

THE CODE OF CONDUCT FOR JUNIOR SCHOLARS

STATEMENT OF JURISDICTION

This Code applies to all participants in the Junior Scholars Program at Miami University. The Code of Conduct primarily prohibits misconduct on University premises (buildings or grounds owned, leased, operated, controlled, or supervised by the University), but may address off-campus conduct when the behavior or the presence of the individual, in the University's sole judgment, impairs, obstructs, or interferes with the mission, processes, or functions of the Junior Scholars Program or Miami University. Junior Scholars should be aware that Miami University reserves the right to review and take disciplinary action based on conduct occurring off campus.

If a Junior Scholar breaks a law that also violates the University standards of conduct, that Junior Scholar may be held accountable by both civil authorities and the University. The University may, at its sole discretion, elect to pursue disciplinary action against the Junior Scholar at the same time as criminal proceedings, even if criminal charges involving the same incident are not complete, have been dismissed, or were reduced.

STANDARDS OF CONDUCT

In order to promote a safe and civil campus environment, Miami University expects each Junior Scholar to follow the standards of conduct. The severity of the offense, prior disciplinary history, whether an offense was committed against a person intentionally selected by reason of their race, religion, national origin, gender, sexual orientation, disability, or age, and other relevant circumstances, will be considered in determining the appropriate disciplinary action.

"1219" PROCEDURES

On Jan. 1, 1974, the Ohio Campus Disruption Act, which was originally introduced as House Bill 1219, became part of the Ohio Revised Code. House Bill 1219 contained sections that pertain to "control of campus violence." The initiation of a 1219 proceeding does not prohibit the University from taking University disciplinary action against that same individual under the Code of Conduct for the same conduct which gave rise to the 1219 proceeding. A Junior Scholar arrested for any of the 33 enumerated offenses in House Bill 1219 will automatically be subject to "1219" procedures which are summarized below.

Junior Scholars arrested for any of the offenses enumerated in Ohio Revised Code 3345.23(D) are subject to immediate suspension from the University, after a hearing which will be held no more than five days after arrest (continuances may be granted, which may not exceed a total of 10 days). Junior Scholars convicted of any of the offenses enumerated in Ohio Revised Code 3345.23(D) are subject to automatic dismissal from Miami University. Junior Scholars so convicted may be readmitted or admitted to any other Ohio tax-supported college or university, at the discretion of the college or university's board of trustees, but only after the lapse of one calendar year following dismissal and only upon terms of strict disciplinary probation. (See Ohio Revised Code 3345.22 and .23 for full text of the statutes (<http://onlinedocs.andersonpublishing.com/revisedcode>), and Appendix I of The Miami Bulletin: The Student Handbook for additional information. See Appendix I for list of enumerated offenses of violence (<http://www.muohio.edu/univpubs/handbook>).

CONDUCT REGULATIONS

Summary Suspension

The Program Director may summarily suspend a Junior Scholar, prohibit the Junior Scholar from any or all appropriate portions of University premises, University-related activities, and/or permit the Junior Scholar to remain only under specified conditions for the interim period prior to a disciplinary hearing. A Junior Scholar may also be summarily suspended pending adjudication of criminal charges. A summary suspension may be imposed whenever the Program Director determines that the continued presence of the Junior Scholar on the University campus poses a significant risk of substantial harm to the health or safety of the Junior Scholar, to others, to the stability or continuance of the Program or normal University functions, or to property.

Before making such a determination, the Program Director shall notify the Junior Scholar, and if the Junior Scholar is a minor, the student's parent or guardian of the reasons that the summary suspension is being considered and provide the Junior Scholar with an appropriate opportunity to respond to the Program Director. The purpose of the response is to address:

1. The reliability of the information concerning the Junior Scholar's conduct; and
2. Whether or not the conduct and surrounding circumstances reasonably indicate a significant risk as described above.

