OFFICE OF THE DEAN OF STUDENTS
http://www.usm.edu/dos/, July 2016

Student Rights and Responsibilities

The University of Southern Mississippi is committed to the highest possible quality of instruction, research, service programs and support operations. Southern Miss seeks to develop its students, faculty and staff to their fullest potential.

Students at the University of Southern Mississippi have every right to
A. be treated with respect and dignity regardless of sex, race, age, ethnicity, sexual orientation or religious background;
B. learn, live, work and study in a bias-free environment void of harassing behavior;
C. be accepted and judged as individuals independent of ancestry, social background, physical characteristics or personal beliefs; and
D. to conduct his/her academic and social life without fear of disruption.

Students at the University of Southern Mississippi are responsible for
A. adhering to all regulations and policies outlined by The University of Southern Mississippi;
B. conducting themselves in a manner that does not interfere with the life and work of the university;
C. obeying the laws of the city and state; and
D. reporting any misconduct that may affect the academic integrity of the university as a whole.

The University of Southern Mississippi supports and respects the rights of all students, faculty and staff and, therefore, believes it is the job of the university to create an environment conducive to that philosophy. However, the university may discipline a student considered a danger to self, the university or its guests. Any conduct that damages or destroys university property, obstructs university activities, or otherwise prohibits the normal routine of university operations is considered misconduct.
The Creed at Southern Miss
Office of the Dean of Students

I belong to a community of scholars at The University of Southern Mississippi.

I will *demonstrate integrity and determination* in all academic pursuits.

I will *appreciate the value of differences* among people, customs and viewpoints and oppose hatred, bigotry and bias toward others.

I will *exhibit behavior* and *choose language* that demonstrates respect for fellow members of the Southern Miss community.

I will *respect others* by honoring their rights, privacy and belongings.

I will *value human dignity* in my academic, social and employment settings.

I commit to exhibiting civil behavior, demonstrating responsible citizenry, and doing my part to achieve a positive and secure living and learning environment for all.
**Code of Student Conduct and Disciplinary Conduct**

Office of the Dean of Students

Under the laws of the state of Mississippi, the Board of Trustees of State Institutions of Higher Learning shall have general supervision of the affairs of The University of Southern Mississippi. This board has delegated the power and authority to the president of the university to maintain standards of academic achievement and student conduct. The Division of Student Affairs has the basic responsibility to administer those regulations governing conduct at the university.

Students who register at the university agree to conform to its regulations and policies. Students are defined as all persons enrolled at the university, both full time and part time or a person seeking admission or accepted to the University for Admission. A student is subject to the laws of the community and state, and enrollment as a student in no way relieves him or her of this responsibility. The fact that civil authorities have imposed punishment will not prevent the university from protecting its own educational purposes and community by taking suitable action against the student under university regulations.

The University of Southern Mississippi recognizes that students are adults with full federal rights and responsibilities who are expected to take personal responsibility for their conduct. The university will not police students' private lives on or off campus nor violate their privacy rights in any way. These regulations derive their authority from the administration of the university (as the Code of Student Conduct.)

**Section 1. The Judicial Authority**

A. In all organizational and individual discipline cases, the judicial authority shall be vested in the dean of students, the University Appeals Committee, and the university president.

B. In all cases solely concerning violations and interpretation of the SGA code and constitution, the SGA judicial authority shall be vested in the necessary lower courts.

**Section 2. The Conduct Council**

A. The Conduct Council shall consist of 15 student, staff and faculty members who shall serve staggered terms. Eight members shall be appointed for two-year terms, and seven members shall be appointed for one-year terms. These students must remain in good academic standing as designated in the most recent university catalog and, at the time of appointment, have one semester of prior residency at Southern Miss. These students shall be representative of the Southern Miss student body.
B. These students shall be appointed by the SGA president with the advice and consent of the student senate and shall be subject to final approval by the university president. All vacancies shall be filled under the above provisions for the remainder of a vacant term.

C. The Dean of Students shall have original jurisdiction in all cases concerning violations of university regulations whether by an individual or an approved student organization. However, the Dean of Students may refer cases to the Student Judicial Council for adjudication.

