housing.

All students living in the residence halls must purchase a resident meal plan.

Students who meet the requirements to live off campus must submit an application for permission to live off campus. The application is located in the Student Experience Forms section of the website on Gateway. Without approval, students are required to

live in the residence halls and purchase a resident meal plan.

All requests for exemption to the housing policy must be submitted to the Housing Coordinator by December 1 for spring exemptions and May 1 for fall exemptions. The Vice President for Student Experience reviews all requests for exemption to the housing policy. Without approval, students are required to live in the residence halls and purchase a resident meal plan.

The apartments provide opportunities for connection and community for upperclassmen. Students who have completed four (4) long semesters (i.e. fall and spring semesters) in a residence hall and/or 60 HPU credit hours and/or are 21 years old by August 1 (for fall semester) or January 1 (for spring semester) are eligible to live in university apartments/duplexes. Students living in university apartments/duplexes are not required to purchase a resident meal plan.

### **Housing Application**

All students applying for admission to University housing must submit a *Housing Application/Agreement* and a deposit of \$100 which will be held as security for damages.

Any unused portion of the deposit will be refunded on written request within one year after properly checking out. If the housing deposit is not requested within 60 days of vacating University housing, the deposit will be forfeited into a general scholarship account. In no case will any of the deposit be refunded until the student has cleared all financial obligations to the University and requested the deposit.

### **Housing Agreements**

A student living in University housing must sign and/or submit an online *Housing Application/Agreement*. Upon signing and/or submitting, the student assumes the responsibility and obligations of the agreement. The Housing Agreement is binding for the full term stated unless a student leaves HPU, gets married, graduates, or studies abroad.

Any request for cancellation of a housing agreement should be made to the Housing Coordinator. Any resident who moves off campus without official permission is held financially responsible for the full financial term agreed upon between the resident and the University. The

University reserves the right to terminate the contract for disciplinary reasons. Any student who cancels his/her room reservation after June 1 for the fall semester or January 1 for the spring semester will forfeit his/her deposit.

Residents who request to privately occupy a room at less than capacity (and space is available) may be granted approval by the Resident Director with an additional fee of \$600.00 per semester.

Private rooms are not permitted for first-year students in their first semester of college (since graduating from high school). The University reserves the right to make changes in room assignments when deemed necessary.

No one is to occupy a room until he/she has been officially checked into that room by the Resident Director or a Resident Assistant. Each student must complete and sign a Check-in/Check-out Form and get a key before moving into the assigned room. The Check-in/Check-out Form must be signed upon vacating a room for any reason. A student is not officially checked out of a room until the key has been turned in and a staff member has checked the room for damage and cleanliness. Failure to complete all of the above steps will result in charges and fines. A student may occupy only the room assigned to him/her. No moves are to be made for any reason unless first approved by the Resident Director.

The housing agreement period for the residence halls covers two semesters, which ends the day of commencement exercises in May. It does not include Thanksgiving vacation, Christmas vacation, spring break, other holidays declared by the administration, or the days between semesters. Students must vacate the residence halls within 24 hours of their last final exam. Whenever possible, graduating seniors will be given an additional 24 hours beyond hall closing/agreement ending date/time to check out. For further information about housing during break periods, contact the Office of Student Experience.

All activities in the residence halls are under the supervision of the Resident Director. Any unusual behavior, difficulties, or anything of concern should be reported to him/her.

### *University Apartments*

The University maintains three 8-unit apartment complexes (four students per unit). These apartment spaces are assigned each spring semester during the Apartment Selection Process, which will be advertised by the Residence Life staff. The University also maintains nine units in a duplex arrangement primarily for part-time graduate employees. The University does not offer married student housing.

All policies referring to student conduct apply to students occupying University apartments. Students moving into the apartments must pay a \$400.00 deposit which will be held for damages or cleaning upon moving out. If the apartment is left in good condition, a request may be made for the return of the deposit within 60 days of vacating the property. Students will also sign a housing agreement with the University for the apartment. Upon signing the *University Apartment Housing Agreement*, the student automatically assumes responsibility for the terms stated therein.

### **Residence Hall Hours, Secure Access, and Surveillance Cameras**

Residents, Residence Life Staff, and the HPU Department of Public Safety are partners in creating a secure and safe residential community.

The residence halls are equipped with ID card readers to promote secure access to the residence halls. Residents must use their ID cards to access the buildings at all times.

Surveillance cameras are used in the residence halls (entry doors, lobbies, and corridors on each floor).

### **Housing Damages**

Students will be charged for damage to furniture, equipment, or rooms. Each room is checked before and after occupancy. If damage is noted, it should be reported immediately to the Resident Director.

### *Individual Rooms*

Occupants of University housing are responsible for any damage done to their rooms whether or not they caused the damage. Students are required to maintain their rooms in a clean and orderly condition and should not obstruct any of the walkways, hallways, or surrounding premises. No partitions or other alterations or additions may be made to the room unless the prior written consent of the Resident Director is obtained. This shall include, but is not limited to, the addition or

changing of any locks, removal of window screens, altering or tampering with the heating or lighting fixtures, removal or painting of any surface, installation of any television or radio antenna; addition of electrical, cable television or telephone wiring; and all other such changes and additions. Nails, screws, and adhesives which may cause damage shall not be inserted into or used on the walls for any reason. Any damage done to a room or to the residence hall must be reported to an RA or the Resident Director.

### *Residence Hall Furniture*

Students are not permitted to dismantle any furniture provided by the University. All furniture must remain intact and in the individual student's room. Students are responsible for all furniture issued their rooms. Dressers may not be stacked, and refrigerators or other heavy items may not be placed on top of dressers. Any furniture that is missing, dismantled, or not returned to its proper location will be the responsibility of the residents, and charges will be assessed accordingly.

### *Residence Hall Damages*

As a community of students, it is necessary that everyone living in the halls assume responsibility for maintaining the building in which they live. As a good citizen of the Howard Payne community, residents should take responsibility for the care and monitoring of their living quarters. Persons witnessing or hearing about damages to any facility by members of the community or individuals from outside the community should report them immediately to a member of the Residence Life Staff.

### *Defacing of Property*

Damaging or defacing of property at HPU by painting, signs, posters, stickers, or any other method is expressly prohibited. Anyone involved in such an infraction will be subject to disciplinary action.

### *Repairs*

Any damages or needed repairs should be reported as soon as possible to the Residence Life Staff. When you fill out the online work order, it will be submitted to HPU maintenance. You will be able to track the progress of your request online at any time. Repairs will take place on a priority basis. All emergency repairs should be reported to the Residence Life staff immediately.

### **Housing Policies**

### *Animals/Pets*

Residents are allowed to have goldfish/tropical fish in a small aquarium (no larger than five gallons). All other animals/pets are prohibited in university housing.

To request a service animal, complete the appropriate form on Gateway.

### *Appliances for Cooking and Storing Food (Residence Halls Only)*

Cooking in residence halls is strictly prohibited for reasons of health, safety, and maintenance. Cooking equipment such as hot plates, air fryers, crock pots, toasters, electric fry pans, microwaves, and coffee pots (unless coffee maker is equipped with an automatic shut-off or is a single-cup maker with no hot plate) are not permitted and will be removed from residence halls. Small refrigerators, no larger than 36" tall, may be used in residence hall rooms. A Fridge/Microwave combination unit is permitted (only the microwave/fridge models— 2.7 cubic feet or 3.7 cubic feet— are allowed.) Additionally, an amperage overload protector for microwave/refrigerator combos is allowed provided that the two devices together do not exceed 10 AMPS.

### *Appearance Expectations*

Students should be fully clothed when appearing in residence hall public areas. Appropriateness should be maintained at all times.

### *Authorized Entry and Search*

The University respects the student's right to privacy and to protection against unwarranted and/or unreasonable search. The policy regarding room entry, inspection, and/or search and seizure is that university officials will enter the room of a student only with the consent of the student except in specific situations.

Authorized agents and personnel of HPU will enter the residence of a student in the event of:

1. An emergency situation;
2. Health and safety checks;
3. Maintenance purposes;
4. Reasonable grounds to believe the room contains evidence of the commission of a criminal offense or a violation of University rules or policies; or
5. A valid search warrant being presented by the proper authority.

Prior to holidays and housing closures, residence life staff will check all rooms to ensure that rooms are secured and proper procedures have been followed.

### *Bicycles*

Bicycle racks are provided outside each residence hall. Bicycles may also be stored in student rooms with the agreement of the roommate. Bicycles may not be stored in halls, stairways, bathrooms, or storage closets. If a bicycle is found in a hallway, storage closet, or trash room, it will be placed outside without a lock or key. Bicycles may not be locked to HPU apartment railings. Bicycles should not be left during the summer sessions unless a student is taking summer classes. Bicycles that appear to be abandoned are subject to removal and disposal.

### *Check-In/Check-Out*

A room condition report must be completed and turned in at check-in. It is the responsibility of the resident to make note of any existing damages in the room (e.g. wall damages, chipped paint, missing items, etc.). This form will be used to determine damages which have occurred during a resident's use of the room. Each resident must also follow all check-out procedures. Failure to check-out properly will result in an improper check-out charge. Failure to check-out properly may also result in the loss of the student's room deposit and/or disciplinary action.

Check-out includes:

1. All resident's possessions must be out of the room/apartment/duplex, and the room/apartment/duplex must be clean.
2. All furniture must be in the proper location.
3. Return of room/apartment/duplex key.
4. Approval of the RD or RA prior to leaving.

### *Cleaning Expectations*

Students are expected to maintain clean and orderly residences. Periodically throughout the semester, Resident Directors and/or Resident Assistants will conduct health, hygiene, safety, and security checks in campus housing. All rooms/apartments/duplexes must comply with the standards given by the Resident Director and/or Resident Assistant.



Custodial service is limited to cleaning public use areas and emptying trash from public area receptacles. Trash should not be swept into the hall, but should be deposited in public area waste containers. Students are not permitted to store empty alcohol bottles, cans, etc. in their residence hall rooms. Any unauthorized items should be reported to the Resident Assistant.

#### *Decorations*

Student rooms should be decorated in a tasteful manner. Offensive materials are strictly prohibited. Possession and/or display of road signs or other stolen property is a criminal offense and will be dealt with accordingly. All window treatments, including drapes, sun blocking material, posters, signs, etc., should not be viewable from outside the building.

#### *Electrical Appliances*

The following electrical appliances may be used in a student's room: computer, television, video game system, DVD player, stereo, clock, personal lamp, shaver, hairdryer, flat iron, and candle warmer. Air conditioners, sun lamps, and heaters may not be used because of safety regulations. Burned-out light bulbs will be replaced without charge. They should not be replaced with larger bulbs than those provided. Any needed fuses or repairs should be reported to the Resident Assistant or Resident Director.

Owners and users of stereos and televisions must operate them at a reasonable volume which is only for their own benefit and should keep the door of their room closed when using them. Whenever they are operated, it should be with consideration for other people. Students may lose the privilege of using stereos and televisions if they refuse to operate them at an acceptable volume level.

#### *Entrance and Exit*

Students entering or exiting University buildings must do so through exterior access doors only. Entering or exiting through windows, or occupying ledges, balconies, or the roof of any building, is strictly prohibited.

#### *False Alarms/False Emergency Reports*

It is a violation of Texas Penal Code 42.06 to make a false alarm or report to a public institution of higher education. Students accused of this crime may face charges up to a state jail felony and will be referred through the student conduct process. A

full description of the code and subsequent penalty is provided below. Please help us keep our university safe and report any suspicious activities to HPU DPS, the Office of Student Experience, a Resident Director, or other University personnel.

According to Sec. 42.06 of the Texas Penal Code, (a) A person commits an offense if he knowingly initiates, communicates or circulates a report of a present, past, or future bombing, fire, offense, or other emergency that he knows is false or baseless and that would ordinarily:

- (1) cause action by an official or volunteer agency organized to deal with emergencies;
- (2) place a person in fear of imminent serious bodily injury; or
- (3) prevent or interrupt the occupation of a building, room, place of assembly, place to which the public has access, or aircraft, automobile, or other mode of conveyance.

An offense under this section is a Class A misdemeanor unless the false report is of an emergency involving a public primary or secondary school, public communications, public transportation, public water, gas, or power supply or other public service, in which event the offense is a state jail felony.

#### *Firearms/Weapons*

Firearms for protection or for sport are strictly prohibited at HPU except as allowed by State law. This includes, but is not limited to, shotguns, rifles, pistols, BB/pellet guns, paint guns, air soft guns, etc. Ammunition for firearms is also prohibited. This includes, but is not limited to, shotgun shells, ammunition, BBs, pellets, etc. Illegal knives are prohibited.

#### *Fire Drills*

Fire drills will be held periodically, and anytime the fire alarm sounds everyone is required to leave the building immediately. Failure to leave immediately or to follow directions of the residence hall staff or HPU Dept. of Public Safety officers will result in disciplinary action.