PART I. OFFENSES

SECTION 101. Interfering with, Obstructing, or Disrupting a University Function

University functions, on or off campus, are defined to include teaching, research, administration, disciplinary proceedings, University activities, public safety, and public service functions. This section also includes authorized non-university functions when the act occurs on University premises. Actions that interfere with, obstruct, or disrupt University functions are prohibited.

SECTION 102. Dishonesty

Intentionally furnishing false information or omitting relevant or necessary information to gain a benefit, to injure, or to defraud is prohibited. Using or possessing false or altered identification (including drivers' licenses and Miami University identification cards) is prohibited. Junior Scholars may not use another person's University identification card for any purpose. Examples of prohibited behavior include forgery, alteration, or falsification of any University documents or records, or misrepresentation of University credentials. These documents or records include grade transcripts, student identification, computer records, and other official documents. Using a forged or altered document is also prohibited, even if someone else made the changes. Student identification cards are University property and must be shown or surrendered when requested by a University official in performance of his or her duty.

SECTION 103. Physical or Mental Abuse or Harm

Intentional or reckless acts that do cause or reasonably could cause physical or mental harm to any person are prohibited. Actions that threaten or reasonably could cause a person to believe that the offender may cause physical or mental harm are also prohibited. Some examples of prohibited behavior include murder, assault, battery, stalking, telephone harassment, computer harassment, sexual assault, sexual harassment, rape, threats, intimidation, physical abuse, verbal abuse, and any other conduct that threatens the health or safety of any person.

SECTION 104. Damage, Loss, Theft, or Unauthorized Use of Property of the University or of any Person or Entity

Intentional or reckless conduct that results in damage (including tampering or defacing), loss, theft, or unauthorized use of property of the University, or of any other person or entity is prohibited. The unauthorized use of University property for personal gain is also prohibited. Junior Scholars may not use University property for any activity prohibited by federal, state, or local law or this Code. Examples of prohibited behavior include gambling on University property, theft, and possession of property known to be stolen.

SECTION 105. Possession or Use of Tobacco or Alcohol

Junior Scholars are not permitted, under any circumstances, to possess or use alcohol. Junior Scholars are not permitted to smoke in the triangular region bounded by Hahne Hall, Flower Hall, and Martin Dining Hall.

SECTION 106. Other Drug Use

The use, offer for sale, sale, distribution, possession, or manufacture of any controlled substance or drug, except as expressly permitted by law, is prohibited. The use, offer for sale, sale, distribution, possession, or manufacture of chemicals, products, or materials for the purpose of use as an intoxicant except as expressly permitted by law is also prohibited. Examples of prohibited behavior include huffing or sniffing glue or paint and the use of nitrous oxide (whip-its).

Possession of drug paraphernalia is also prohibited. Drug paraphernalia, as it applies in this section, means any equipment, product, or material of any kind that is used in propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing a controlled substance into the human body.

SECTION 107. Possession or Use of a Dangerous Weapon

A dangerous weapon is defined as any instrument, device, or object capable of inflicting physical harm or death, and designed or specifically adapted for use as a weapon, or possessed, carried, or used as a weapon. Possession or use of a dangerous weapon is prohibited. Examples of dangerous weapons include firearms, explosive devices, dangerous chemicals, knives, firecrackers, compressed air guns, pellet guns, stun or zip guns, BB guns, and paint ball guns.

SECTION 108. Discrimination

Discrimination in University programs on the basis of race, ancestry, age, sex, creed, religion, national origin, ability, veterans' status, or sexual orientation is particularly repugnant to the mission of Miami University. Miami University prohibits the unequal treatment in University programs of a person on the basis of race, ancestry, age, sex, creed, religion, national origin, ability, veterans status, or sexual orientation.

SECTION 109. Violation of Law

Conduct which violates any federal, state, or local law is prohibited. The University will review any conduct reported by members of the University community, law enforcement personnel, or citizens as being in violation of the law. If in review the University determines, in its sole judgment, that the alleged conduct interferes with the University's exercise of its mission, processes, or functions, appropriate disciplinary action will be taken.