Section 3. The University Appeals Committee
A. The University Appeals Committee shall consist of four members of the faculty or staff appointed annually by the university president and four students appointed by the SGA president, with the advice of the student senate and subject to final approval by the university president. The term of all student appointments shall be until resignation, graduation or other departure from the university. In addition to the eight members, there shall be a chair appointed by the university president.

B. The University Appeals Committee shall have appellate jurisdiction on all cases originating in the Conduct Council and the Office of the Dean of Students.

Section 4. The Student Supreme Court and its Lower Courts
A. Original jurisdiction in cases resulting from violations of the SGA Code shall be vested in judicial bodies as created in the judicial title of the SGA Code.

B. The Student Supreme Court shall consist of four associate justices and one chief justice, appointed by the SGA president with the advice and consent of the senate whose term of service shall continue until resignation, graduation, other departure from the university or removal by impeachment.

C. The Student Supreme Court shall have appellate jurisdiction in all cases concerning violations of the SGA Code. It shall have original jurisdiction in all cases of constitutional interpretation and impeachment.

D. The Student Supreme Court and its lower courts shall have the following powers:
   1. To issue injunctions and writs in accordance with the SGA constitution in SGA matters
   2. To issue subpoenas for SGA public records, films or other information
   3. To issue summonses to call witnesses in cases concerning the SGA constitution, code and procedures

Section 5. Disciplinary Proceedings
A. The dean of students shall give, in writing, the options available to the accused student or organization for adjudication along with the hearing procedures.

B. The dean of students shall have the power to take any reasonable action to ensure the safety of the university community and university property and to preserve an academic atmosphere prior to full judicial hearing. These actions are subject to approval by the vice president for Student Affairs or his or her designated representative.

C. The Office of the Dean of Students or judicial body may postpone disciplinary proceedings. Any rescheduling of disciplinary proceeding must meet the requirements set for in Section 7A of the Code of Student Conduct.
Section 6. A majority of the membership of each judicial body must be present to hear a case, unless a lesser number is approved by both parties to the case.

Section 7. In all judicial proceedings, the accused shall have the right to the following:
A. To written notification of the charges of sufficient particularity to prepare a defense, to a summary of written evidence that is to be presented, to the names of adverse witnesses, to the date of the alleged violation, and to the time and place of the hearing, at least 72 hours prior notice to the hearing
B. To be assisted by any advisor he or she chooses at his or her own expense; the advisor may be a parent or attorney who will be allowed to make closing remarks during the hearing but may not participate otherwise
C. To present information and to have an opportunity for reasonable testimony or discussion
D. To call witnesses
E. To a speedy and closed hearing unless all parties concerned agree upon an open hearing

Section 8. Each judicial body shall have the following powers and duties:
A. To issue requests for witnesses to appear on behalf of either party
B. To issue requests for relevant university documents on behalf of either party
C. To authorize depositions in lieu of oral testimony when deemed necessary
D. To adjudicate violations of the Student Code of Conduct, constitution or university regulations within their respective jurisdictions
E. To keep an adequate record, as determined by the dean of students, of the proceedings and to make this record available to the accused after the hearing upon request

Section 9. Rules of Evidence
A. All decisions of responsibility or non-responsibility shall be decided on the basis of the preponderance of evidence.
B. Information can be considered by a disciplinary body only if it is introduced before that body in the presence of the accused. If the accused is unavailable for a hearing, then every effort must be undertaken to inform the accused of the existence of the information, and the accused must be given every opportunity to respond before that body reaches a decision.
C. Each judicial body shall have the opportunity to adopt its own rules of information in addition to those specified in the Student Code of Conduct.
D. A victim of a campus violation may submit a victim impact statement. A victim impact statement is a written statement that describes the harm or loss suffered by the victim of a violation. The Dean of Students office or judicial body considers the statement when the accused student is sanctioned. The victim impact statement is intended to give victims of an offense a voice in the judicial process; it allows victims to explain to the judicial body and the accused, in their words, how the violation has affected them. A copy of the victim impact statement is provided to the accused student. The statement will be part of the information considered in the judicial process. A victim may be questioned by the accused student about the statement.

Section 10. Appeals
A. In all judicial decisions, either party shall have and be notified of the right to appeal the decision of the judicial body entering judgment. If the decision is appealed, no action shall be taken except those measures necessary to ensure the safety of the university
community, to protect university property, and to ensure an academic atmosphere until the appellate process has been exhausted.

