MIDWAY UNIVERSITY

Student Handbook



Midway University Student Handbook

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Honor Code

Midway University is a community of learners that expects integrity and honor from its members. I will show respect for my community by behaving with honesty, integrity, and civility. As a responsibility to my Midway University community, I will show respect for:

- My classmates and faculty by maintaining honesty in my academic work and refraining from cheating.
- My community and peers by maintaining integrity and honesty in my daily life.
- Faculty, staff, and members of the administration by maintaining civility and refraining from disruptive and abusive language and behavior.

I will acknowledge responsibility and accept the consequences of my actions. In choosing Midway University, I pledge to uphold the principles of the Honor Code and will cherish and guard its tradition.

Community Values and Expectations

Midway University is a community that values the dignity of all people, acting with integrity and responsibility, viewing self as part of the community, and providing service to others. As such, all members of the community are expected to conduct themselves in a manner which upholds and exemplifies these values while showing respect for both other community members and self. Being a member of the Midway University community is marked by both privilege and responsibility which may require restriction of personal or collective freedom to benefit the entire educational community.

Student Disciplinary Process

The Midway University student disciplinary process is composed of students, faculty members, and administrators whose purpose is to aid in the development of higher values and proper citizenship in all of life and not on-campus life alone. Student discipline concerns those experiences and processes that help a student to achieve self-control, to make mature decisions, and to accept responsibility for her or his decisions. To this end, Midway University supports the concept of educational discipline.

Midway will make an effort to educate students through sanctions. However, should a student be considered a danger to the Midway community or demonstrate unwillingness to adhere to the behavioral expectations of Midway, he or she may be separated from Midway University.

Definitions

For the purposes of the student disciplinary process, the following definitions will apply:

1. The term “University” means Midway University.
2. The term “student” includes all persons taking courses from Midway University, either full-time or part-time. Persons who withdraw after allegedly violating the Student Code of Conduct, who are not officially enrolled for a particular term but who have a continuing relationship with Midway University, or who have been notified of their acceptance for admission may also be considered to be “students” for purposes of this process.
3. The term “faculty member” means any person hired by Midway to conduct classroom or teaching activities or who is otherwise considered by the University to be a member of the faculty.
4. The term “administrator” means any person employed by the University to perform assigned administrative or professional responsibilities.
5. The term “member of the University community” includes any person who is a current student, faculty member, administrator, or any other person employed by the University.
6. The term “University property” includes all land, buildings, facilities, and other property owned, leased, or controlled by the University or any student organization.
7. The term “student organization” means any number of persons who have complied with the formal requirements for University recognition.
8. The term “administrative hearing officer” means a University administrator authorized by the Dean of Students to determine whether a student has violated the Student Code of Conduct and to impose sanctions and remedial measures accordingly.
9. The term “university appeals board” means any persons authorized by the Vice President of Student Affairs and Dean of Students to consider an appeal of the determination of responsibility and/or sanctions given by an administrative hearing officer or student conduct board.
10. The term “complainant” means any person who submits a charge alleging that a student violated the Student Code of Conduct. In cases before an administrative hearing officer where a member

of the University community believes that she or he has been a victim of an alleged violation, this individual may also be considered a complainant.

11. The term “charged student” means any student charged with violating the Student Code of Conduct.
12. The term "respondent" means any student who has been alleged to have committed a violation of Midway University Policy or Procedure.
13. The Vice President of Student Affairs and Dean of Students is the person designated by the President of the University to be responsible for the administration of the Student Code of Conduct.

Student Code of Conduct

To guide the community expectations, we have established the following code of Student Conduct in keeping with Midway University values. Community members are expected to abide by all Midway University policies and guidelines as well as local, state, and federal laws. The following expectations apply to all Midway University students and their actions on Midway’s campus and at Midway sponsored events, and Midway reserves the right to address student behavior that occurs outside of these contexts that conflicts with Midway University’s education objectives and/or its responsibility to members of the Midway Community. This list is not exhaustive and while we make reasonable efforts to educate students on these values and expectations, they are responsible for becoming familiar with them. Failure to follow these community values and expectations will be addressed through Midway University’s student disciplinary process even if the behavior is also being acted upon by legal authorities.

The conduct addressed in this Code will be addressed pursuant to this Code and Midway University's student disciplinary process. Violation of Midway University’s Policy Against Unlawful Discrimination and Harassment is a violation of this Code; however, notwithstanding any provision of this Code that may suggest otherwise, allegations and reports of sexual misconduct (i.e., sexual harassment, sexual assault, domestic violence, dating violence, stalking, and sexual exploitation) will be addressed and should be reported pursuant to Midway University's Policy Against Sexual Misconduct and Non-Discrimination while complaints of all other forms of unlawful discrimination or harassment of a student by a Midway employee or third party should be submitted pursuant to process B of the Sexual Misconduct and Non-Discrimination Policy.