SECTION 110. Failure to Comply/False Reports

Failure to comply with the directions of law enforcement or University officials, failure to comply with an order of dispersal, incitement to panic or riot, riot, false alarms or reports of emergency are prohibited. Initiation of any false report, warning, threat of fire, or threat of explosion or other emergencies on University premises or at any

University-sponsored activity is also prohibited. Examples of prohibited behavior include tampering with, impairing, disabling, or misusing fire protection systems such as fire detectors, sprinklers, alarms, and extinguishers.

SECTION 111. Theft or Other Abuse of Computer Resources

Computing resources include hardware, software, and data owned, licensed, or developed by Miami University, students, or employees. Theft or other abuse of computer resources is prohibited. Examples of prohibited behavior include:

- a. Unauthorized entry into a file to use, read, or change the contents, or for any other purpose; or unauthorized transfer of a file;
- b. Unauthorized access to, use of, or control of computing resources including circumvention of computing system safeguard;
- c. Unauthorized use of another individual's identification or password;
- d. Use of computing resources to interfere with the work of another Junior Scholar, student, faculty member, or University official;
- e. Unauthorized copying of computer software that is owned or licensed to the University;
- f. Use of computing resources to interfere with normal operation of the University computing system or educational process;
- g. Violation of software copyrights, license agreements, or trade secrets;
- h. Activities for personal financial gain except as provided for by other University policy.

SECTION 112. Disorderly Conduct

Conduct which is disorderly, lewd, or indecent or which breaches the peace (e.g., causes alarm, annoyance, or nuisance) is prohibited.

SECTION 113. Complicity

Conspiracy to commit, solicitation of another to commit, aiding or abetting the commission of, or attempting to commit any offense is prohibited.

SECTION 114. Leaving Campus

Leaving Campus is prohibited except as described below.

- a. Junior Scholars are permitted to leave campus to go into Oxford; however, there is no public transportation available for such excursions.
- b. Under no circumstances are Junior Scholars permitted to be inside of a bar, dance club, or sports bar. Examples of such establishments are Attractions (after 10:00 p.m.), The Balcony, First Run, Hole in the Wall, Mac & Joe's, Stadium, and Top Deck. (This list should not be viewed as exhaustive.) If it is unclear to you whether an establishment falls into one of the above categories, then subscribe to this adage: *When in doubt, stay out!*
- c. Junior Scholars may leave Oxford only with written permission of a parent or guardian. A note of permission should be mailed to: Junior Scholars Program, Miami University, Oxford, OH 45056-3414,

faxed to (513) 529-1498, or e-mailed to JuniorScholars@MUOhio.Edu. Verbal permissions will not be honored.

A note of permission must include the following information:

- The Junior Scholar's name.
- The day, date, and time of the Junior Scholar's departure from campus.
- The day, date, and time of the Junior Scholar's return to campus.
- The name of the person(s) picking up and returning the Junior Scholar.
- The Junior Scholar's destination.

SECTION 115. Motor Vehicles

Junior Scholars are not permitted to bring a motor vehicle to campus. Junior Scholars may not operate a motor vehicle on campus. Junior Scholars may not ride in or on a motor vehicle in Oxford unless accompanied by a parent, or are in transit into or out of Oxford with written permission from a parent or guardian.

SECTION 116. Violation of Sanctions

Violation of any terms of disciplinary restrictions, probation, or suspension is prohibited.

PART II. RESIDENCE HALL RULES

A. Curfew

1. If a Junior Scholar is to be away from the residence hall after 9:00 p.m., the Scholar must sign out with the Junior Scholars Bell Desk Person (JSBDP) indicating
 - time of departure,
 - expected time of return, and
 - destination.

The Scholar is to sign in with the JSBDP upon returning to the residence hall. There is no "lights out" time for Junior Scholars.

2. A Junior Scholar leaving the residence hall on Sunday through Thursday is expected to return no later than 11:00 p.m. A Junior Scholar leaving the residence hall on Friday or Saturday is expected to return no later than 1:00 a.m. the next morning.