B. The request for appeal shall be filed within 72 hours of the written notification of the decision. The request shall be filed with the Office of the Dean of Students.

C. Conduct Council decisions and those made by the dean of students may be appealed to the University Appeals Committee, and the University Appeals Committee’s decisions may be appealed to the university president who may, in turn, appoint a hearing officer.

Section 11. Interim Suspension

A. When the president of the university or a designated administrator determines that the presence of a student would reasonably constitute clear and present danger to the university community or property, he or she may take swift and immediate action to suspend such a student from university enrollment on an interim basis.

B. In such cases, the student will be afforded a preliminary hearing with the administrator designated in part A, unless this action is not possible due to circumstances at the time or to inaccessibility.

C. Whenever suspension occurs under the provisions of this section, the student shall be accorded review by the student judicial system at the earliest possible date following the suspension.

D. If, at any time of review, the judicial authority determines that the suspension of the student is inappropriate, it may recommend to the president that the student be reinstated to university enrollment and be allowed to complete any academic work missed as a result of this suspension.

Disciplinary Sanctions of Code of Student Conduct

If the dean of students or the Student Judicial Council, as the case may be, finds that the student has violated the Code of Student Conduct, then that forum will include in its official decision a prescribed punishment which may take any of the following forms:

A. **Private Reprimand:** The student may be merely reprimanded in writing and warned and admonished to refrain from future misconduct.

B. **Restitution:** The dean of students and Student Judicial Council both have authority to order that the student, as a condition of his or her continued presence in the university community, render monetary restitution for the damages or injuries caused by his or her misconduct.

C. **Probation:** The student may be placed on probation, with or without non-punitive sanctions, which may include counseling, appropriate community service or exclusion from residence halls, in which case no further sanctions will be assigned unless the student is subsequently responsible for further misconduct during the probationary period. The time frame and the conditions of a probationary sanction can be set at the discretion of the forum. Probation implies that a further code violation during the probationary period will be dealt with more severely than if it stood alone.

D. **Campus/Community Service:** The student may be assigned to a community service site located on or off campus, with his or her acceptance. A predetermined number of hours must be completed by a given date.
E. **Suspension:** The student may be suspended from the university for the remainder of any ongoing semester; for a longer, but definitely stated, period of time; for a future semester or semesters; or indefinitely, with a date set forth in writing at which time the student will be given the privilege of applying for readmission, with such application to be reviewed and acted upon by the Student Judicial Council or dean of students, depending on which forum heard the original complaint.

F. **Expulsion:** A student may be immediately and permanently separated from the university.

G. **Interim Suspension:** When the president of the university or a designated administrator determines that the presence of a student would reasonably constitute a clear and present danger to the university community or property, he or she may take swift and immediate action to suspend such a student from university enrollment on an interim basis. Whenever suspension occurs under this provision, the student shall be accorded review by the student judicial system at the earliest possible date following the suspension. If, at any time of review, the judicial authority determines that the suspension of the student is inappropriate, it may recommend to the president that the student be reinstated to university enrollment and be allowed to complete any academic work missed as a result of this suspension.
**Prohibited Conduct**

Office of the Dean of Students

In order to protect the university's educational purposes and the university community, a student may be formally referred to the Office of the Dean of Students whenever it is brought to the attention of the dean of students that there is reasonable basis to believe that the student's conduct has resulted in at least one of the following:

A. **Evidence of Felony**: Significant evidence exists that the student has committed a felony of such a nature that the student's continued presence at the university is potentially dangerous to the health or security of other university students and their belongings, faculty, staff or visitors, even though the civil authorities have not yet brought formal charges.

B. **Felony Charges**: The student has been formally charged by civil authorities with the type of felony described in code A.

C. **Felony Conviction**: The student is convicted of the type of felony described in code A.

D. **Disruption of University-Sanctioned Events and Activities**: Obstruction or disruption of teaching, research, administration, disciplinary procedure or any other activity or of other authorized activities on university-controlled property.

E. **Parking and Traffic Violations**: Obstruction of the free flow of traffic, both pedestrian and vehicular, on university-controlled property.

F. **Physical Assault, Abuse or Detention**: Acts of violence of any kind on university property at a university-sponsored or supervised function.