#### *Fire Extinguishers and Fire Equipment*

All residences are equipped with fire extinguishers which are to be used only in the event of a minor fire. If you find a fire extinguisher not in its proper place, or not properly charged, please notify a residence life staff member immediately. Any student caught discharging a fire extinguisher for

uses other than those intended, pulling false fire alarms, tampering with sprinkler systems, or otherwise jeopardizing the health and safety of others through improper use of fire equipment will be subject to immediate suspension from the University.

### *Food Storage*

In order to maintain a healthy and pest-free environment, students are expected to store food in their rooms in sealed containers.

### *Guests and Visitation*

All guests are subject to University policies and regulations. A student is responsible for the conduct of his/her guests. Individuals under 18 years old are not allowed to visit the residences or stay overnight. Exceptions may be made if the minor is a relative of the student, but the Resident Director must be informed and provide approval in advance.

#### **Overnight Guests of Same Sex:**

Guests of the same sex are permitted to stay overnight under the following conditions:

1. The student has requested and received permission in advance from the Resident Director and his/her roommate.
2. The overnight stay is NOT during finals week.
3. The length of stay is no more than three (3) days and two (2) nights. Exceptions must be approved by the Resident Director.
4. The guest is 12 years of age or older. Babysitting is not allowed in HPU housing.
5. The guest registers his/her presence with the Resident Director. Guests are expected to conform to the same standards of conduct as students. Violations of university policies and standards by visitors are the responsibility of the student whom the guest is visiting and may result in disciplinary action against the student, requiring the guest to leave campus, or both.

The Resident Director may limit a) the number of guests, b) the length of stay of a guest, and/or c) the number of times a student has guests during the semester if any of these factors adversely affect the residents of the hall/apartment or put an undue burden on the facilities and utilities of the University.

#### **Visiting Residents of Opposite Sex:**

##### **Residence Halls**

Men or women are not permitted in living areas or residence halls of the opposite sex except during administratively approved visitation hours. Lobby visitation hours are 8:00 a.m.—12:00 a.m. Monday - Sunday. Room visitation hours are 7:00 —10:00 p.m. Monday—Sunday. When hosting opposite-sex visitors, guests must enter the front lobby door of the residence hall, sign in and sign out through the logbook at the Resident Director office, and be escorted by their host at all times. The room door must remain completely open at all times. Student and guest behavior must comply with University expectations of conduct. Violations of university policies and standards by guests are the responsibility of the student whom the guest is visiting and may result in disciplinary action against the student and/or the guest being required to leave campus.

#### **Visiting Residents of Opposite Sex:**

##### **Apartments and Duplexes**

References to “apartment(s)” include Smith Bell Duplexes and Newbury Place Apartments. These suggestions and policies are based on the need for consideration among the roommates, and to assist Apartment visitation by the opposite sex is to be conducted with discretion. It is suggested that other individuals be present in the apartment while a guest of the opposite sex is visiting. Students who are having difficulty with roommates who are taking advantage of the visitation policy should consult their roommate first and then bring the situation to the attention of the Resident Assistant and/or Resident Director in the community.

Opposite-sex guests, including but not limited to other students, may not sleep over/stay overnight in the apartment. When hosting opposite-sex visitors, both the hosts’ and visitors’ behaviors must comply with University expectations of conduct. Violations of University policies and standards by visitors are the responsibility of the student whom the guest is visiting and may result in disciplinary action against the student and/or requiring the guest to leave campus.

### *Hall Meetings*

When mandatory meetings are called in the residences, all residents are required to attend. If a student is prevented from attending, he/she is to inform the Resident Director. Failure to attend without prior approval from the Resident Director will result in disciplinary action. Mandatory

meetings cannot be called without permission of the Resident Director.

### *Opening and Closing Hours*

The residence halls are equipped with ID card readers to promote secure access to the residence halls. Residents must use their ID cards to access the buildings at all times. Students found propping open exterior doors or otherwise tampering with door devices will face disciplinary action.

The residence halls will close the day of commencement at 2:00 p.m. in the fall and spring semesters.

### *Personal Property*

It is important that students take precautions to secure personal property (e.g. locking your door when not in your room, engraving your possessions, etc.). With so many people living together, University housing can be prime targets for theft. Careful attention to security is in everyone's best interest. The University is not responsible for student property which is lost, stolen, or damaged. All valuables should be kept securely locked to guard against theft. Students should lock room doors whenever they leave the room and when they go to sleep. A list of serial numbers of watches, televisions, stereos, computer equipment, etc. will be an aid in helping locate stolen articles. Any theft of items of value over \$50.00 should be reported to the HPU Dept. of Public Safety. Any theft or criminal activity must be reported to the Resident Director. Students are strongly encouraged to have adequate insurance for their personal property.

### *Pornographic & Obscene Materials*

Realizing that the display of certain items may be considered offensive and disrespectful to some community members, the University requires the use of discretion concerning the "content" of pictures, posters, written, and electronic materials displayed in rooms and hallways. Decorations inconsistent with University philosophy may not be displayed. This includes sexually oriented or suggestive items or depictions (including "soft pornography") or any other material which presents the human body in a degrading manner, occult materials, and alcohol, drug, and tobacco advertisements or paraphernalia. The final interpretation of "inappropriate" will rest with the Resident Director. Residents possessing any materials that the university deems questionable may be asked to remove such items from their rooms. The viewing or possession of pornographic materials anywhere on campus is strictly prohibited.

### *Prohibited Materials*

Substances which could cause a fire, such as paints and chemicals, may not be stored in University housing. Students may not store or repair motor vehicles in their residence. Flammable liquids such as gasoline, kerosene, and other fuel products may not be kept in University housing. Fireworks and/or firecrackers are not allowed on the campus. The burning of candles, incense etc. is also prohibited in all on-campus housing.

### *Room Changes*

Prior to requesting a room change, talk with your Resident Assistant and/or Resident Director. There may be some possible solutions to the problem other than moving from your current location. If you are sure you want to change rooms, follow these steps:

1. Room change requests will be considered after the first two weeks of each semester. (Consolidation may occur earlier.)
2. Discuss available rooms/roommates with your Resident Director.
3. After you have identified a new room/roommate, coordinate arrangements with your Resident Director. Remember, **you must have prior approval from your Resident Director before moving.** Failure to follow these procedures, and moving before you receive approval, may result in disciplinary sanctions, charges, and loss of moving approval. (You may also be required to move back to your original room.)
4. **A \$25 charge may be assessed per requested room change.**

*Note: A person cannot ask a roommate to move out for the sake of convenience. The roommate who desires a change/new roommate must be the one to move to a new location.*

### *Room Keys*

Students should carry their room keys with them at all times. Lost room keys should be reported to the Resident Director. A student who loses his/her key will be charged a nonrefundable fee to re-core the lock and replace the room keys.

### *Smoke Alarms*

Smoke alarms are placed in rooms for the protection of the students. A fine of \$100.00 will be charged for vandalism, tampering, or removal of these alarms.

Batteries in smoke alarms are not to be used by students for any other purposes than that for which they were installed. Unauthorized removal of batteries will result in a \$100.00 fine. In certain situations, such as the malfunction of the system, a student will need to remove the battery. If such a situation should occur, the proper procedure is to report the incident either to the Resident Assistant or Resident Director by the following day. If the problem is with the battery, then the bad battery will be exchanged and a new battery issued. If the alarm itself has malfunctioned, then the problem will be reported to the Resident Assistant for repair.

#### *Soliciting*

Soliciting is not permitted in the halls/apartments/duplexes. Solicitors should be reported immediately to the Resident Director. Ticket sales for University or hall functions are exceptions. Residents who wish to sell certain merchandise or services should contact the Resident Director for information.

#### *Quiet Hours*

Quiet hours are observed every night from 10:00 p.m. to 8:00 a.m. All other times are courtesy hours. Students are to be considerate of the fact that they live in a community setting where not everyone has the same waking and sleeping schedules. Therefore, students need to be sensitive to the needs of others living around them. Special quiet hours are posted for finals week and must be followed.

#### **Amenities**

##### *Internet*

Each student room is wired to have access to the Internet. This access is provided to students as a part of the Student Experience fee for educational purposes. Students are reminded not to give out personal information (e.g. middle name, social security number, date of birth, mother's maiden name, etc.) to anyone on the Internet. The campus' Internet traffic is monitored by the University's ITS department. Inappropriate use will not be tolerated.

**The use of routers and wireless ports is prohibited.** All campus housing facilities are equipped with wireless connectivity to the HPU network.

##### *Laundry Rooms*

Washers and dryers are available in each residence hall. Washers and dryers are available in each Newbury Place Apartment. Students encountering problems with the machines should contact the Resident Assistant or Resident Director.

##### *Lobbies*

Each of the residence halls has a lobby on the first floor where students can sit, talk, study, etc. Because these spaces are for the benefit of all the students living in the building, they should be treated accordingly. All furniture must remain in the lobbies, must not be rearranged, and is not permitted to be in individual student rooms at any time. Students are responsible to clean up any mess made while they are using the lobby. Students may not block access to hallways/walkways in and adjacent to lobby areas for videogame play, movie viewing, etc.

##### *Vending Machines*

Vending machines are located in each residence hall. Students encountering problems with the machines should contact the RA or Resident Director.

## **PARKING, VEHICLE REGISTRATION, & TRAFFIC SAFETY**

#### **Policy Statement and Advisement**

HPU has enacted the following parking and traffic safety regulations for the safety and security of all persons, as well as to make parking and traffic flow at HPU as efficient as possible. These regulations apply to all students, visitors, staff, and faculty. Voluntary compliance with these regulations is the goal, rather than to assess fines. However, Parking and/or Traffic Safety Citations bearing fines have been authorized and enacted by the Dean of Students and the University Administration to deter violations. Whenever possible, the enforcing officer(s) shall consider unusual circumstances before taking enforcement action(s).

A violator may be issued one of two types of citations: (1) *a University Citation* or (2) *a Texas State Criminal Code Citation* by the HPU Dept. of Public Safety.

Parking is on a first-come basis. Purchasing a parking permit does not guarantee a parking place nor does the perceived lack of parking space justify violation of any parking or traffic safety regulation(s).

All persons who operate motor vehicles on the HPU campus should take note of the following guidelines and policies:

- Rules and regulations are enforced year round,

including weekends, holidays, breaks, and summer.

- The speed limit on all University property is **10 MPH**. Violators may be issued a University Citation for violations.
- The fact that a citation is not issued when a vehicle is illegally parked does not mean nor imply that the regulation or rule is no longer in effect.
- HPU is not responsible for loss or damage to vehicles parked on or in transit on HPU property.
- Any vehicle operated or parked on University property must comply with the state registration requirements and display a current vehicle registration sticker and license plates. Additionally, proof of liability insurance must be carried in the vehicle and shown to the HPU Public Safety Officers upon request. Failure to meet these requirements may result in the vehicle being banned from campus.
- Any inoperable vehicle on the HPU campus may be towed at the owner's expense.
- Throughout the year the campus hosts several special events that require reserved parking for the patrons. This may result in some inconvenience to students, but does not authorize drivers to violate parking regulations.
- The Cashier's Office can be contacted during business hours (8:00 a.m. - 5:00 p.m. Monday - Friday) at 325-649-8013. The Department of Public Safety (DPS) is open 24 hours a day, 7 days a week and may be contacted at any time by calling 325-649-8609.

### **Motor Vehicle Registration**

All vehicles parked at any time on HPU property must display a current parking permit. Permits may not be falsified, transferred to another person or vehicle, forged, or altered. Student permits must be permanently affixed to the outside of the vehicle's rear window, lower left side. (Permits for convertibles may be placed on the rear bumper, driver's side.) Motorcycle permits must be displayed in a place upon the motorcycle which is readily visible. Faculty/staff permits should be hung from the rearview mirror.

All fees for parking permits are set by the University. All parking permits must be obtained in the Office of Student Experience.

Purchasing a new vehicle or changing from the vehicle originally registered requires a replacement permit, which may be obtained from the Office of Student Experience free of charge if the remains of the original permit are returned; otherwise, a replacement fee of \$5.00 is required.

Temporary permits for extenuating circumstances are available upon request at the Cashier's Office. There is no charge for a temporary permit; however, these will be issued for a maximum of 30 days. If another vehicle is being used for longer than 30 days, a permanent permit must be purchased. Only one current HPU parking permit per vehicle is allowed.

### **Parking Permits and Regulations**

**MAIN CAMPUS (MC)** – Parking is allowed in clearly designated/lined spaces in all lots and along all public and private streets throughout the campus. No parking is allowed in any designated visitor parking space by anyone other than visitors to the campus. Visitors are defined as persons who are not students, staff, or faculty of HPU.

#### *Special Designations and Permits*

**MOTORCYCLE (M)** – Parking allowed in any designated/lined space campus wide (excluding visitor spaces), and at any location designated as motorcycle only parking.

**HANDICAP (H)** – Only vehicles with Federal or State handicap license plates or parking placards (hang tags) may park in University designated handicap spaces. The HPU Dept. of Public Safety reserves the right to inquire as to the rightful owner of disabled placards or disabled license plates and to request proof of ownership if deemed necessary (in accordance with state law). Per Texas State Statute, the individual to whom the Handicap Placard was issued **MUST** be in the vehicle when it is being parked for the placard to be used for parking in restricted/designated areas.