Code of Conduct Violations

Midway values acting with integrity and responsibility and as such expects that all community members conduct themselves in a manner consistent with the Honor Code and values of the institution. The University reserves the right to take disciplinary action for other behavior it deems inappropriate even if it is not expressly outlined below.

Acts of Incivility

Derogatory comments towards an individual or group, disrespectful or uncivil communications with or actions involving a University official.

Any Published Non-Academic Rule or Policy or Local, State or Federal Law

Violation of any published non-academic rule or policy of Midway University, or of local, state, or federal law. This includes violation of any campus policy found within the Student Handbook but not described in the general Code of Conduct. View Campus Policies.

Bullying

Any unwanted verbal, physical, or social behavior among students that involves a real or perceived power imbalance and is repeated or has the potential to be repeated.

Community Disruption

Examples of Prohibited Behavior: Behaviors that disrupt the operations of the University or interfere with the ability of members of the University community to complete their ordinary activities.

Disciplinary Probation

Failure to adhere to the terms of disciplinary probation or continued violation of the Student Code of Conduct while on disciplinary probation.

Dishonesty

Furnishing, producing, or possessing false ID; furnishing a false written or oral statement; falsification, misuse, or unauthorized alteration of University, or other official, documents or records; knowingly passing a worthless check or money order in payment of a financial obligation to the University or to a member of the University community; falsely representing the work of another as one's own.

Disorderly Conduct

Abusive, obscene, violent, destructive, disruptive, or excessively noisy behavior, including behaviors that result from being under the influence of alcohol or other drugs.

Facilitating or Encouraging Violations of the Code of Conduct

Helping, procuring, or encouraging another person to violate the Student Code of Conduct.

Failure to Comply or Identify

Failure to comply with the directions of University officials, including residence life staff and security officers, Federal and State Law, acting in the performance of their duties or to identify one's self to these persons when requested to do so. This includes failure to complete assigned disciplinary sanctions. These include but may not be limited to: unauthorized room changes, knowingly misusing, altering or mutilating a card, using the card of another, or allowing one's own card to be used by another student, being verbally abusive with a University official, failure to leave premises when asked to by any University official. failure to complete sanctions assigned from a disciplinary hearing, failure to show University ID.

Failure to Evacuate During a Fire Alarm

Failure to leave a building quickly and in an orderly manner in the event of a fire alarm.

Harassment

Violations of the Midway University Policy Against Unlawful Discrimination and Harassment.

Hazing

Any action taken or situation created intentionally, whether on or off campus, to produce mental or physical discomfort, embarrassment, harassment, or ridicule, see Hazing Policy.

Making a False Report

Causing, making or circulating a false report or warning of fire, explosion, crime, violation of the Student Code of Conduct, or other crisis or emergency.

Mental or Bodily Harm

Intentionally inflicting mental or bodily harm upon any person; taking action for the purpose of influencing harm; taking any reckless, but not accidental, action from which mental or bodily harm to any person could result; harassing, discriminating, intimidating, or threatening behavior toward any person including, but not limited to, behavior in violation of the Midway University Policy Against Unlawful Discrimination and Harassment; any act which demeans, degrades or disgraces any person, e.g., hazing; use of alcohol or other drugs in a manner that contributes to, or place the individual at risk for, mental or bodily harm.

Misuse of Safety Equipment

Unauthorized use or alteration of firefighting equipment, safety devices, or other emergency safety equipment.

Misuse of Technology

Violation of the campus Acceptable Use Policy for Technology. Misuse or abuse of any computer, computer system, service, hardware, software, program, data, network, cable television network or communication network.

Possession of Dangerous Weapons or Materials

Unauthorized possession**, use or storage of weapons or dangerous materials of any type or description, including, but not limited to, firearms, compressed-air guns, pellet guns, paintball guns, BB guns, illegal knives, swords, brass knuckles and other fighting apparatus, explosive devices, fireworks, ammunition, or any “deadly weapon” defined by KRS 500.080. This policy also includes any toy weapon or replica that is realistic enough that a reasonable person would believe is a legitimate weapon . Bows and arrows are only permitted on campus as a part of an approved athletics or intramural program and are not permitted in the campus housing. In addition, flammable liquids or gases, such as gasoline, kerosene, propane, lighter fluid, etc., may not be used or stored in any residential facility, or by students in any other campus building except as approved by Vice President of Student Affairs adn Dean of Students.

Possession of Stolen Property**

Possessing property known to be stolen or not known to be stolen, that may be identified as property of the University or any other person or business.

Retaliation

Action against a person for filing a complaint or participating in proceedings regarding a violation of this Code of Conduct.

Sexual Misconduct

Violations of the Midway University Policy Against Unlawful Discrimination and Harassment.