G. **Threats of Violence**: Against another person.

H. **Harassment**: Stalking of any kind if such conduct reasonably causes another person to fear that his/her safety or privacy is endangered including, but not limited to, the use of social media and other technology.

I. **Reckless Conduct**: Conduct that unreasonably creates a substantial risk that the student or other persons may be injured or that property belonging to another person or the university may be damaged.

J. **Vandalism**: Malicious destruction, damage or misuse of public or private property, including library materials.

K. **Theft and Embezzlement**: Any unauthorized taking (whether temporary or permanent) of property belonging to another person or entity.

L. **Burglary**: Unauthorized entry into or use of university facilities, including buildings, grounds, automobiles or any property belonging to another person or entity.

M. **Disorderly Conduct**: Breach of the peace, or inciting others to breach the peace.

N. **Residence Hall Violations**: Violation of rules governing university-controlled residence facilities, including visitation violations.

O. **Academic Dishonesty**: Academic cheating or plagiarism.

P. **Deception**: Furnishing of false information to the university with the intention of deceiving the university and its officials.
Q. **Forgery and Misrepresentation:** Alteration or misuse of university documents, records or identification cards

R. **Bad Checks and Debts:** Intentionally issuing a bad check to the university or one of its departments or ignoring and failing to comply with legally binding financial obligations to the university

S. **Obscenity:** Lewd, indecent or obscene conduct, including expression of profanity, which exceeds the normal standards of decency prevailing in the general Hattiesburg community at large

T. **Firearms Violations:** Possession on campus of firearms, pellet guns, BB guns, other projectiles, explosives, fireworks, dangerous weapons or dangerous chemicals, including possession of validly licensed hunting weapons

U. **Drug Violations:** Illegal manufacture, possession, sales, distribution or use of narcotics, barbiturates, central nervous system stimulants, marijuana, sedatives, tranquilizers, hallucinogens or any other illegal drugs, substances or drug paraphernalia

V. **Gambling:** Violation of the state of Mississippi’s gambling laws

W. **Alcohol:** Sale, consumption or evidence of consumption of alcoholic beverages on campus in violation of local, state or federal law

X. **Lack of Appropriate Cooperation with University Administration or Law Enforcement:** Failure to comply with the directions or instructions of university officials or any law enforcement officer acting in his/her official capacity, including failure to present a valid ID upon request

Y. **Violation of Other Published Regulations and Policies:** Violation of any other university regulation or policy that is established and publicly disseminated to the university community at least once a year, including such regulations and policies in the Student Handbook, the Faculty Handbook, the Safety Compliance Document and the Substance Abuse Policy for Students and Employee

Z. **Student Organization Violations:** Any breach of Leadership and Student Involvement policies or university regulations of the registered organizations will be subject to university organization sanctions.

AA. **Stalking:** Stalking is conduct of any kind which reasonably causes another person to fear that his/her safety or privacy is endangered including, but not limited to, the use of social media and other technology.

BB. **Sexual Misconduct:** Sexual misconduct is any non-consensual behavior of a sexual nature that is committed by force or intimidation, or that is otherwise unwelcome. The term includes, but is not limited to, sexual assault, sexual exploitation, sexual intimidation and sexual harassment. See the Institutional Policy on Sexual Misconduct.

CC. **Hazing:** See the Institutional Policy on Hazing, including a definition of hazing.

DD. **Bullying:** See the Institutional Anti-Bullying Policy.
**The District Policy**  
Dean of Students, July 2015

The University of Southern Mississippi celebrates 100 years of excellence, and for that century there has been The District. The historical District of Southern Miss has acted as a gathering place since the founding of the university. The District is the icon of Southern Miss heritage, traditions and memories. It is the home of our pride and the heartbeat of our cherished history.

The District has been touched by time and in ways that are unexplainable. It is where one can go to truly feel the spirit of the university. To participate in The District is to gain one’s ownership of Southern Miss. It is the builder of loyalty and admiration.

The District represents an opportunity to take a walk in the Rose Garden, see the Dome at night, view the black-eyed Susans in the spring, admire the Eagle Walk in the fall, and hear voices cheering “Southern Miss to the Top!”

The importance of The District cannot be overstated. Current students, alumni and guests to the university have the responsibility to respect it, as have the hundreds of thousands who preceded them. No matter the year or what the next century might bring, there will always be one constant — The District at Southern Miss!