**LONG-TERM VISITOR (V)** – Parking Permits for Long-Term Visitors (defined as any visitor's vehicle which shall regularly be parked on University property in excess of a 48 hour or two-day time frame) may be obtained from the University Cashier's Office. There shall be no fee for these types of permits.



If a parking space or area is designated for Faculty, Staff, or Official Use, students MAY NOT park within these designated areas.

A student parking space is defined by a white or yellow line on both sides of the vehicle space and are affixed to the surface of the parking lot. If the area is not striped/lined as a parking space, then it IS NOT a parking space. Further, areas designated as Safety Zones (*areas located at the end of a parking row as to allow fire apparatus the ability to maneuver down the row*) may be designated by stripes and/or posted signs.

*Handicap Parking Spaces or Access Areas* shall be identified by a posted sign displaying wording so designating the restriction and/or by the displaying

of the international handicap symbol (  ) and/or by striping or wording affixed to the parking lot surface.

### Campus Visitors

A visitor is defined as one who has no affiliation, association, or relationship with HPU as a student or employee.

*Currently enrolled HPU students are never considered visitors.* Students who are driving a vehicle other than the one registered to them via the University Cashier's Office, even if on a temporary basis, must obtain a Temporary Parking Permit from the University Cashier's Office.

- Visitors to HPU should be given parking guidance by the person or organization inviting them to campus.
- Visitors using vehicles that have a current HPU parking permit must comply with the rules and regulations that apply to that permit.
- Visitors should be encouraged to use the shuttle service when traveling to multiple HPU properties to minimize disruption of campus parking.
- Visitor lots and/or parking spaces are open from 7:00 a.m. – 12:00 a.m. every day. No overnight parking is allowed in visitor spaces unless approval is obtained from HPU Dept. of Public Safety. This regulation is enacted to help prevent non-HPU related parking within the limited parking spaces that the University is able to provide.

### University Parking and Traffic Safety Fines

Students are responsible for any citation issued to their vehicles. Fines not paid by the violator (or a request for an appeal filed) within TEN (10) working/business days of the date of issuance of the citation shall automatically be charged to the registered student's account, or in the case of an unregistered vehicle, the operator or registered owner of the vehicle shall be responsible for the violation and all fines that may be charged for the violation. Fines may be paid at the Cashier's Office (Monday - Friday from 8:00 a.m. - 5:00 p.m., excluding University holidays).

### University Parking and Traffic Safety Violations

Parking and Safety Enforcement is in effect 24 hours a day, 7 days a week. The more severe and dangerous the violation, the greater the fine amount for such violation(s). The violation for which a person is charged shall be plainly stated on the citation(s) issued for the offense(s).

\$35	Failure to Display Parking Permit
\$35	Display of Expired Permit or Improperly Affixed Permit
\$35	Improper Parking or Not Parked in Defined Limits of Parking Space
\$35	Parked After Posted Lot Closing Time
\$35	Parked Overtime in Time-Limited Zone
\$35	Unauthorized Parking or Stopping in a Visitor or Reserved Parking Space
35	Other Violation--indicated by Issuing Officer
\$50	Double Parking, Obstruction of Traffic, or Parking in Traffic Lane
\$50	Failure to Obey Traffic Control Device--cones, barricades, etc.
\$50	Parked in Designated "No Parking Zone" or "Designated Safety Zone"
\$75	Reuse of Old Citation to Avoid New or Additional Citation
\$75	Vehicle Traveling at Unsafe Speed or Reckless Driving on HPU Property
\$100	Unlawful Parking in Fire Lane
\$150	Unlawful Parking in a Designated Handicap Parking Space/Access Space

Persons in receipt of a citation should read the citation very carefully to determine if it is a "*University Citation*" or a citation issued for a violation of State Statute/Law. "*State Citations*" are those issued by Texas Peace Officers for violations of State Statute or City Ordinance. For disposition responsibility and fines for "*State Citations*" the recipient must contact the Court designated on the

citation.

### **Appeals**

All University Citations issued by the HPU DPS Officers may be appealed. However, if the recipient of the citation chooses to appeal, he/she must file an appeal within TEN (10) working/business days of the date of the citation, excluding University holidays. Appeals are processed during business hours and must be filed in person at the Office of Student Experience (8:00 a.m. - 5:00 p.m., Monday - Friday). A telephone call or email does not constitute an appearance.

Appeals will initially be reviewed by the Director of Public Safety/Chief of HPU DPS. Consult the Student Handbook and University Catalog for additional information regarding the appeals process. Results of the appeal will be sent via one or more of the following methods: campus mail, U.S. mail, or e-mail.

### **Immobilized (Booted) or Towed Vehicles**

Vehicles that have been charged with three or more citations may be immobilized or impounded/towed with all towing fees being the sole responsibility of the vehicle's owner/operator. There is a \$50 service charge to release an immobilized (booted) vehicle. The University shall not, nor shall any of its authorized personnel, be liable or assume any responsibility for any loss or damage resulting from a vehicle being immobilized (booted) or towed. The payment of fines for University Citations does not remove citations from the record. Citations accumulate during the academic year.

Vehicles illegally parked (regardless of number of violations) are subject to being immobilized or towed when parked in or obstructing a fire lane, reserved space, handicap or handicap access space, overtime in a loading zone, blocking another vehicle in a parking space, or blocking a driveway, aisle, entry or exit to any parking area.

If a vehicle has been towed or immobilized, the individual seeking release of the vehicle may obtain the necessary information from the HPU Dept. of Public Safety by calling 325-649-8609.

### **Disciplinary Action for Excessive Parking or Traffic Safety Related Violations**

An indefinite number of University Parking or Traffic Safety related citations will not be tolerated. Upon receipt of the fifth University Citation,

parking privileges shall be immediately suspended pending a review by the Director of University Public Safety. The Director shall send a formal recommendation to the Dean of Students for final determination. If the Dean of Students elects to suspend or permanently revoke the parking privileges of the habitual violator, then the violator shall at that time be notified to surrender their parking permit.

Failure to comply with the terms of the suspension, or continued receipt of citations may result in an additional \$100.00 fine in addition to the offense fine(s), immediate towing, and further administrative disciplinary action by the Dean of Students.

### **Residence Hall Move In/Out Procedures**

Special loading/unloading areas will be designated for major timeframes of residence hall "move in" and "move out" by temporary signs erected by the University DPS. Visitors/parents and students are expected to show courtesy to others by moving vehicles from these zones into other authorized parking spaces as soon as possible. Driving or parking on sidewalks or grass is not permitted at any time. Violator's may be subject to citation or towing at their own expense. Once the temporary signs are removed, regular parking rules will be enforced.

### **Miscellaneous Information**

- All persons should lock their vehicles while parked on campus.
- Personal safety escorts to and from vehicles are available from the DPS upon request.
- Theft of, damage to, or accidents involving vehicles should be reported to DPS immediately.
- Theft of or damage to personal property or property owned by HPU (while on campus) should be reported to the DPS immediately.
- All lost and found items should be reported to and turned over to DPS as soon as possible.
- Students may not leave their vehicle on HPU property during a semester in which they are not enrolled (including summer). Such vehicles may be towed.
- Student may at any time enter the parking lot to make use of their private vehicles as a place to study or talk privately with others. If the vehicle is a truck or SUV, they may sit on its tailgate to study or talk with others. Students

may take advantage of this privilege at any hour they wish so long as they are not engaging in criminal activity or becoming involved in inappropriate behavior. Students are not permitted to sit in/on or touch vehicles which they do not own without authorization of the owner, nor may they loiter aimlessly or suspiciously in the parking lots. DPS officers may question students and request to see HPU ID cards.

### Special Regulations

- Special temporary disabled/handicap permits may be obtained from the Cashier's Office with specific approval by the Director of University Public Safety. In all cases the applicant shall present for review and verification the prescribing physician's certificate stating the disability, necessity for special privileges, and length of disability. The special permit is a *University Issued Permit* and ONLY allows parking in all student, faculty, and staff areas and visitor lots. It DOES NOT allow parking in designated State Handicap Spaces or Access Areas (*where State of Texas Permits are required by State Statute/Law*), Reserved Spaces, Fire Lanes, or Time-Restricted Parking Zones/Spaces/Areas.
- All buses, RV's, trailers, and boats must obtain permission from DPS before parking on HPU property. No permanent parking allowed for these types of vehicles.

## SAFETY & SECURITY INFORMATION

### Clery Act -

#### Crime Prevention and Security Report

On or before October 1 of each year, the University will make available an annual security report. This report includes campus crime statistics, policies by which crime is reported, policies regarding response by the institution, various security policies, crime prevention programs, alcohol and drug and campus sexual assault policies, rape awareness, sexual offense reporting policies, and so forth. The most recent security report may be obtained from the University website. Information concerning registered sex offenders may be obtained from the Texas Department of Public Safety website <https://records.txdps.state.tx.us/DpsWebsite/Index.aspx>.

Annual Crime Statistics are available to all current students and employees of HPU in Brownwood,

Texas, and, upon request, to any applicant for enrollment or employment. Information is provided pursuant to the disclosure requirements of the Crime Awareness and Campus Security Act of 1990 and the Drug-Free Schools and Communities Act Amendments of 1989.

The Crime Awareness and Campus Security Act specifically requires that crimes occurring on the campus be reported to the HPU community.

## EMERGENCY PROCEDURES

### Emergency Notification

Howard Payne University will employ several methods of communication during emergency situations, including campus-wide e-mail messages, telephone voice mail messages to campus extensions, text messages and voice messages to cellular phones for students, faculty, and staff provided up-to-date contact information is available.

### Missing Persons Policy

If a student who resides in campus housing has not been seen on campus for more than 24 hours and acquaintances do not know where the student may be, the Vice President for Student Experience, Dean of Students, or a Resident Director should be notified. Students under the age of 18 will have their parents notified if they are determined missing for more than 24 hours. Law enforcement will be notified for any student missing for more than 24 hours. If a student has been seen in the company of an individual(s) indicating that he/she may be in danger, the HPU Dept. of Public Safety (325-649-8609) and/or the Brownwood Police Department (911) should be notified. If desired, students will be able to designate a confidential contact person on their Emergency Information Form to contact if the student is deemed missing. At the University's discretion, in addition to a confidential contact, the University reserves the right to contact a parent and/or guardian.

### Tornado Watch

1. A tornado watch is issued when conditions are favorable for the formation of tornadoes.
2. In the event of a tornado, watch and/or listen to local media sources to monitor the situation.
3. Continue with normal activities but be alert to changes in the weather.

## **Tornado Warning**

1. A tornado warning is issued when a tornado has been sighted nearby and is approaching or when weather radar indicates certain features indicative of tornadoes. There is significant danger during a tornado warning.
2. The Brownwood Emergency Preparedness system will give a public warning siren blast for five minutes indicating an emergency. The University will also seek to deploy its Emergency Notification System.
3. Go immediately to the center of the lowest floor of the building where you are; avoid windows and glass doors; listen to any instructions given by the building supervisor.
4. If you are outside, seek shelter! If no shelter is available and the threat of danger is imminent, get in the closest ditch, lie flat, and cover your head.

## **Snow and Ice**

1. In the case of inclement weather, listen to local radio stations for road conditions and possible school closings.
2. Classes are not canceled unless it is absolutely necessary.
3. If classes are not canceled and travel for you is dangerous, stay where you are and call the University to notify your professors.

## **Fire**

A fire alarm will sound when a manual pull station and/or smoke detector has been activated. Any time an alarm goes off, it should be treated as real and the building should be evacuated. If you don't know the escape route for the building you are in, look on the walls nearest stairwells for a map.

1. If fire alarms have not been activated and fire is seen, pull the nearest manual alarm. Call 911 and HPU Dept. of Public Safety at the earliest possible moment.
2. If alarms are sounding, evacuate the building as quickly and calmly as possible.
3. Use stairs and not elevators.
4. Before opening a door, feel the door for heat. If it is hot, find an alternative route.
5. When outside the building, move at least 300 feet away.
6. When outside, keep access roads clear for emergency vehicles.
7. Do not return to the building until it has been declared safe by emergency responders.

## **A.L.I.C.E./Dangerous Person(s)**

An active shooter is a person who is actively engaged in seriously harming or killing or attempting to seriously harm or kill people in a confined and populated area. In most cases, active shooters use firearms and there is no pattern or method to their selection of victims. These dynamic situations evolve quickly and are usually over within ten to fifteen minutes. This demands immediate deployment of law enforcement resources to stop the shooting and mitigate harm to innocent victims. Faculty, staff, and students must be prepared both mentally and physically to deal with the situation. HPU DPS advocates preparedness for this type of incident and proactively instructs members of our community on the A.L.I.C.E. (Alert Lockdown Inform Counter Escape) principle of responding to an active shooter. Below are guidelines for those who may be caught in an active shooter situation and a description of how to react.

*When there is an active shooter incident and you can evacuate the building:*

- When a threat is recognized, rapidly assess the threat level and immediately initiate a response. Your perception is your reality. There can be no second guessing the option you select for reacting to the situation.
- If you can evacuate, do it.
- Run away from the building as quickly as possible.
- Stop when you feel you are in a safe zone and contact 911.