Theft/Unauthorized Use of Property

Theft or unauthorized use of property, money or services from the University or any other person or business; includes duplication or possession** of any key issued for any University building, facility, or room.

Trespassing

Forcible or unauthorized entry into any room, building, structure or facility belonging to the University or any person or business; or unauthorized entry to or use of property belonging to the University or any person or business.

University Alcohol Policies

Midway University complies with all local, state, and federal laws regarding the use and possession of alcohol and does not permit alcohol on campus except for certain circumstances authorized by the Midway University Alcohol Policy. Examples of Prohibited Behavior: Possession** or consumption of alcoholic beverages on University property or during University or University organization functions, except under circumstances authorized by the Midway University Alcohol Policy, failure to comply with state or University regulations regarding the use or sale of alcoholic beverages and/or any misconduct or disruptive behavior while under the influence of alcohol. See the Alcohol and Other Drug Use/Abuse Policies and Programs section.

University Drug Policies

Midway is a drug-free campus and upholds all local, state and federal laws regarding the use and possession of drugs. Examples of Prohibited Behavior: The manufacture, distribution, sale, offer for sale, use, or possession** of any illegal drug or narcotic, as well as the illicit sale, distribution, offer for sale, use or possession of prescription drugs not covered by a valid prescription. In addition, the possession** or use of drug abuse instruments or paraphernalia is prohibited. Possession** or consumption of illegal drugs on University property or during University or University organization functions is prohibited. Prohibited items include, but are not limited to, bongs, hookahs, water pipes, rolling papers, etc. Drug paraphernalia also may include items that are not in and of themselves against Midway University policies, if said items are used for storing, preparing, consuming or in any other manner contribute to the use or possession of illicit drugs. See the Alcohol and Other Drug Use/ Abuse Policies and Programs section.

Vandalism/Destruction of Property

Intentionally or recklessly, but not accidentally, damaging, destroying, defacing, or tampering with University property or the property of any person or business.

Violation of Residence Hall Policy

Violation of any rule or regulation of the University residence halls which includes any campus owned or managed properties. View Residence Hall Policies.

** PLEASE NOTE: The presence of prohibited articles may be interpreted as possession of those articles. Students encountered in locations where drugs, alcohol, dangerous weapons or materials, or other prohibited articles are evident will normally be considered in violation of the Code of Conduct, even if they do not have the prohibited articles on their person at the time they are encountered.

Code of Conduct Jurisdiction

The submission of an application for admission to Midway University is an optional and voluntary action. Institutional approval of that application is, in turn, an extension of privilege to join the academic and social community and to remain a part of it if academic and behavioral standards are met. These expectations have been established so that the educational purpose of the University may be pursued in an atmosphere conducive to such an undertaking. When a student or group of students violates the Student Code of Conduct, these students must accept responsibility for their actions.

Students are expected to exhibit good judgment and responsibility in their behavior on University property, at University sponsored events, and off-campus. The University has the right to address off-campus behavior that conflicts with the University's educational objectives and/or its responsibilities to members of the community, even if such behavior is also being acted upon by legal authorities. The Vice President of Student Affairs and Dean of Students, or their designee shall decide whether the Student Code of Conduct shall be applied to such off-campus conduct, on a case-by-case basis, in her or his sole discretion. Disciplinary action taken on this basis shall conform to this student disciplinary process, including appeal.

Each student shall be responsible for her or his conduct from the time she or he is notified that his or her application for admission has been approved, up through the actual awarding of a degree or other permanent separation from the University. This includes during the academic year, before classes begin or after classes end, as well as during periods between terms of actual enrollment. The Student Code of Conduct shall apply to a student's conduct even if a student withdraws from school before disciplinary action can be taken for conduct that allegedly occurred before the student withdrew.

In general, any alleged violation of the Code of Student Conduct by a student or group of students at the University will come under the jurisdiction of the student disciplinary process. Violation of the University's Policy Against Unlawful Discrimination and Harassment is a violation of the Code of Conduct; however, notwithstanding any provision of the Code of Conduct or the student disciplinary process set out below that may suggest otherwise, allegations and reports of sexual misconduct (i.e., sexual harassment, sexual assault, domestic violence, dating violence, stalking and sexual exploitation) will be addressed and should be reported pursuant to the University's Sexual Discrimination and Misconduct Policy.

Student Discipline Authority

The student disciplinary process at Midway University consists of the Graduate Hall Directors, the Director of Residence Life, Vice President of Student Affairs and Dean of Students, a university appeals board and, on occasion, other administrators as deemed appropriate by the Vice President of Student Affairs and Dean of Students or the University's President. Disciplinary cases are handled by one of the above individuals or groups depending on the nature and severity of the offense.