Three primary areas comprise The District:
1. The District “core” south of the Ogletree House
2. The District lawns adjacent to the Ogletree House and the Honor House

**THE DISTRICT TAILGATING CODE OF CONDUCT**

A. The District maintains a student- and alumni-centered focus with the basic understanding that all participants will respect the area and their fellow Golden Eagles while visiting.

B. Tailgating in The District is allocated on a first-come, first-served basis.

C. Automobiles are prohibited from the grassy and tree-lined areas. Limited drop-off access is available at the west end of The District for quick delivery of tailgating essentials. However, at appropriate times, all vehicular traffic to The District will be prohibited to protect the safety of those gathered.

D. All tents in The District should register with the safety and security booth identifying the name of the organization or individual sponsoring the tent. Due to the proximity of those assembled, 12’ x 12’ or smaller is an appropriate size for each tent.

E. Lawn furniture only may be used. Residential furniture is not appropriate.

F. Small, portable, single-unit grills are permitted. Open fires are prohibited. Professional, industrial and catering-style cookers are prohibited.

G. Glass containers are prohibited.

H. No animals are allowed in The District.
I. The university alcohol policy remains in effect.
J. For the respect and regard of all tailgating, amplified sound at an audible/volume
detracting from others’ experiences is prohibited at each respective tailgating area.
K. The District will provide either a band or DJ for entertainment.
L. Place all trash in its proper place.
M. The university is not responsible for lost, stolen or misplaced items.
N. The District opens at noon the day before a home game.

O. Tailgating in The District will end by midnight on any given evening or as deemed
necessary by university officials.
P. All tailgating materials should be removed from The District within 24 hours after
kickoff. A minimum of $100 will be charged for material pickup.

The University Code of Conduct remains in effect at all times. Violations of The District
policies will be managed by the Dean of Students office and the University Police
Department.

Questions regarding The District should be directed to the Southern Miss Dean of Students
office at 601.266.6028.
Sanction Process for Alcohol Violations
Office of the Dean of Students

PURPOSE
It is the goal of The University of Southern Mississippi to provide a positive environment that is conducive to the developmental and educational experience. The university understands the potential for the misuse and abuse of alcohol. The university expects that students, faculty, staff and visitors to its campus will act responsibly and follow the university's policy on alcohol.

POLICY
The University of Southern Mississippi prohibits the unlawful possession, consumption and distribution of alcoholic beverages by students, employees and visitors on its campus. Any possession or consumption of alcoholic beverages of any kind in plain view shall be considered in violation of campus policy. Further, consumption or possession by underage individuals shall be in violation of applicable state law and university policy. In accordance with residence life and housing policy, alcohol is not permitted inside student housing. Alcohol consumption may lead to behaviors that are considered a nuisance or present a threat to others. Such behavior is subject to the enforcement of applicable state law and university policy.

PROCEDURE
A student who is found responsible for an alcohol policy violation, and who has not been found responsible for a previous alcohol-related violation, may face the following sanctions:

A. **First Offense** – The student will receive a campus citation issued by the University Police Department. The ticket must be paid within the semester in which it was issued, or it will be assessed to the student’s account. The student will also be required to complete a Web-based alcohol education program and/or complete a community service assignment. Finally, the Dean of Students office reserves the right to notify the parents of students under the age of 21 who violate alcohol and other drug provisions of the Student Code of Conduct or who, in our professional judgment, are considered to be danger to themselves or others. Upon receipt of an alcohol or other drug violation by a student under the age of 21, the dean of students will staff the case and make a decision regarding parental notification based on the particular circumstances of the offense and the student’s history. Parents will be notified by letter or phone, depending on the circumstances of the case.

B. **Second Offense** - The student will be issued a campus citation and will also complete an alcohol assessment at the University Counseling Center (at the expense of the student). The goal of the program is to identify the possibility of an alcohol and substance problem. The student will be placed on disciplinary probation for a minimum of two semesters and may be assigned a community service project. The student may also face a monetary fine in the amount of $500, which will be used for campus alcohol education. The student will also go before the Student Judicial Board and, if adjudicated as “responsible,” could face the following:
   1. possible suspension from the university
2. prohibited participation in campus activities, student government and the representation of the university or its organizations in any capacity

C. **Additional Offenses** – The student will receive a state citation. The student may be suspended or required to seek mandatory counseling services that may or may not duplicate those required for earlier violations. The student may also be required to register for the alcohol education program. Parental involvement in the form a parent-student meeting with the Dean of Students office may also be required.