*When there is an active shooter incident, you are unable to evacuate the building, and your door opens to the inside / outside of the room:*

- When a threat is recognized, rapidly assess the threat level and immediately initiate a response. Your perception is your reality; there can be no second guessing the option you select for reacting to the situation.
- Take shelter in the nearest office, room, or closet.
- Silence your cell phone and quietly encourage others to do the same.
- Stay low to the ground. Maintain a position where a person in the hallway cannot see you through glass.
- Lock and barricade the door with anything available in the room (chairs, desks, trashcans, etc.).

- If possible, tie down the door by attaching a belt to the door handle.
- Look for alternate escape routes (windows, additional doors, etc.).
- Call 911 and provide detailed information. The Phone line can remain “open” which helps the 911 operator in hearing what is happening.
- Do not open the door for anyone. Responding law enforcement personnel will have access to all the rooms in a building.
- You may have to take the offensive if the shooter enters your area. There are numerous weapons in the room (chairs, trashcans, computers, etc.). Be prepared to utilize anything close at hand and prepare yourself for the physical encounters.
- Position yourself in a location that will allow for the element of surprise if the shooter enters.

*When there is an active shooter incident and you must evacuate the area where the shooter may be located:*

- When a threat is recognized, rapidly assess the threat level and immediately initiate a response. Your perception is your reality. There can be no second guessing the option you select for reacting to the situation.
- Run in a zig—zag pattern.
- Do not stop running until you are well clear of the building.
- Is escaping through a window an option?
- Consider the risk factor of falling from a window.
- Make an improvised rope out of clothing, belts, or any other item that can be used to limit the distance you would fall.
- Hang by your hands from the window ledge.
- Attempt to fall into shrubs, mulch, grass, etc.

*When there is an active shooter incident and you cannot escape and the shooter is in the room:*

- When a threat is recognized, rapidly assess the threat level and immediately initiate a response. Your perception is your reality. There can be no second guessing the option you select for reacting to the situation.
- Run
- Fight
- Throw anything at the shooter. Aim at the face to distract him/her.

- Attach in a group. Grab the shooter’s extremities and take him/her to the ground using body weight to secure him/her.
- Fight Dirty!!! There is no unfair fighting when survival is the goal.

*When there is an active shooter incident and you have incapacitated the shooter:*

- When a threat is recognized, rapidly assess the threat level and immediately initiate a response. Your perception is your reality. There can be no second guessing the option you select for reacting to the situation.
- Call 911 and advise law enforcement the shooter is down.
- Provide your location and stay on the line,
- Secure the suspect (body weights, belts, etc.).
- Move any weapons away from the suspect. Do Not Hold It! Place a trash can over the weapon if available.
- Do not run from the room. Help is on the way.

### **Bomb Threats**

If someone calls with a bomb threat, do not panic. Listen carefully for details. Ask questions like:

1. Where is the bomb?
2. What time is it set to detonate?
3. Who called (man or woman, young person or adult)?
4. Was anything unusual about the call (e.g., background noise)?
5. Why was it placed?

Obtain as many details from the caller as possible and try to remember the caller’s exact words.

*What to do:*

1. Call HPU Dept. of Public Safety (325-649-8609). They will call police and fire departments.
2. Building supervisors will make the decision whether or not to evacuate. (EVACUATION IS RECOMMENDED IN ALL CASES.) Do not touch anything.
3. Report anything suspicious or out of the ordinary to building supervisor.
4. Do not use cell phones as the signal could detonate the device.

If threat is made for the immediate detonation of the bomb, evacuate the building.



## **Rape Crisis**

1. Provide a safe environment for the victim.
2. If the victim is in need of medical attention due to any injuries sustained during the attack, encourage them to seek assistance. NEVER demand that a victim do anything that they do not wish to do – let them have control.
3. Attempt to determine the victim's wishes: do they want to notify police, do they want to go to a hospital, etc.? If the victim indicates that they might want to notify police at some point, encourage them to go immediately to a hospital for an exam; the victim should not change clothes or shower before going for an exam as physical evidence might be destroyed.
4. If the victim wishes to notify University personnel, the appropriate person would be a member of the Student Experience staff. Any referral to University authorities would be made in confidence and the wishes of the victim would be honored to the extent possible.
5. Even if the victim does not wish to notify authorities formally about the rape, the victim should still be encouraged to see a counselor.

## **Serious Injury or Illness**

In the case of a serious injury or illness, the immediate concern is to aid the injured or sick person. The following should be used as general guidelines only:

1. Contact the University Nurse at 649-8601 for assistance.
2. Notify a member of the residence hall staff if the accident occurs in a residence hall.
3. If other channels fail or if the injury is life threatening call 911.
4. In the case of serious injury, do not attempt to move the student, but call 911 immediately.

## **Suicide**

*Warning signs:* People considering suicide exhibit signals and behaviors that can be identified. Some of these include extreme depression, withdrawal from family and friends, discussions about death (including their own), self-destructive behavior (including previous suicide attempts), drug or alcohol use, giving away personal property, problems in classes, feelings of rejection, and/or breakup of a relationship.

### *What can I do?*

Steps for one who believes that a friend may be contemplating suicide:

1. Encourage your friend to seek professional help.
2. Go personally to a counselor and discuss your concerns. You won't betray your friend, but you might save his/her life.
3. Continue to support your friend and be available to listen.
4. Watch and report back to counselors with any changes in your friend's behavior.

Crisis point reached (you believe a suicide attempt is imminent):

1. Contact your Resident Director or HPU Dept. of Public Safety (325-649-8609). Local MHMR may also be contacted any time at 325-646-6467.
1. If you are with the person, do not leave him/her alone.
2. If the person is in immediate danger, contact police at 911.
3. After an administrator or the police have taken control of the situation, and you are no longer directly involved in the situation, complete an Incident Report and file it in the Office of Student Experience.
4. Do not discuss the situation with anyone except the administrators involved.

## **Other Potentially Threatening Situations**

If other threatening situations arise on campus, please call HPU Dept. of Public Safety personnel immediately at 325-649-8609. In the event that the situation is life-threatening, do not hesitate to call 911.

# **TITLE IX POLICY**

## **I. Policy Statement**

### *A. Statement of Nondiscrimination*

Howard Payne University (the "University") is committed to providing an educational and employment environment free of unlawful sex discrimination. Consistent with Howard Payne University's Non-Discrimination Notice and the U.S. Department of Education's implementing regulations for Title IX of the Education Amendments of 1972 ("Title IX"), the University prohibits Sexual Harassment that occurs within its Education Programs and Activities.

As further defined below, for purposes of this Policy, Sexual Harassment includes Quid Pro Quo Sexual Harassment, Hostile Environment Sexual

Harassment, Sexual Assault, Domestic Violence, Dating Violence, and Stalking.

The University will provide persons who have experienced Sexual Harassment ongoing remedies as reasonably necessary to restore or preserve access to the University's Education Programs and Activities. Administrators, faculty members, staff, students, contractors, guests, and other members of the University community who commit Sexual Harassment are subject to the full range of University discipline.

### *B. Statement of Values and Religious Exemption*

The University affirms that all members of the University's community are created in the image of God and therefore should be treated with dignity and respect. The University does not unlawfully discriminate on the basis of any status or condition protected by applicable federal or state law. Further, the University respects the inherent worth of each member of the University Community and does not tolerate conduct that fosters any form of harassment.

With a Biblical foundation of human dignity and worth, the University approaches issues of sex-based misconduct not only as acts that may be potential violations of the law, but also as conduct that is contrary to Christian scripture. Thus, Sexual Harassment is harmful not only to the individuals involved, but undermines the Mission Statement and Core Values of the University.

In accordance with the University's mission and values, the U.S. Department of Education has granted the University exemptions from certain provisions of Title IX based on the religious tenets of the Baptist General Convention of Texas. The University may act in accordance with these tenets in resolving complaints of Sexual Harassment under this Policy.

## **II. Scope**

This Policy applies to Sexual Harassment, as defined below, that occurs within the University's Education Programs and Activities and that is committed by an administrator, faculty member, staff, student, contractor, guest, or other member of the University Community.

This Policy does not apply to Sexual Harassment that occurs off-campus, in a private setting, and outside the scope of the University's Education Programs and Activities; such Sexual Harassment may be prohibited by other University policies and

standards, including the University's Non-discrimination Policy.

## **III. Definitions**

**A. "Sexual Harassment"** for purposes of this Policy is conduct on the basis of sex that constitutes Quid Pro Quo Sexual Harassment, Hostile Environment Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence, or Stalking.

**B. "Quid Pro Quo Sexual Harassment"** occurs when an employee of the University conditions the provision of aid, benefit, or service of the University on an individual's participation in unwelcome sexual contact.

**C. "Hostile Environment Sexual Harassment"** is unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person access to the University's education programs and activities.

**D. "Sexual Assault"** includes the sex offenses of Rape, Sodomy, Sexual Assault with an Object, Fondling, Incest, and Statutory Rape.

*Note: The University's definition of "Sexual Assault" is mandated by federal regulations implementing Title IX of the Education Amendments of 1972. Those regulations require the University to adopt a definition of "Sexual Assault" that incorporates various forcible and non-forcible sex crimes as defined by the FBI's Uniform Crime Reporting System. See 34 C.F.R. § 106.30(a).*

**1. "Rape"** is the carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity. There is "carnal knowledge" if there is the slightest penetration of the vagina or penis by the sexual organ of the other person. Attempted Rape is included.

**2. "Sodomy"** is oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

**3. "Sexual Assault with an Object"** is using an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the

body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity. An “object” or “instrument” is anything used by the offender other than the offender’s genitalia.

**4. “Fondling”** is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

**5. “Incest”** is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by Texas law.

**6. “Statutory Rape”** is sexual intercourse with a person who is under the statutory age of consent as defined by Texas law.

The University’s definition of “Sexual Assault” is mandated by federal regulations implementing Title IX of the Education Amendments of 1972. Those regulations require the University to adopt a definition of “Sexual Assault” that incorporates various forcible and non-forcible sex crimes as defined by the FBI’s Uniform Crime Reporting System. See 34 C.F.R. § 106.30(a).

**E. “Domestic Violence”** is felony or misdemeanor crimes of violence committed by a current or former spouse 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, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of Texas, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of Texas.

**F. “Dating Violence”** is violence committed by a person –

1. Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
2. Where the existence of such a relationship will be determined based on a consideration of the following factors:

The length of the relationship;  
The type of relationship; and

The frequency of interaction between the persons involved in the relationship.

**G. “Stalking”** is 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.

**H. “Consent”** refers to words or actions that a reasonable person in the perspective of the Respondent would understand as agreement to engage in the sexual conduct at issue. A person who is incapacitated is not capable of giving Consent.

**I. “Incapacitated”** refers to the state where a person does not appreciate the nature or fact of sexual activity due to the effect of drugs or alcohol consumption, medical condition or disability, or due to a state of unconsciousness or sleep.

**J. “Coercion”** is conduct, including intimidation and express or implied threats of emotional, educational, reputational, financial, or other harm that would place a reasonable person in fear of immediate or future harm and that is employed to persuade or compel someone to engage in unwelcome sexual contact.

**K. “Retaliation”** is intimidation, threats, coercion, or discrimination against any individual for the purpose of interfering with any right or privilege secured by Title IX and its implementing regulations or because an individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy.

**L. “Complainant”** means an individual who is alleged to be the victim of conduct that could constitute Sexual Harassment.

*Note: A Complainant and Respondent are each individually a “Party” and collectively the “Parties” with respect to a Formal Complaint filed under this Policy.*

**M. “Respondent”** means an individual who has been reported to be the perpetrator of conduct that could constitute Sexual Harassment.

**N. “Formal Complaint”** means a document filed by a Complainant or signed by the Title IX Coordinator alleging Sexual Harassment against a Respondent and requesting that the University investigate the allegation of Sexual Harassment in

accordance with this Policy. At the time of filing a Formal Complaint, a Complainant must be participating in or attempting to participate in the University's education programs and activities. A "document filed by a Complainant" means a document or electronic submission (such as an email) that contains the Complainant's physical or electronic signature or otherwise indicates that the Complainant is the person filing the Complaint.

**O. "Supportive Measures"** are non-disciplinary, non-punitive individualized services offered, as appropriate, and reasonably available, and without fee or charge, that are designed to restore or preserve equal access to the University's Education Programs and Activities without unreasonably burdening another Party, including measures designed to protect the safety of all parties implicated by a report or the University's education environment, or to deter Sexual Harassment. Supportive measures may include: counseling, extensions of academic or other deadlines, course-related adjustments, modifications to work or class schedules, campus escort services, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of campus, and other similar measures. Supportive Measures may also include mutual restrictions on contact between the parties implicated by a report.

**P. "Education Programs and Activities"** refers to all the operations of the University, including, but not limited to, in-person and online educational instruction, employment, research activities, extracurricular activities, athletics, residence life, dining services, performances, and community engagement and outreach programs. The term applies to all activity that occurs on campus or on other property owned or occupied by the University. It also includes off-campus locations, events, or circumstances over which the University exercises substantial control over the Respondent and the context in which the Sexual Harassment occurs, including Sexual Harassment occurring in any building owned or controlled by a student organization that is officially recognized by the University.