B. Residence Hall Security

1. The only unlocked entrance to our **residence hall** is the main entrance. All other doors are locked but can be opened before curfew using your ID. A Bell Desk Person (BDP) will be stationed at the entrance of the residence hall 24 hours a day, 7 days a week.
2. The JSBDP will be stationed on one of our floors from 2:00 p.m. to 1:00 a.m. Sunday through Thursday, and from 2:00 p.m. to 3:00 a.m. Friday and Saturday. The JSBDP will have the authority to challenge and remove any unauthorized person from the residence hall.
3. In addition to the JSBDP, a counselor will be on call 24 hours a day. This counselor will have the medical records and a pager that can be accessed by telephone and e-mail.
4. Any person outside of the Junior Scholars or CAMAS Programs who wishes to gain entry into the Junior Scholars corridors must first call the party he or she wishes to see. If the party is in and if visitors are allowed at that time of day, then the party would escort that person through the Junior Scholars corridor.

5. Flames of any kind are forbidden in the residence hall.

C. Quiet Hours

Living in a residence hall requires an element of mutual respect and courtesy. One aspect of this respect and courtesy is to ensure a quiet atmosphere for study and sleep during the evening and overnight. Accordingly, quiet hours in the corridors will be enforced from 7:00 p.m. to 9:00 a.m. Sunday through Thursday; and midnight to 9:00 a.m. Friday and Saturday. Any noise which impedes or disrupts study or sleep of your fellow residents will be a breach of the quiet hours.

D. Visitation and Guests in Junior Scholars' Rooms

1. A guest in a room is defined to be anyone who does not reside in that room.
2. Guest or mixed gender visitation is permitted in the residence hall during certain hours. For the Junior Scholars Program, these hours are as follows: noon to midnight Sunday through Thursday, and noon to 2:00 a.m. Friday and Saturday.
3. The visitation program is intended for social or academic interaction, and not for cohabitation or overnight guests.
4. Visitation in any room requires the consent of each resident of the room for each visitation period.
5. Quiet hours shall not be abused during visitation periods. In the event of widespread or repeated abuse of the privilege, a resident, residents, or an entire corridor may lose visitation privileges for an extended period of time.
6. If a resident has a guest who is not a Junior Scholar, then this guest must be escorted to and from the Scholar's room by the Scholar. The Scholar is responsible for the guest's conduct.
7. The Head Resident Advisor or person in charge has the authority to require a guest or guests to leave the premises of the hall for violation of University rules.
8. The Living, Recreation, and Waiting Rooms on the ground and first floors are available for gathering without a time constraint. These areas are not subject to the quiet hours described above; however, unreasonable noise levels in these areas will not be tolerated. Sleeping is not allowed in these rooms.

E. Vacating the Residence Hall

Junior Scholars must vacate the residence hall by seven p.m. (7:00 p.m.) on the day of their last final, unless their last final is on Friday, in which case the Junior Scholars must vacate the residence hall by five p.m. (5:00 p.m.) Exceptions to this rule may be granted to scholars with special travel constraints.

PART III. ADDITIONAL RULES

- a. Any University rule, policy, or procedure not covered in this Code will be governed by the Miami Bulletin, The Student Handbook 2000-2001 Edition. In particular, we call your attention to the Policies on Grades and Scholarship, Examinations, and Academic Misconduct. A copy of The Miami Bulletin, The Student Handbook 2000-2001 Edition is available at www.muohio.edu/univpubs/handbook/.
- b. Questions about The Code of Conduct for Junior Scholars or any other rules should be directed to the Director or any Junior Scholars Staff member.

DISCIPLINARY PROCEDURES

Commission of an offense or violation of the Residence Hall Rules will result in disciplinary action. Serious or multiple violations will result in expulsion from the Junior Scholars Program. More than one sanction may be imposed for a single violation.