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**Fraternity/Sorority Alcohol Policy**

Greek Life Office, July 2009

The Office of Greek Life at The University of Southern Mississippi prohibits the unlawful possession, consumption and distribution of alcoholic beverages by students, employees and alumni in fraternity houses and The Village. Any possession or consumption of alcoholic beverages of any kind in plain view shall be considered in violation of campus policy. Furthermore, any preponderance of evidence or presence of community alcohol including, but not limited to, drinking games and rapid consumption techniques and devices (e.g., flip cup, beer pong, quarters, funnels, power hour, whoop juice, card games, shots, etc.) violate this policy as well as the University Alcohol Policy. All individual student violations of the University Alcohol Policy will be handled in the Dean of Students office and follow their sanction process for alcohol violations, while fraternities and sororities found in violation of community alcohol will be subject to the following:

All fraternities and sororities found in violation of community alcohol will receive the following **minimum** sanctions:

**First offense**—required alcohol/drug education program and community service for entire chapter, including associate members, and probation for the remainder of the current semester and the following fall or spring semester. Probation extends through any intervening terms or institutional breaks.

**Second offense while on probation**—suspension of organization’s social activities to take place immediately and to remain in effect for a least one complete fall or spring semester following the suspension’s effective date, including any intervening terms or institutional breaks.

_The minimum sanctions are not appealable. Prior issues or citations concerning alcohol will be considered in making additional sanctions._
**Institutional Policy on Hazing**

Greek Life Office, July 2009

The University of Southern Mississippi is a state institution of higher education devoted to excellence in teaching, research and service to the people of the state. A part of that mission is fulfilled by the university's commitment to the development of students through academic and extracurricular activities. In keeping with its commitment to a positive academic environment, The University of Southern Mississippi has unconditionally opposed any situation created intentionally or unintentionally to produce mental, physical, psychological or emotional discomfort, embarrassment, harassment or ridicule.

The University of Southern Mississippi interprets hazing in a manner consistent with the Association of Fraternity Insurance Purchasing Group (FIPG) in its statement of hazing and pre-initiation activities. The University of Southern Mississippi follows all state and federal guidelines concerning hazing and any other behavior that could be interpreted as such. In essence, hazing shall include any or all of the following:

A. Any willful act or practice by a member or new member directed against a member or new member that, with or without intent,
   1. is likely, with reasonable possibility, to cause bodily harm or danger, offensive physical punishment or disturbing pain;
   2. is likely to (a) compromise the dignity of a member or new member, (b) cause embarrassment or shame to a member or new member in public, (c) cause a member or new member to be an object of malicious amusement or ridicule, (d) cause psychological harm or substantial emotional strain; or
   3. will, unreasonably or unusually impair a member's or new member's academic efforts.

B. Any requirement that compels a member or new member to participate in any activity that is illegal, which is known by the compelling person or group to be contrary to the moral or religious beliefs of a member or new member, or that is contrary to any rules or regulations of this university, constitutes hazing. Hazing by individuals or organizations is strictly prohibited at The University of Southern Mississippi. Individuals and organizations both must be responsible for ensuring that all activities exclude any form of hazing. While chapter members may not be present at a new-member activity, it is still the chapter’s responsibility to ensure the activity does not include hazing. It is important that chapters realize they are responsible for the new-member activities and are held accountable for hazing violations if they occur. In conjunction with the statement made by the Association of Fraternity Advisors, the following is a list of some fraternity activities considered to be hazing by The University of Southern Mississippi. These are only examples of some hazing activities and are not the only activities considered to be hazing. The University of Southern Mississippi follows all state and federal guidelines concerning hazing and any other behavior that could be interpreted as such.