#### **IV. Understanding Hostile Environment Sexual Harassment**

In determining whether a Hostile Environment exists, the University will consider the totality of circumstances, including factors such as the actual impact the conduct has had on the Complainant; the nature and severity of the conduct at issue; the

frequency and duration of the conduct; the relationship between the parties (including accounting for whether one individual has power or authority over the other); the respective ages of the parties; the context in which the conduct occurred; and the number of persons affected. The University will evaluate the totality of circumstances from the perspective of a reasonable person in the Complainant's position. A person's adverse subjective reaction to conduct is not sufficient, in and of itself, to establish the existence of a hostile environment.

The University encourages members of the University Community to report any and all instances of Sexual Harassment, even if they are unsure whether the conduct rises to the level of a policy violation.

Sexual Harassment also includes gender-based harassment, which may include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on gender or gender stereotyping, even if those acts do not involve conduct of a sexual nature. This definition will be interpreted and applied in a manner consistent with the accepted standards of mature behavior and the Christian Mission Statement and Core Values of the University.

Some specific examples of conduct that may constitute Sexual Harassment if unwelcome include, but are not limited to:

Unreasonable pressure for a dating, romantic, or intimate relationship or sexual contact;  
Unwelcome kissing, hugging, or massaging;  
Sexual innuendos, jokes, or humor;  
Displaying sexual graffiti, pictures, videos, or posters;  
Using sexually explicit profanity;  
Asking about, or telling about, sexual fantasies, sexual preferences, or sexual activities;  
E-mail and Internet use that violates this policy;  
Leering or staring at someone in a sexual way, such as staring at a person's breasts or groin;  
Sending sexually explicit emails, text messages, or social media posts;  
Commenting on a person's dress in a sexual manner;  
Giving unwelcome personal gifts such as lingerie that suggest the desire for a romantic relationship; or  
Insulting, demeaning, or degrading another person based on gender or gender stereotypes.

#### **V. Understanding Consent and Incapacitation**

##### **A. Consent**

Consent exists when someone knowingly,

voluntarily, and by word or action agrees to engage in mutually agreed upon sexual activity or contact. Consent is active and not passive. Silence should not be interpreted as consent.

Consent to one act does not constitute consent to another act. Consent on a previous occasion does not constitute consent on a later occasion. Consent to an act with one person does not constitute consent to an act with any other person. The existence of a prior or current relationship does not constitute consent. Even in the context of a relationship, there must be mutual consent.

Consent can be withdrawn or modified at any time, and sexual contact must stop immediately once consent is withdrawn. Consent cannot be inferred from silence, passivity, or lack of resistance.

Relying on nonverbal communication alone may result in a violation of this Policy.

In evaluating Consent, the University will consider the presence of any force, threat of force, or Coercion, whether the Complainant had the capacity to give Consent, and, whether the communication (through words and/or actions) between the parties would be interpreted by a reasonable person (under similar circumstances and with similar identities) as a willingness to engage in a particular sexual act.

An individual is unable to provide Consent to engage in sexual activity when the individual:

1. Is under age 17 and (1) is not a spouse of the Respondent or (2) is more than three years younger than the alleged perpetrator at the time of the offense;
2. Has a mental disorder or developmental or physical disability that renders her or him incapable of giving knowing Consent;
3. Is unconscious or physically unable to resist; or
4. Is Incapacitated from alcohol or other drugs, and this condition was known, or reasonably should have been known, by the Respondent.

## **B. Incapacitation**

Incapacitation is a state where an individual cannot make an informed and rational decision to Consent to engage in sexual contact because the individual lacks conscious knowledge of the nature of the act (e.g., to understand the “who, what, where, when, why or how” of the sexual interaction) and/or is physically or mentally helpless. An individual is

also considered Incapacitated, and therefore unable to give Consent, when asleep, unconscious, or otherwise unaware that sexual contact is occurring. Incapacitation can only be found when the Respondent knew or should have known that the Complainant was incapacitated when viewed from the position of a sober, reasonable person. One’s own intoxication is not an excuse for failure to recognize another person’s Incapacitation.

Incapacitation may result from the use of alcohol and/or other drugs; however, consumption of alcohol of other drugs, inebriation, or intoxication alone are insufficient to establish Incapacitation. Incapacitation is beyond mere drunkenness or intoxication. The impact of alcohol or drugs varies from person to person, and evaluating Incapacitation requires an assessment of how consumption of alcohol and/or drugs impacts an individual’s:

Decision-making ability  
Awareness of consequences  
Ability to make informed judgments  
Capacity to appreciate the nature of circumstances of the act.

No single factor is determinative of Incapacitation. Some common signs that someone may be incapacitated include slurred speech, confusion, shaky balance, stumbling or falling down, vomiting, and unconsciousness.

## **VI. Reporting Sexual Harassment**

### *A. Title IX Coordinator*

Any person may report Sexual Harassment to the Title IX Coordinator. Reports may be made in person, by regular mail, telephone, electronic mail, or by any other means that results in the Title IX Coordinator receiving the person’s verbal or written report. In-person reports must be made during normal business hours, but reports can be made by regular mail, telephone, or electronic mail at any time, including outside normal business hours, to the following individual:

Tammy Arreola  
Dean of Students & Title IX Coordinator  
Howard Payne University  
1000 Fisk Street, Mabee University Center  
Brownwood, Texas 76801  
325-649-8630 | [tarreola@hputx.edu](mailto:tarreola@hputx.edu)



## **B. Mandatory Reporting Requirement for University Employees**

Under Texas law, all University employees, with the exception of Confidential Employees, who:

1. in the course and scope of their employment
2. witnesses or receives information regarding an incident that the employee reasonably believes constitutes Sexual Harassment, Sexual Assault, Dating Violence, or Stalking, which
3. is alleged to have been committed by or against a person who was a student enrolled at or an employee of the University at the time of the incident must promptly report the incident to the University's Title IX Coordinator or a Deputy Title IX Coordinator.

### *Notes:*

*"Course and Scope of Employment" means an employee performing duties in the furtherance of the institution's interests.*

*For the purposes of Texas's mandatory reporting requirement only, "Sexual Harassment" means: means unwelcome, sex-based verbal or physical conduct that (a) in the employment context, unreasonably interferes with a person's work performance or creates an intimidating, hostile, or offensive work environment; or (b) in the education context, is sufficiently severe, persistent, or pervasive that the conduct interferes with a student's ability to participate in or benefit from the University's educational programs or activities. SB 212 requires the Title IX Coordinator to provide written quarterly reports to the university president of all Title IX incidents reported that quarter. The president is required to report to the governing board and post on the university website all Title IX incidents each semester, if there have been at least five reported incidents that semester.*

**Writing required.** Reporting by email to the Title IX Coordinator is the preferred method of communicating incidents promptly, so that a record is made of the time and all factual details disclosed in the initial report. The university's online reporting form may be used to submit a report (including an anonymous report) to the Title IX Coordinator. A written memo is also acceptable if it can be delivered to a Coordinator promptly after the employee's duty to report arises.

**Exigent Circumstances.** If the urgency of the situation or other circumstances necessitate an initial oral report (whether in person or by phone), at the conclusion of the oral report the employee must immediately send the Coordinator to whom the oral report was made an email detailing all relevant information known to the reporting person, receipt confirmation requested. The Coordinator will also confirm receipt by return email. If the employee does not promptly receive a written confirmation from a Coordinator, the employee should continue to follow up with emails or phone calls to the Coordinator until a confirmation is received.

**Anonymous reports.** Employees are discouraged from reporting anonymously pursuant to this policy, except in circumstances where the employee would not otherwise report at all. Anonymous reports present difficulties in proving the identity of the reporter and to shield that person from the potential legal consequence of a criminal prosecution and/or mandatory termination of employment.

**Report Contents.** The employee's report must include all information concerning the incident known to the employee which is relevant to an investigation under this Policy, including whether the subject of the report has expressed a desire for an institutional response to the incident or made a request for confidentiality in reporting the incident. Employees are requested to include information about the approximate location of the alleged incident so the University can determine its Clery Act and other reporting obligations. For instance, state that the incident occurred in "a residence hall," "a building on-campus," "outdoors but on-campus," or "not on or near any university-owned property," etc.

The Clery Act requires colleges and universities receiving federal funding to disseminate a public annual security report (ASR) to employees and students every October 1st. This ASR must include statistics of campus crime for the preceding three calendar years, plus details about efforts taken to improve campus safety. ASRs must also include policy statements regarding (but not limited to) crime reporting, campus facility security and access, law enforcement authority, incidence of alcohol and drug use, and the prevention of/response to sexual assault, domestic or dating violence, and stalking.

**Confidentiality.** Unless waived in writing by the affected individual, the identity of an alleged victim

of an incident reported pursuant to this mandatory reporting requirement may be disclosed only to (a) employees of the University who are necessary to conduct an investigation of the report or any related hearings and (b) a law enforcement officer.

**Exceptions.** The mandatory reporting requirement does not apply to:

1. Individuals who are themselves the victims of the Sexual Harassment, Sexual Assault, Dating Violence, or Stalking;
2. Instances when an employee receives information about Sexual Harassment, Sexual Assault, Dating Violence, or Stalking at a public awareness event sponsored by the University; or
3. Employees designated as Confidential Employees.

**Consequences of Non-Compliance.** An employee who fails to make a required report will be terminated following an investigation and any required process under the applicable personnel policy.

**Immunity.** An employee who, in good faith reports or assists in the investigation of a report under this Policy, or who testifies or otherwise participates in a disciplinary process or judicial proceeding arising from a report of such an incident, will not be subject to disciplinary action for violations of the *Administrative Policies of Howard Payne University* that are reasonably related to the incident. This immunity does not apply to a person who perpetrates or assists in the perpetration of the incident reported under this policy or who commits a criminal offense pursuant to Texas Education Code § 51.255(a).

*Note: Employees who fail to make a mandatory report under this provision may also be subject to criminal prosecution pursuant to Texas Education Code section 51.255(a).*

#### **C. Confidential Employees**

The University believes it is critical to provide community members who may be experiencing Sexual Harassment information about available institutional resources to empower those individuals to make informed decisions about their rights and options. Members of the University community may speak to officially designated Confidential

Employees about Sexual Harassment, Sexual Assault, Dating Violence, or Stalking without the conversation triggering a mandatory report of incident details. The University has designated the following Confidential Employees:

The University Counselor (325-649-8193) and The University Nurse (325-649-8601) both located outside of Jennings Hall in B Pod.

**A Confidential Employee is not required to report any information that would violate an individual's expectation of privacy, such as the name or other identifying information of an individual who has experienced or allegedly engaged in Sexual Harassment.**

This provision does not affect any employee's duty to report incidents of sexual misconduct as required by other law.

*Note: Under Texas law, a "Confidential Employee" is an employee (1) designated by the University as a person with whom students may speak confidentially concerning Sexual Harassment, Sexual Assault, Dating Violence, or Stalking or (2) receives information regarding such an incident under circumstances that render the employee's communications confidential or privileged under other law.*

#### **D. Reports to Law Enforcement**

Victims of a crime have the right to choose whether to report the crime to law enforcement, to be assisted by the University in reporting the crime to law enforcement, or to decline to report the crime to law enforcement. The University encourages anyone who believes they experienced or witnessed a crime to make a report to the University's Department of Public Safety, if the assault occurred on campus, or to local law enforcement, for crimes occurring off campus.

Department of Public Safety  
Howard Payne University  
1000 Fisk Street  
Brownwood, TX 76801  
Phone: (325) 649-8609  
Emergencies: 911

<https://www.hputx.edu/university-services/departments-of-public-safety/>

Brownwood Police Department  
1050 W Commerce  
Brownwood, TX 76801  
Phone: 325-646-2525  
Emergencies: 911  
<https://www.brownwoodtexas.gov/243/Police-Department>

#### *E. Medical Treatment and Preservation of Evidence*

In cases of sexual assault, and for one's safety and well-being, immediate medical attention is encouraged to evaluate for physical injury, sexually transmitted diseases, and pregnancy. Being examined as soon as possible, ideally within 72 hours, is important for evidence collection, which may be used to support prosecution should the Complainant decide to pursue criminal charges.

#### *F. Anonymous Reports*

Anyone can make an anonymous report by submitting information through the Online Reporting Form at <https://www.hputx.edu/sexual-assault-policy-reporting/online-reporting-form/>.

### **VII. Preliminary Assessment**

Upon receipt of a report, the Title IX Coordinator will conduct a preliminary assessment to determine whether the conduct, as reported, constitutes or could constitute Sexual Harassment.

If the Title IX Coordinator determines that the conduct reported could not fall within the scope of this Policy, and/or could not constitute Sexual Harassment, even if investigated, the Title IX Coordinator will close the matter and may notify the reporting party if doing so is consistent with the Family Educational Rights and Privacy Act ("FERPA"). The Title IX Coordinator may refer the report to other University offices, as appropriate.