SECTION 1. Complaint and Notice

- A. Complaint.** Any person, agency, organization or entity may make a complaint to the Program Director alleging misconduct by a Junior Scholar. A Miami or Oxford Police citation constitutes a complaint.
- B. Notice.** The Program Director or designee, after reviewing a complaint or on the Directors own initiative, may initiate the disciplinary process by giving the accused Junior Scholar, and if the Junior Scholar is a minor, the student's parent, guardian, or custodian written notice of the alleged violation(s). The written notice shall describe the alleged misconduct and inform the Junior Scholar about the reported circumstances underlying the alleged misconduct. The notice shall state the date, time, and place of the hearing.

SECTION 2. Procedural Meeting

The purpose of the procedural meeting is to review the charges, provide an explanation of the disciplinary process, discuss the Junior Scholar's options, and advise the Junior Scholar of the potential sanction(s) for the alleged misconduct. The accused Junior Scholar shall attend the procedural meeting, which will be held by the Program Director or designee.

The Program Director or designee shall determine whether the alleged misconduct may result in expulsion and so advise the Junior Scholar during the procedural meeting. If an accused Junior Scholar fails to appear at the Procedural Meeting, a Hearing may be scheduled. Procedural Meetings may be rescheduled at the discretion of the Program Director or designee.

SECTION 3. Selection of Hearing Option

A Junior Scholar must, no later than two University working days from the time of the procedural meeting, notify in writing the Program Director or designee who conducted the Procedural Meeting whether the Junior Scholar;

- 1. Admits to the charge(s) and agrees to accept the imposition of sanction by the Program Director or designee; or
- 2. Requests a Hearing.

If the accused Junior Scholar fails to timely notify the Program Director or designee of the option selected, a Hearing will be scheduled.

SECTION 4. Hearing

A University administrative hearing officer will schedule and conduct the hearing, and will determine from the weight and credibility of the statements and evidence presented whether the student has violated the Code of Conduct for Junior Scholars.

- 1. The hearing shall commence not sooner than three University working days after the request for a hearing.

- 2. In the event that criminal charges are pending against the Junior Scholar, the Junior Scholar is entitled to bring an attorney, at his or her own expense, to the hearing. The attorney may act as an adviser to the Junior Scholar, subject to the constraints imposed by the administrative hearing officer.**
- 3. If there are no criminal charges pending, the Junior Scholar is entitled to be advised at the hearing by another person of his or her choice, provided such person is not separately compensated for his or her role in the proceedings and provided she or he is not an attorney.**
- 4. The hearing shall be closed to the public. Both the complainant and the accused are entitled to bring two family members (or guardians) to the hearing.**
- 5. The administrative hearing officer shall have the right to determine the acceptability of testimony and other evidence during the hearing and may place time limitations on testimony and on closing arguments.**
- 6. The hearing shall be recorded on equipment supplied by the University**
- 7. In rare instances, the University may elect to present the case using a licensed attorney. In that event, the Junior Scholar will be given notice and an opportunity to be represented by an attorney at the Junior Scholar's own expense.**
- 8. The only persons entitled to be present at the hearing are the complainant, the accused Junior Scholar and his or her attorney or advisor, as applicable, family members and witnesses.**

If the administrative hearing officer determines that a violation of the Code of Conduct for Junior Scholars has occurred, he or she will impose the appropriate sanction(s). If an accused student fails to appear at a scheduled administrative hearing and the absence is not excused, the hearing may proceed without the presence of the accused. Hearings may be rescheduled at the discretion of the administrative hearing officer. The decision of the administrative hearing officer is final.

THE CODE OF CONDUCT AGREEMENT

PLEASE READ THE FOLLOWING STATEMENT, SIGN IT AND RETURN IT TO THE JUNIOR SCHOLARS PROGRAM ALONG WITH YOUR REGISTRATION AND FEES.

This is to confirm that I have read, understand and agree to abide by, the Code of Conduct for Junior Scholars. I realize that I am responsible for my understanding of these rules, and that I will be held accountable for my actions.

Name: _____ **Date:** _____

Print

_____ **Date:** _____

Signature

Signature of Parent/Guardian if student is under the age of 18:

Name: _____ **Date:** _____