C. Any action taken or situation created intentionally, whether on or off fraternity premises, to produce mental or physical discomfort, embarrassment or ridicule
constitutes hazing. Such activities may include, but are not limited to, the following: use of alcohol; paddling in any form; creation of excessive fatigue; physical and psychological shocks; quests, treasure hunts, scavenger hunts, road trips or any other such activities carried on outside or inside of the confines of the chapter house; wearing of public apparel that is conspicuous and not normally in good taste; engaging in public stunts and buffoonery; morally degrading or humiliating games and activities; and any other such activities that are not consistent with academic achievement, fraternal law, ritual or policy, or the regulations and policies of the educational institution, or applicable state law.

**Disciplinary Procedures for Prohibited Conduct**

Office of the Dean of Students

A. **Dean of Students.** All questions or allegations of student misconduct shall be referred to the dean of students. The aims of the student judicial process are:
   1. to make students better aware of their behavior(s)
   2. to understand the impacts and effects of their behavior on others
   3. to make students aware of how their behavior(s) may impact their status
   4. to better acquaint students with problem-solving skills and critical-thinking strategies
   5. to foster a climate for self-introspection and self-image building

B. **Written Notification to Student.** The dean of students will then investigate any such allegations, and if the dean, in his or her discretion, finds significant basis for the allegation, then the dean will deliver to the student a written notification that disciplinary proceedings are being initiated. This written notification will specify the alleged misconduct with sufficient particularity to enable the student to fully respond to the allegations and defend himself or herself. This written notification will also direct the student to attend a pre-hearing conference at a time and place specified by the dean of students. (Written notification includes notice via the student’s university e-mail account). A copy of this code will be provided to the student at this time as well.

C. **Pre-Hearing Conference.** At the scheduled pre-hearing conference, the dean of students or his or her designee will inform the student of his or her right to choose the forum before which he or she can defend the allegation: (1) in a hearing before the dean of students or his or her designee, or (2) in a hearing before the Conduct Council. The student will also be informed of his or her right to appeal the ultimate ruling of the dean of students or Student Judicial Council.

D. **Appeals.** All disciplinary actions can be appealed by either party. If a disciplinary decision is appealed, no action will be taken except those measures necessary to ensure the safety of the university community and property and to promote an
academic environment until the appellate process has been exhausted. The party desiring to appeal a decision of the dean of students or Conduct Council must submit a written notice of appeal to the dean of students within 72 hours of the decision and provide one of the following:

1. evidence that there was an error in process or procedure
2. evidence of additional or missing information
3. evidence of bias behavior on behalf of the Student Judicial Board or the Judicial Appeals Board
4. evidence that the judicial decision is arbitrary or unreasonable

Such appeals will be heard by the University Appeals Committee, whose decisions can likewise be appealed to the university president, who may elect to hear the appeal or designate another university official to do so (such as the vice president for Student Affairs, in which case, the findings and decisions of the designee will have to be accepted and ratified by the university president in writing). In cases of expulsion, decisions of the university president may be appealed to the Board of Trustees of State Institutions of Higher Learning. Any academic credit earned during the appeals process will be void if the original decision of suspension or expulsion is upheld by the University Appeals Committee.

**Procedures for Hearings before the Student Judicial Council or Dean of Students**

Office of the Dean of Students

Accused students who choose to have their cases presented before the Conduct Council in lieu of disposition by the dean of students will be entitled to a hearing before the council, pursuant to the following procedures and guidelines:

A. After the accused student has informed the dean of students of his or her desire for a Conduct Council hearing, the dean of students will notify the members of the council and schedule a hearing to be held no fewer than five calendar days nor more than 15 calendar days after the mandatory meeting. In cases where a suspension or expulsion is possible, the Dean of Students office may require a mandatory administrative hearing. The dean of students will inform the accused student of the time and place of this hearing at least 72 hours before the hearing is scheduled to begin. At this time, the dean of students will also give the accused student a copy of this article of the Code of Student Conduct.

B. All hearings will be conducted in private, and all records or transcripts of the hearing will remain the private property of the university, not subject to access by the general public, unless the accused student and a simple majority of the membership of the Conduct Council agree in writing to the public dissemination of specified records or summaries of the proceedings or to the opening of the hearing itself.

C. The dean of students or another staff member employed within the Division of Student Affairs will serve as sergeant at arms of the Conduct Council, and in that
capacity during the hearing, he or she will enforce proper decorum and adherence to the procedures and rules set forth in this article.