If the Title IX Coordinator determines that the conduct reported could fall within the scope of this Policy, and/or could constitute Sexual Harassment, if investigated, the Title IX Coordinator will proceed to contact the Complainant.

As part of the preliminary assessment, the Title IX Coordinator may take investigative steps to determine the identity of the Complainant, if such identity is not apparent from the report.

### **VIII. Contacting the Complainant**

If a report is not closed as a result of the preliminary assessment and the Complainant's identity is known, the Title IX Coordinator or their designee will promptly contact the Complainant to discuss the following:

the availability of Supportive Measures with or without filing a Formal Complaint;  
the Complainant's wishes with respect to such Supportive Measures;

the process for filing and pursuing a Formal Complaint;

the importance of going to a hospital for treatment and preservation of evidence as soon as practicable after the incident, if applicable;

the right to report the incident to the institution and to receive a prompt and equitable resolution of the report;

the right of a victim of a crime to choose whether to report the crime to law enforcement, to be assisted by the institution in reporting the crime to law enforcement, or to decline to report the crime to law enforcement; and

information about resources that are available on campus and in the community.

### **IX. Supportive Measures**

**Generally.** Any individual affected by or accused of Sexual Harassment will have equal access to support and counseling services offered through the University. The University encourages any individual who has questions or concerns to seek support of University-identified resources. The Title IX Coordinator is available to provide information about the University's policy and procedure and to provide assistance. A list of University identified resources is located at the following link: <https://www.hputx.edu/sexual-assault-policy-reporting/>

**Complainant.** The Title IX Coordinator or their designee will offer and make available Supportive Measures to the Complainant upon receipt of a report of Sexual Harassment regardless of whether the Complainant elects to file a Formal Complaint.

**Respondent.** The Title IX Coordinator will notify the Respondent of the availability of Supportive Measures contemporaneously with the Respondent being notified of a Formal Complaint. Once a Formal Complaint has been initiated, the University will offer and make available Supportive Measures to the Respondent in the same manner in which it offers and makes them available to the Complainant. The University will also offer and make available Supportive Measures to the Respondent prior to the Respondent being notified of a Formal Complaint, if the Respondent requests such measures.

**All Parties.** The University will, to the greatest extent practicable, ensure that each Party or other person who reports an incident of Sexual Harassment is offered counseling provided by a counselor who does not provide counseling to any other person involved in the incident. In addition, all Parties are allowed to drop a course in which both Parties are enrolled without any academic penalty.

**Confidentiality.** The University will maintain the confidentiality of Supportive Measures provided to either a Complainant or Respondent, to the extent that maintaining such confidentiality does not impair the University's ability to provide the Supportive Measures in question.

## **X. Interim Removal**

At any time after receiving a report of Sexual Harassment, the Title IX Coordinator may remove a student Respondent from the University's education programs and activities on an temporary basis if an individualized safety and risk analysis determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Sexual Harassment justifies removal. In the event the Title IX Coordinator imposes an interim removal, the Title IX Coordinator must offer to meet with the Respondent within twenty-four hours and provide the Respondent an opportunity to challenge the interim removal.

In the case of a Respondent who is a non-student employee (administrator, faculty, or staff), and in its discretion, the University may place the Respondent on administrative leave at any time after receiving a report of Sexual Harassment, including during the pendency of the investigation and adjudication process.

For all other Respondents, including independent contractors and guests, the University retains broad discretion to prohibit such persons from entering onto its campus and other properties at any time, and for any reason, whether after receiving a report of Sexual Harassment or otherwise.

## **XI. Formal Complaint**

### ***A. Filing a Formal Complaint***

A Complainant may file a Formal Complaint with the Title IX Coordinator requesting that the University investigate and adjudicate a report of Sexual Harassment in accordance with this Policy. Provided, however, that at the time the Complainant submits a Formal Complaint, the Complainant must be participating in, or attempting to participate in, one or more of the University's Education Programs or Activities.

A Complainant may file a Formal Complaint with the Title IX Coordinator in person, by regular mail, or by email using the contact information specified in Section VI above. No person may submit a Formal Complaint on the Complainant's behalf.

In any case, including a case where a Complainant elects not to file a Formal Complaint, the Title IX Coordinator may file a Formal Complaint on behalf of the University if doing so is not clearly unreasonable. Such action will normally be taken in limited circumstances involving serious or repeated conduct or where the alleged perpetrator may pose a continuing threat to the University Community. Factors the Title IX Coordinator may consider include (but are not limited to):

1. the seriousness of the alleged incident, including (a) whether a weapon was involved in the incident, (b) whether multiple assailants were involved in the incident, and (c) whether the incident poses a risk of recurrence;
2. whether the institution has received other reports of Sexual Harassment committed by the Respondent;
3. whether the alleged incident poses a risk of harm to others; and
4. any other factors the University determines relevant.

If the Complainant or the Title IX Coordinator files a Formal Complaint, then the University will commence an investigation and proceed to adjudicate the matter. If the University elects to proceed as a Complainant, the University will

inform the alleged victim of the incident of that decision. In all cases where a Formal Complaint is filed, the Complainant will be treated as a Party, irrespective of the Party's level of participation.

#### *B. Consolidation of Formal Complaints*

The University may consolidate Formal Complaints as to allegations of Sexual Harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one Party against the other Party, where the allegations of Sexual Harassment arise out of the same facts or circumstances. Where the investigation and adjudication process involve more than one Complainant or more than one Respondent, references in this policy to the singular "Party," "Complainant," or "Respondent" include the plural, as applicable.

#### *C. Dismissal Prior to Commencement of Investigation*

In a case where the Complainant files a Formal Complaint, the Title IX Coordinator will evaluate the Formal Complaint and must dismiss it if the Title IX Coordinator determines:

The conduct alleged in the Formal Complaint would not constitute Sexual Harassment, even if proved; or The conduct alleged in the Formal Complaint falls outside the scope of this Policy (*i.e.*, because the alleged conduct did not occur in the University's Education Programs and Activities).

In the event the Title IX Coordinator determines the Formal Complaint should be dismissed pursuant to this Section, the Title IX Coordinator will provide written notice of dismissal to the parties and advise them of their right to appeal. The Title IX Coordinator may refer the subject matter of the Formal Complaint to other University offices, as appropriate. A dismissal pursuant to this Section is presumptively a final determination for purposes of this policy, unless otherwise specified in writing by the Title IX Coordinator in the written notice of dismissal.

#### *D. Notice of Formal Complaint*

Within five days of the Title IX Coordinator receiving a Formal Complaint, the Title IX Coordinator will transmit a written notice to the Complainant and Respondent that includes:

A physical copy of or hyperlink to this Policy;

Sufficient details known at the time so that the Parties may prepare for an initial interview with the investigator, to include the identities of the parties involved in the incident (if known), the conduct allegedly constituting Sexual Harassment, and the

A statement that the Respondent is presumed not responsible for the alleged Sexual Harassment and that a determination of responsibility will not be made until the conclusion of the adjudication and any appeal;

Notifying the Complainant and Respondent of their right to be accompanied by an advisor of their choice;

Notifying the Complainant and Respondent of their right to inspect and review evidence;

Notifying the Complainant and Respondent of the University's prohibitions on retaliation and false statements; and

Information about resources that are available on campus and in the community.

Should the University elect, at any point, to investigate allegations that are materially beyond the scope of the initial written notice, the University will provide a supplemental written notice describing the additional allegations to be investigated.

#### *E. Presumption of Non-Responsibility*

From the time a report or Formal Complaint is made, a Respondent is presumed not responsible for the alleged misconduct until a determination regarding responsibility is made final.

## **XII. Investigation**

### *A. Commencement and Timing*

After the written notice of Formal Complaint is transmitted to the Parties, an investigator selected by the Title IX Coordinator will undertake an investigation to gather evidence relevant to the alleged misconduct, including inculpatory and exculpatory evidence. The Title IX Coordinator will appoint an investigator with experience investigating allegations of discrimination and harassment. The investigator must be a professional with an advanced degree in law, criminal justice, or psychology and have experience investigating allegations of discrimination, harassment or sexual



misconduct. The investigator(s) may be an employee of the University or an external investigator engaged to assist the University in its fact gathering.

The burden of gathering evidence sufficient to reach a determination in the adjudication lies with the University and not with the Parties. The investigation will culminate in a written investigation report that will be submitted to the adjudicator during the selected adjudication process. Although the length of each investigation may vary depending on the totality of the circumstances, the University strives to complete each investigation within 45 days of the transmittal of the written notice of Formal Complaint.

#### *B. Equal Opportunity*

During the investigation, the investigator will provide an equal opportunity for the Parties to be interviewed, to present witnesses (including fact and expert witnesses), and to present other inculpatory and exculpatory evidence. Notwithstanding the foregoing, the investigator retains discretion to limit the number of witness interviews the investigator conducts if the investigator finds that testimony would be unreasonably cumulative, if the witnesses are offered solely as character references and do not have information relevant to the allegations at issue, or if the witnesses are offered to render testimony that is categorically inadmissible, such as testimony concerning sexual history of the Complainant. The investigator will not restrict the ability of the parties to gather and present relevant evidence on their own.

The investigation is a Party's opportunity to present testimonial and other evidence that the Party believes is relevant to resolution of the allegations in the Formal Complaint. A Party that is aware of and has a reasonable opportunity to present particular evidence and/or identify particular witnesses during the investigation, and elects not to, will be prohibited from introducing any such evidence during the adjudication absent a showing of mistake, inadvertence, surprise, or excusable neglect.

#### *C. Documentation of Investigation*

The investigator will take reasonable steps to ensure the investigation is documented. Interviews of the parties and witnesses may be documented by the investigator's notes, audio recorded, video

recorded, or transcribed. The particular method utilized to record the interviews of parties and witnesses will be determined by the investigator in the investigator's sole discretion, although whatever method is chosen shall be used consistently throughout a particular investigation.

#### *D. Access to the Evidence*

At the conclusion of the evidence-gathering phase of the investigation, but prior to the completion of the investigation report, the investigator will transmit to each Party and their advisor, in either electronic or hard copy form, all evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including evidence the University may choose not to rely on at any hearing and inculpatory or exculpatory evidence whether obtained from a Party or some other source. The parties will have ten days in which to submit to the investigator a written response, which the investigator will consider prior to completing the investigation report.

The parties and their advisors are permitted to review the evidence solely for the purposes of this grievance process and may not duplicate or disseminate the evidence to the public.

#### *E. Investigation Report*

After the period for the parties to provide any written response has expired, the investigator will complete a written investigation report that fairly summarizes the various steps taken during the investigation, summarizes the relevant evidence collected, lists material facts on which the parties agree, and lists material facts on which the parties do not agree. When the investigation report is complete, the investigator will transmit a copy to the Title IX Coordinator. The investigator will also transmit the investigation report to each Party and their advisor, in either electronic or hard copy form.

### **XIII. Adjudication Process Selection**

After the investigator has sent the investigation report to the parties, the Title IX Coordinator will transmit to each Party a notice advising the Party of the two different adjudication processes specified below. The notice will explain that the hearing process is the default process for adjudicating all Formal Complaints and will be utilized unless both parties voluntarily consent to administrative adjudication as a form of informal resolution. The notice will be accompanied by a written consent to administrative adjudication and will advise each

Party that, if both parties execute the written consent to administrative adjudication, then the administrative adjudication process will be used in lieu of the hearing process. Parties are urged to carefully review this Policy, consult with their advisor, and consult with other persons as they deem appropriate (including an attorney) prior to consenting to administrative adjudication.

Each Party will have three days from transmittal of the notice specified below to return the signed written consent form to the Title IX Coordinator. If either Party does not timely return the signed written consent, that Party will be deemed not to have consented to administrative adjudication and the Formal Complaint will be adjudicated pursuant to the hearing process.

#### **XIV. Adjudication**

##### *A. Hearing Process*

The process for adjudicating Formal Complaints is the hearing process specified in this Section. The hearing process will be used to adjudicate all Formal Complaints unless both parties timely consent to Informal Resolution.

##### **1. Hearing Officer**

After selection of the hearing process as the form of administrative adjudication, the Title IX Coordinator will promptly appoint a hearing officer who will oversee the hearing process and render a determination of responsibility for the allegations in the Formal Complaint, at the conclusion of the hearing process.

The hearing officer must be a professional with an advanced degree in law, criminal justice, or psychology and experience adjudicating allegations of discrimination and harassment. The hearing officer may not be an employee of the University.

The Title IX Coordinator will see that the hearing officer is provided a copy of the investigation report and a copy of all evidence transmitted to the parties by the investigator.

##### **2. Hearing Notice and Response to the Investigation Report**

After the hearing officer is appointed by the Title IX Coordinator, the hearing officer will promptly transmit written notice to the parties notifying the parties of the hearing officer's appointment; setting a deadline for the parties to submit any written

response to the investigation report; setting a date for the pre-hearing conference; setting a date and time for the hearing; and providing a copy of the University's Hearing Procedures. Neither the pre-hearing conference, nor the hearing itself, may be held any earlier than ten days from the date of transmittal of the written notice.

A Party's written response to the investigation report must include:

To the extent the Party disagrees with the investigation report, any argument or commentary regarding such disagreement;

Any argument that evidence should be categorically excluded from consideration at the hearing based on privilege, relevancy, the prohibition on the use of sexual history, or for any other reason;

A list of any witnesses that the Party contends should be requested to attend the hearing pursuant to an attendance notice issued by the hearing officer;

A list of any witnesses that the Party intends to bring to the hearing without an attendance notice issued by the hearing officer;

Any objection that the Party has to the University's Hearing Procedures;

Any request that the parties be separated physically during the pre-hearing conference and/or hearing;

Any other accommodations that the Party seeks with respect to the pre-hearing conference and/or hearing;

The name and contact information of the advisor who will accompany the Party at the pre-hearing conference and hearing;

If the Party does not have an advisor who will accompany the Party at the hearing, a request that the University provide an advisor for purposes of conducting questioning.

A Party's written response to the investigation report may also include:

Argument regarding whether any of the allegations in the Formal Complaint are supported by a preponderance of the evidence; and

Argument regarding whether any of the allegations in the Formal Complaint constitute Sexual Harassment.

### 3. Pre-Hearing Conference

Prior to the hearing, the hearing officer will conduct a pre-hearing conference with the parties and their advisors. The pre-hearing conference will be conducted live, with simultaneous and contemporaneous participation by the parties and their advisors. By default, the pre-hearing conference will be conducted with the hearing officer, the parties, the advisors, and other necessary University personnel, if any, together in the same physical location. However, upon request of either Party, the parties will be separated into different rooms with technology enabling the parties to participate simultaneously and contemporaneously by video and audio.

In the hearing officer's discretion, the pre-hearing conference may be conducted virtually, by use of video and audio technology, where all participants participate simultaneously and contemporaneously by use of such technology.

During the pre-hearing conference, the hearing officer will discuss the hearing procedures with the parties; address matters raised in the parties' written responses to the investigation report, as the hearing officer deems appropriate; discuss whether any stipulations may be made to expedite the hearing; discuss the witnesses the parties have requested be served with notices of attendance and/or witnesses the parties plan to bring to the hearing without a notice of attendance; and resolve any other matters that the hearing officer determines, in the hearing officer's discretion, should be resolved before the hearing.

### 4. Issuance of Notices of Attendance

After the pre-hearing conference, the hearing officer will transmit notices of attendance to any University employee (including administrator, faculty, or staff) or student whose attendance is requested at the hearing as a witness. The notice will advise the subject of the specified date and time of the hearing and advise the subject to contact the hearing officer immediately if there is a material and unavoidable conflict.

The subject of an attendance notice should notify any manager, faculty member, coach, or other supervisor, as necessary, if attendance at the hearing will conflict with job duties, classes, or other obligations. All such managers, faculty members, coaches, and other supervisors are required to excuse the subject of the obligation, or provide some other accommodation, so that the subject may attend the hearing as specified in the notice. The University will not issue a notice of attendance to any witness who is not an employee or a student.

### 5. Hearing

After the pre-hearing conference, the hearing officer will convene and conduct a hearing pursuant to the University's Hearing Procedures. The hearing will be audio recorded. The audio recording will be made available to the parties for inspection and review on reasonable notice, including for use in preparing any subsequent appeal.

The hearing will be conducted live, with simultaneous and contemporaneous participation by the parties and their advisors. By default, the hearing will be conducted with the hearing officer, the parties, the advisors, witnesses, and other necessary University personnel together in the same physical location. However, upon request of either Party, the parties will be separated into different rooms with technology enabling the parties to participate simultaneously and contemporaneously by video and audio. The hearing may, in the hearing officer's discretion, be conducted virtually, by use of video and audio technology, where all participants participate simultaneously and contemporaneously by use of such technology.

While the Hearing Procedures and rulings from the hearing officer will govern the particulars of the hearing, each hearing will include, at a minimum:

Opportunity for each Party to address the hearing officer directly and to respond to questions posed by the hearing officer;

Opportunity for each Party's advisor to ask directly, orally, and in real time, relevant questions, and follow up questions, of the other Party and any witnesses, including questions that support or challenge credibility;

Opportunity for each Party to raise contemporaneous objections to testimonial or non-

testimonial evidence and to have such objections ruled on by the hearing officer and a reason for the ruling provided;

Opportunity for each Party to submit evidence that the Party did not present during the investigation due to mistake, inadvertence, surprise, or excusable neglect;

Opportunity for each Party to make a brief closing argument.

Except as otherwise permitted by the hearing officer, the hearing will be closed to all persons except the parties, their advisors, the investigator, the hearing officer, the Title IX Coordinator, and other necessary University personnel. With the exception of the investigator and the parties, witnesses will be sequestered until such time as their testimony is complete.

During the hearing, the parties and their advisors will have access to the investigation report and evidence that was transmitted to them.

While a Party has the right to attend and participate in the hearing with an advisor, a Party and/or advisor who materially and repeatedly violates the rules of the hearing in such a way as to be materially disruptive, may be barred from further participation and/or have their participation limited, as the case may be, in the discretion of the hearing officer.

Subject to the minimum requirements specified in this Section, the hearing officer will have sole discretion to determine the manner and particulars of any given hearing, including with respect to the length of the hearing, the order of the hearing, and questions of admissibility. The hearing officer will independently and contemporaneously screen questions for relevance in addition to resolving any contemporaneous objections raised by the parties and will explain the rationale for any evidentiary rulings.

The hearing is not a formal judicial proceeding and strict rules of evidence do not apply. The hearing officer will have discretion to modify the Hearing Procedures, when good cause exists to do so, and provided the minimal requirements specified above are met.

## 6. Subjection to Questioning

In the event that any Party or witness refuses to attend the hearing, or attends but refuses to submit to questioning by the Parties' advisors, the statements of that Party or witness, as the case may be, whether given during the investigation or during the hearing, will not be considered by the hearing officer in reaching a determination of responsibility.

Notwithstanding the foregoing, the hearing officer may consider the testimony of any Party or witness, whether given during the investigation or during the hearing, if the parties jointly stipulate that the testimony may be considered or in the case where neither Party requested attendance of the witness at the hearing.

In applying this Section, the hearing officer will not draw an inference about the determination regarding responsibility based solely on a Party or a witness's absence from the live hearing and/or refusal to submit to questioning by the parties' advisors.

## 7. Deliberation and Determination

After the hearing is complete, the hearing officer will objectively evaluate all relevant evidence collected during the investigation, including both inculpatory and exculpatory evidence, together with testimony and non-testimony evidence received at the hearing, and ensure that any credibility determinations made are not based on a person's status as a Complainant, Respondent, or witness. The hearing officer will take care to exclude from consideration any evidence that was ruled inadmissible at the pre-hearing conference, during the hearing, or otherwise. The hearing officer will resolve disputed facts using a preponderance of the evidence (i.e., "more likely than not") standard and reach a determination regarding whether the facts that are supported by a preponderance of the evidence constitute one or more violations of the policy as alleged in the Formal Complaint.

## 8. Discipline and Remedies

In the event the hearing officer determines that the Respondent is responsible for violating this policy, the hearing officer will, prior to issuing a written decision, consult with an appropriate University official with disciplinary authority over the

Respondent and such official will determine any discipline to be imposed. The hearing officer will also, prior to issuing a written decision, consult with the Title IX Coordinator who will determine whether and to what extent ongoing support measures or other remedies will be provided to the Complainant.

Sanctions for a student found responsible for any type of Sexual Harassment may include but are not limited to, loss of housing privileges, restitution, changes in living assignment, assigned work, behavioral contract, being ineligible to participate in any extracurricular activity representing the University (including athletics), disciplinary probation, loss of institutional financial aid, suspension or expulsion.

If a student is found responsible for Sexual Harassment and the sanction imposed makes the student ineligible to reenroll in the University (i.e., suspension or expulsion), the University will include a notation on the student's transcript. The student may request the removal of a transcript notation imposed under this Policy if:

the student becomes eligible to reenroll at the University; or

the University determines that good cause exists to remove the notation.

If the University receives an appropriate request by another postsecondary educational institution, the University will provide to the requesting institution information relating to the University's determination that the student violated this Policy.

Sanctions for an employee found responsible for any type of Sexual Harassment may include discipline, up to and including termination of employment.

## 9. Written Decision

After reaching a determination and consulting with the appropriate University official and Title IX Coordinator as required above, the hearing officer will prepare a written decision that will include:

Identification of the allegations potentially constituting Sexual Harassment made in the Formal Complaint;

A description of the procedural steps taken by the University upon receipt of the Formal Complaint, through issuance of the written decision, including notification to the parties, interviews with the parties and witnesses, site visits, methods used to gather non-testimonial evidence, and the date, location, and people who were present at or presented testimony at the hearing.

Articulate findings of fact, made under a preponderance of the evidence standard, that support the determination;

A statement of, and rationale for, each allegation that constitutes a separate potential incident of Sexual Harassment, including a determination regarding responsibility for each separate potential incident;

The discipline determined by the appropriate University official;

Whether the Complainant will receive any ongoing support measures or other remedies as determined by the Title IX Coordinator; and

A description of the University's process and grounds for appeal.

The hearing officer's written determination will be transmitted to the parties. Transmittal of the written determination to the parties concludes the hearing process, subject to any right of appeal.

Although the length of each adjudication by hearing will vary depending on the totality of the circumstances, the University strives to issue the hearing officer's written determination within 15 days of the conclusion of the hearing.

## B. *Administrative Adjudication*

In lieu of the hearing process, the Parties may consent to have a Formal Complaint resolved by administrative adjudication as a form of informal resolution. Administrative adjudication is voluntary and must be consented to in writing by both parties and approved by the Title IX Coordinator. At any time prior to the issuance of the administrative officer's determination, a Party has the right to withdraw from administrative adjudication and request a live hearing.

If administrative adjudication is selected, the Title IX Coordinator will appoint an administrative



officer who does not need to be an employee of the University. The administrative officer must be a professional with an advanced degree in counseling, law, criminal justice, or psychology and experience adjudicating allegations of discrimination and harassment. The administrative officer may not be an employee of the University.

The Title IX Coordinator will see that the administrative adjudicator is provided a copy of the investigation report and a copy of all the evidence transmitted to the parties by the investigator.

The administrative officer will promptly send written notice to the Parties notifying the parties of the administrative officer's appointment; setting a deadline for the parties to submit any written response to the investigation report; and setting a date and time for each party to meet with the administrative officer separately. The administrative officer's meetings with the parties will not be held any earlier than ten (10) days from the date of transmittal of the written notice specified in this paragraph.

A Party's written response to the investigation report must include:

To the extent the party disagrees with the investigation report, any argument or commentary regarding such disagreement;

Any argument that a particular piece or class of evidence should be categorically excluded from consideration at the hearing based on privilege, relevancy, the prohibition on the use of sexual history, or for any other reason;

Argument regarding whether any of the allegations in the Formal Complaint are supported by a preponderance of the evidence;

Argument regarding whether any of the allegations in the Formal Complaint constitute Sexual Harassment.

After reviewing the Parties' written responses, the administrative officer will meet separately with each party to provide the Party with an opportunity make any oral argument or commentary the Party wishes to make and for the administrative officer to ask questions concerning the Party's written response, the investigative report, and/or the evidence collected during the investigation.

After meeting with each Party, the administrative officer will objectively reevaluate all relevant evidence, including both inculpatory and exculpatory evidence and ensure that any credibility determinations made are not based on a person's status as a Complainant, Respondent, or witness. The administrative officer will take care to exclude from consideration any evidence that the administrative officer determines should be ruled inadmissible based on the objections and arguments raised by the Parties in their respective written responses to the investigation report. The administrative officer will resolve disputed facts using a preponderance of the evidence (*i.e.*, "more likely than not") standard and reach a determination regarding whether the facts that are supported by a preponderance of the evidence constitute one or more violations of the policy as alleged in the Formal Complaint.

#### **XV. Dismissal During Investigation or Adjudication**

The University may dismiss a Formal Complaint at any point during the investigation or adjudication process if the Title IX Coordinator determines that any one or more of the following is true:

The Complainant provides the Title IX Coordinator written notice that the Complainant wishes to withdraw the Formal Complaint or any discrete allegations therein (in which case those discrete allegations may be dismissed);

The Respondent is no longer employed by the University; or specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the Formal Complaint, or any discrete allegations therein (in which case those discrete allegations may be dismissed).

In the event the Title IX Coordinator determines that a Formal Complaint should be dismissed pursuant to this Section, the Title IX Coordinator will provide written notice of dismissal to the parties and advise them of their right to appeal. The Title IX Coordinator may refer the subject matter of the Formal Complaint to other University offices, as appropriate. A dismissal pursuant to this Section is presumptively a final determination as it pertains to this policy, unless otherwise specified in writing by the Title IX Coordinator in the written notice of dismissal.

## **XVI. Appeal**

### *A. Grounds for Appeal*

Either Party may appeal the determination of an adjudication, or a dismissal of a Formal Complaint, on one or more of the following grounds:

A procedural irregularity affected the outcome;

There is new evidence that was not reasonably available at the time the determination or dismissal was made, that could have affected the outcome;

The Title IX Coordinator, investigator, hearing officer, or administrative officer had a conflict of interest or bias for or against complainants or respondents generally, or against the individual Complainant or Respondent, that affected the outcome.