D. The accused student has the right to be assisted at the hearing by an advisor he or she may choose at his or her own expense. This advisor may be an attorney. However, the accused student is responsible for presenting his or her own case and, therefore, advisors are not permitted to speak to the council or to address any witness or other person participating at the hearing. The accused student must speak for himself or herself throughout the hearing, and thus the advisor’s role during the hearing shall be limited to private consultations with the accused student.

E. The admittance of any person to a private hearing other than council members, the dean of students (or his or her designee), the accused student, and his or her advisor will be allowed only upon the consent of the accused student and a simple majority of the council members present.

F. Written statements, documents, exhibits and pertinent records may also be presented at the hearing by either side and may be accepted for the consideration of the council at the discretion of the council chairperson. Both the accused and other university official presenting the charges, are entitled to present live witnesses at the hearing. Any such witness is subject to follow-up questioning by any member(s) of the council.

G. Neither the federal rules of evidence, the Mississippi rules of evidence, common-law principles of evidence nor any other formal law of evidence apply in council proceedings. The acceptance of live testimony and any tangible proof will be at the discretion of the council.

H. The Office of the Dean of Students will prepare and preserve a verbatim record of all hearings held before the council in the form of a complete tape recording or a transcript prepared by a court reporter. The choice of the form of record will be left to the discretion of the dean of students. Records shall be kept by the Office of the Dean of Students or its successor office for a period of at least seven years. The University Appeals Committee, for good cause, may void student disciplinary files. Requests for expungement should be in the form of a written request to the Dean of Students office and be accompanied by three notarized recommendation letters. Requests for expungement will not be considered for those students who have not graduated or have not been enrolled for at least one calendar year. Records of suspension or expulsion will be kept permanently in the Office of the Dean of Students.
University Counseling Center
Office of the Dean of Students

The university provides assistance to all students, faculty and staff through the services of the University Counseling Center. The counseling center makes available individual counseling, group counseling, assessment and referral services. The counseling center hours are 8 a.m. to 5 p.m., Monday through Friday. Students can be seen on a walk-in basis. For more information, call 601.266.4829.

The University Counseling Center focuses on primary and secondary alcohol and drug abuse prevention. These efforts are to prevent the initial development of problems or serve as early intervention to the development of dependency. Social and psychological assessments are available by the staff of the counseling center. Students may seek services on an individual basis or by referral from the Dean of Students office.

Anyone who prefers to seek assistance off campus is urged to contact Pine Belt programs for chemical dependency at 601.264.2111 or the Life Focus Center of Forrest General Hospital at 601.288.4900. Alcoholics Anonymous, Narcotics Anonymous and Adult Children of Alcoholics groups meet in the Hattiesburg community. For further information about any of these services, contact the University Counseling Center, Kennard-Washington Hall, room 200 at 601.266.4829.

University Anti-Bullying Policy
Office of the Dean of Students

It is the policy of the University that no student, faculty or staff member should be subjected to bullying or harassing behavior by any other student, faculty or staff member. Furthermore, no person should engage in any act of reprisal or retaliation against a victim, witness or anyone with information about an act of bullying or harassing behavior.

DEFINITIONS:

“Bullying or harassing behavior” is defined as any pattern of gestures or written, electronic or verbal communications, or any physical act or any threatening communication, or any act reasonably perceived as being motivated by any actual or perceived differentiating characteristic, that takes place on any property owned or
controlled by the University of Southern Mississippi, or during any activity in whatever place sponsored by, directed or controlled by the University of Southern Mississippi, and that also fulfills ONE of the following conditions:

- EITHER places a student, faculty or staff member in actual and reasonable fear of harm to his or her person or damage to his or her property.

- OR creates or is certain to create a hostile environment by substantially interfering with or impairing a student’s educational performance, opportunities or benefits.

“Hostile environment” is defined as the condition wherein the victim subjectively views the conduct as bullying or harassing behavior AND the conduct is objectively severe or pervasive enough that a reasonable person would agree it is bullying or harassing behavior.

“Suitable party” is defined as a person with responsibility to prevent bullying or harassing behavior within or during a particular activity, class, building or function. In the case of a student being subjected to bullying or harassing behavior a suitable party might be an instructor, residence hall staff, or a counselor. In the case of a faculty or staff member being subjected to bullying or harassing behavior a suitable party might be a Dean, Academic Chair, or a superior.