No other grounds for appeal are permitted.

### *B. Deadline to File Appeal*

A Party must file an appeal within seven days of the date they receive notice of dismissal or determination appealed from or, if the other Party appeals, within three days of the other Party appealing, whichever is later. The appeal must be submitted in writing to the Vice President for Academic Affairs, who serves as the appeal officer. The appeal must specifically identify the determination and/or dismissal appealed from, articulate which one or more of the three grounds for appeal are being asserted, explain in detail why the appealing Party believes the appeal should be granted, and articulate what specific relief the appealing Party seeks.

### *C. Resolution of Appeal*

Promptly upon receipt of an appeal, the appeal officer will conduct an initial evaluation to confirm that the appeal is timely filed and that it invokes at least one of the permitted grounds for appeal. If the appeal officer determines that the appeal is not timely, or that it fails to invoke a permitted ground for appeal, the appeal officer will dismiss the appeal and provide written notice of the same to the parties.

If the appeal officer confirms that the appeal is timely and invokes at least one permitted ground for appeal, the appeal officer will provide written notice to the other Party that an appeal has been filed and that the other Party may submit a written opposition to the appeal within seven days. The

appeal officer shall also promptly obtain from the Title IX Coordinator any records from the investigation and adjudication necessary to resolve the grounds raised in the appeal.

Upon receipt of any opposition, or after the time period for submission of an opposition has passed without one being filed, the appeal officer will promptly decide the appeal and transmit a written decision to the parties that explains the outcome of the appeal and the rationale. The determination of a Formal Complaint, including any discipline, becomes final when the time for appeal has passed with no Party filing an appeal or, if any appeal is filed, at the point when the appeal officer has resolved all appeals, either by dismissal or by transmittal of a written decision. No further review beyond the appeal is permitted.

Although the length of each appeal will vary depending on the totality of the circumstances, the University strives to issue the appeal officer's written decision within 21 days of an appeal being filed.

## **XVII. Informal Resolution**

The University may, in the Title IX Coordinator's discretion, facilitate an Informal Resolution in accordance with the protocol outlined below.

### *A. Guiding Principles*

Generally, informal resolution involves a structured, supervised interaction between the Parties and/or other affected community members that seeks to identify and meet the needs of the Complainant while providing an opportunity for the Respondent and/or other affected community members to accept responsibility and repair harm (to the extent possible). Informal resolution may not include an investigation, hearing, or disciplinary action against a Respondent (including transcript notations), but may include imposing appropriate and reasonable remedies as agreed to by the Parties. All informal resolutions are facilitated by a trained administrator or outside expert.

### *B. Availability of Informal Resolution*

Informal resolution is available in matters in which the Title IX Coordinator, in the Title IX Coordinator's discretion, determines it is appropriate. Factors the University will consider when determining whether a report of Prohibited Conduct is suitable for Alternative Resolution include, but are not limited to:

the nature and severity of the conduct, including whether the use of force or a weapon was involved;

the Respondent's prior known disciplinary or criminal conduct, including whether the University has received other reports of Prohibited Conduct committed by the Respondent;

whether the alleged incident poses a risk of harm to other individuals or the community;

the dynamics of power or control commonly associated with the alleged conduct or the nature of the parties' relationship;

whether multiple parties are affected or involved;

any admissions of responsibility by the Respondent; and

any other factor deemed relevant by the Title IX Coordinator or their designee in the interest of overall campus safety or safety of the parties involved.

Informal resolution will not be permitted if the Respondent is a non-student employee accused of committing Sexual Harassment against a student.

### *C. Informal Resolution Process*

At any time after the parties are provided written notice of the Formal Complaint, and before the completion of any appeal, the parties may voluntarily consent, with the Title IX Coordinator's approval, to engage in mediation, facilitated resolution, or other form of dispute resolution the goal of which is to enter into a final resolution resolving the allegations raised in the Formal Complaint by agreement of the parties.

Administrative Adjudication is a form of informal resolution.

The specific manner of any informal resolution process will be determined by the Parties and the Title IX Coordinator, in consultation together. Prior to commencing the informal resolution process agreed upon, the Title IX Coordinator will transmit a written notice to the Parties that:

Describes the parameters and requirements of the informal resolution process to be utilized;

Identifies the individual responsible for facilitating the informal resolution (who may be the Title IX

Coordinator, another University official, or a suitable third-Party);

Explains the effect of participating in informal resolution and/or reaching a final resolution will have on a Party's ability to resume the investigation and adjudication of the allegations at issue in the Formal Complaint; and

Explains any other consequence resulting from participation in the informal resolution process, including a description of records that will be generated, maintained, and/or shared.

After receiving the written notice specified in this paragraph, each Party must voluntarily provide written consent to the Title IX Coordinator, before the informal resolution may commence. The University will not pressure or compel any individual to engage in mediation, to directly confront the other, or to participate in any particular form of informal resolution. Individuals may be accompanied by an adviser or support person at any meetings related to the informal resolution process.

If the Parties reach a resolution through the informal resolution process, and the Title IX Coordinator agrees that the resolution is not clearly unreasonable, the Title IX Coordinator will reduce the terms of the agreed resolution to writing and present the resolution to the parties for their written signature. Once both parties and the Title IX Coordinator sign the resolution, the resolution is final, and the allegations addressed by the resolution are considered resolved and will not be subject to further investigation, adjudication, remediation, or discipline by the University, except as otherwise provided in the resolution itself, absent a showing that a Party induced the resolution by fraud, misrepresentation, or other misconduct or where required to avoid a manifest injustice to either Party or to the University. Notwithstanding the foregoing if the form of informal resolution is Administrative Adjudication, there shall not be an agreed resolution requiring the parties' signatures; instead, the determination issued by the administrative officer shall serve as the resolution and conclude the informal resolution process, subject only to any right of appeal. With the exception of a resolution resulting from the Administrative Adjudication process, all other forms of informal resolution pursuant to this Section are not subject to appeal.

#### *D. Termination of Informal Resolution*

A Party may withdraw their consent to participate in informal resolution at any time before a resolution has been finalized.

#### *E. Deadlines for Informal Resolution*

Absent extension by the Title IX Coordinator, any informal resolution process must be completed within 21 days. If an informal resolution process does not result in a resolution within 21 days, and absent an extension, abeyance, or other contrary ruling by the Title IX Coordinator, the informal resolution process will be deemed terminated, and the Formal Complaint will be resolved pursuant to the investigation and adjudication procedures. The Title IX Coordinator may adjust any time periods or deadlines in the investigation and/or adjudication process that were suspended due to the informal resolution.

During the pendency of the informal resolution process, the investigation and adjudication processes that would otherwise occur are stayed and all related deadlines are suspended.

### **XVIII. Other Investigation and Adjudication Considerations**

#### **A. Advisor of Choice**

From the point a Formal Complaint is made, and until an investigation, adjudication, and appeal are complete, the Complainant and Respondent will have the right to be accompanied by an advisor of their choice to all meetings, interviews, and hearings that are part of the investigation, adjudication, and appeal process. The advisor may be, but is not required to be, an attorney.

Except for the questioning of witnesses during the hearing specified in Section XVIII.A.5, the advisor will play a passive role and is not permitted to communicate on behalf of a Party, insist that communication flow through the advisor, or communicate with the University about the matter without the Party being included in the communication. In the event a Party's advisor of choice engages in material violation of the parameters specified in this Section XXI and Section XVIII.A.5, the University may preclude the advisor from further participation, in which case the Party may select a new advisor of their choice.

In the event a Party is not able to secure an advisor to attend the hearing specified in Section VIII.A.5,

and requests the University to provide an advisor, the University will provide the Party an advisor, without fee or charge, who will conduct questioning on behalf of the Party at the hearing. The University will have sole discretion to select the advisor it provides. The advisor the University provides may be, but is not required to be, an attorney.

The University will provide an advisor to any Party upon receipt of a request to the Title IX Coordinator or their designee. The University will provide an advisor for any Party at a hearing specified in Section XVIII.A.5 for the purpose of cross-examining a Party or witness.

#### **B. Conflicts of Interest, Bias, and Procedural Complaints**

The Title IX Coordinator, investigator, hearing officer, administrative officer, appeals officer, and informal resolution facilitator will be free of any material conflicts of interest or material bias. Any Party who believes one or more of these University officials has a material conflict of interest or material bias must raise the concern promptly so that the University may evaluate the concern and find a substitute, if appropriate. The failure of a Party to timely raise a concern of a conflict of interest or bias may result in a waiver of the issue for purposes of any appeal.

#### **C. Objections Generally**

Parties are expected to raise any objections, concerns, or complaints about the investigation, adjudication, and appeals process in a prompt and timely manner so that the University may evaluate the matter and address it, if appropriate.

#### **D. Treatment Records and Other Privileged Information**

During the investigation and adjudication processes, the investigator and adjudicator are not permitted to access, consider, disclose, permit questioning concerning, or otherwise use:

a Party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the Party; or

information or records protected from disclosure by any other legally-recognized privilege, such as the attorney-client privilege unless the University has obtained the Party's voluntary, written consent to do so for the purposes of the investigation and adjudication process.

Notwithstanding the foregoing, the investigator and/or adjudicator, may consider any such records or information otherwise covered by this Section XIX if the Party holding the privilege affirmatively discloses the records or information to support their allegation or defense.

#### E. Sexual History

During the investigation and adjudication processes, questioning regarding a Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent. Notwithstanding the foregoing, a Complainant who affirmatively uses information otherwise considered irrelevant by this Section for the purpose of supporting the Complainant's allegations, may be deemed to have waived the protections of this Section.

#### F. Student Withdrawal or Graduation Pending Disciplinary Charges

If a student withdraws or graduates from the University pending an investigation of a complaint of Sexual Misconduct under this Policy, the University will expedite the disciplinary process as necessary to accommodate both the Complainant and the Respondent's interest in a speedy resolution and continue the investigation with or without the participation of the Respondent.

### **XIX. Other Policy Violations**

#### A. Bad Faith Complaints and False Information

It is a violation of this policy for any person to submit a report or Formal Complaint that the person knows, at the time the report or Formal Complaint is submitted, to be false or frivolous. It is also a violation of this policy for any person to knowingly make a materially false statement during the course of an investigation, adjudication, or appeal under

this policy. Violations of this Section are not subject to the investigation and adjudication processes in this policy; instead, they will be addressed under the Code of Student Conduct in the case of students and other University policies and standards, as applicable, for other persons.

#### B. Other Sex-Based Misconduct

This policy applies only to Sexual Harassment as defined in this Policy. Complaints of other forms of sex discrimination are governed by the University's Non-Discrimination Policy.

### **XX. Discretion in Application**

#### A. Interpretation

The University retains discretion to interpret and apply this Policy in a manner that is not clearly unreasonable, even if the University's interpretation or application differs from the interpretation of the Parties.

The provisions of this Policy and the Hearing Procedures are not contractual in nature, whether in their own right, or as part of any other express or implied contract. Accordingly, the University retains discretion to revise this Policy and the Hearing Procedures at any time, and for any reason. The University may apply Policy revisions to an active case provided that doing so is not clearly unreasonable.

#### B. Outside Appointments, Dual Appointments, and Delegations

The University retains discretion to retain and appoint suitably qualified persons who are not University employees to fulfill any function of the University under this policy, including, but not limited to, the investigator, hearing officer, administrative officer, informal resolution officer, and/or appeals officer. The University also retains discretion to appoint two or more persons to jointly fulfill the role of investigator, hearing officer, administrative officer, informal resolution officer, and/or appeals officer.

The functions assigned to a given University official under this policy, including but not limited to the functions assigned to the Title IX Coordinator, investigator, hearing officer, administrative officer, informal resolution officer, and appeals officer, may, in the University's



discretion, be delegated by such University official to any suitably qualified individual and such delegation may be recalled by the University at any time.

#### C. Vendors, Contractors and Third Parties

The University does business with various vendors, contractors, and other third-parties who are not students or employees of the University. Notwithstanding any rights that a given vendor, contractor, or third-party Respondent may have under this policy, the University retains its right to limit any vendor, contractor, or third-party's access to campus for any reason. And the University retains all rights it enjoys by contract or law to terminate its relationship with any vendor, contractor, or third-party irrespective of any process or outcome under this policy.

#### D. Recordings

Wherever this policy specifies that an audio or video recording will be made, the recording will be made only by the University and is considered property of the University, subject to any right of access that a Party may have under this policy, FERPA, and other applicable federal, state, or local laws. Only the University is permitted to make audio or video recordings under this policy. The surreptitious recording of any meeting, interview, hearing, or other interaction contemplated under this policy is strictly prohibited. Any Party who wishes to transcribe a hearing by use of a transcriptionist must seek pre-approval from the hearing officer.

#### E. Relationship With Criminal Process

This policy sets forth the University's processes for responding to reports and Formal Complaints of Sexual Harassment. The University's processes are separate, distinct, and independent of any criminal processes. While the University