Complaints for alleged violations of the Student Code of Conduct, including all residence life and campus policy, may be filed with the Vice President of Student Affairs and Dean of Students. Violation of the University's Policy Against Unlawful Discrimination and Harassment is a violation of the Code of Conduct; however, complaints about sexual misconduct as described above should be reported and addressed pursuant to the University's Policy Against Unlawful Discrimination and Harassment, while complaints of all other forms of unlawful discrimination or harassment of a student by a University employee or third party should be submitted pursuant to the Midway University Policy Against Unlawful Discrimination and Harassment. The Vice President of Student Affairs and Dean of Students, or designee, will decide which body shall hear the case based on factors which include, but are not limited to, the severity of the charged violation, the disciplinary history of the charged students, and the potential complexity of the case to be heard by the disciplinary body.

Violation of Law and University Discipline

University disciplinary proceedings may be instituted against a student charged with conduct that potentially violates the Student Code of Conduct without regard to the pendency of civil or criminal litigation in court or criminal arrest or prosecution. Proceedings in the student disciplinary process

may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus at the discretion of the Vice President of Student Affairs and Dean of Students or her or his designee. Determinations made, or sanctions imposed under the student disciplinary process shall not be subject to change simply because criminal charges arising out of the same facts giving rise to violation of university rules were dismissed, reduced, or resolved in favor of or against the criminal law defendant.

When a student is charged by federal, state, or local authorities with a violation of law, the University will not request or agree to special consideration for that individual because of her or his status as a student. If the alleged offense is also being addressed under the student disciplinary process, the University may advise off-campus authorities of the existence of the Student Code of Conduct and how such matters are typically handled within the University community. The University will attempt to cooperate with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators, provided that the conditions do not conflict with campus rules or sanctions. Individual students and other members of the University community, acting in their personal capacities, remain free to interact with government representatives as they deem appropriate, subject to any legal obligations that may apply such as University employees' obligations under the Family Educational Rights and Privacy Act.

Standard of Evidence

University disciplinary proceedings operate using the preponderance of the evidence standard. This means that the facts in question are more likely (at least 50.1% certain) that the respondent is responsible for the alleged code violation.

Administrative Hearings

An administrative hearing may be held to address all infractions of the Midway University Student Code of Conduct allegedly committed by a student, group of students, or student organization affiliated with the University. Administrative hearings are conducted by the Graduate Hall Directors, Director of Residence Life, Vice President of Student Affairs and Dean of Students, or other administrators as deemed appropriate.

Procedures for Administrative Hearings

The purpose of an administrative hearing is to evaluate a charged student’s responsibility for alleged violations of the Midway University Student Code of Conduct. The administrative hearing will be held as soon as sufficient notice is provided to the charged student, with the time between the initial complaint to administrative hearing not to exceed 21 calendar days, unless a reasonable extension is approved by the Vice President of Student Affairs and Dean of Students. The hearing will be conducted in accordance with the procedures set forth by the student disciplinary process but shall not be bound by technical rules of evidence or other formal rules of process and procedure, such as are applied in criminal or civil proceedings.

The following procedural protections are provided to charged students in administrative hearings:

1. Written notice, either in letter form or through Midway University email, of the specific charges to the charged student.

2. Evidence will be collected through an investigative process. During this time, the charged student can bring relevant evidence or witnesses to speak or provide statements on their behalf.
3. The Administrative Hearing Officer will notify the charged student of the hearing date and time once the investigative process has concluded.
4. The administrative hearing officer will review all materials collected through the investigation with the charged student at the hearing. In addition, if requested by the charged student, arrangements will be made for her or him to review the written materials prior to the hearing, subject to limits on disclosure required by law.
5. The administrative hearing officer will advise the charged student of the allegations made against her or him and give the charged student the opportunity to accept or deny responsibility.
6. If the charged student denies responsibility, then the administrative hearing officer will consider all available relevant information in order to decide if the charged student should be found responsible for violating the Student Code of Conduct.
7. The student has the right to speak or not speak on her or his own behalf. Invoking the right to not speak will not be considered an admission of responsibility.
8. A finding of responsibility will only be made if either (a) the charged student accepts responsibility, or (b) the evidence shows it is more likely than not that the charged student violated the Student Code of Conduct. If responsible, then the administrative hearing officer will assign appropriate disciplinary sanctions and explain them to the student. Prior to assigning sanctions, the administrative hearing officer may request and take into consideration additional information relevant to determining what sanctions are appropriate.
9. Following the hearing, the administrative hearing officer will send a letter to the student confirming the outcome of the hearing and the sanctions assigned.

In general, in hearings that involve multiple student parties, i.e., hearings with a charged student and a student complainant, hearings with more than one charged student, or hearings in which a student organization is a party, the record of those proceedings will be considered the education records of all students involved, except that no student shall have access to records or information the disclosure of which is prohibited by law. In hearings involving more than one charged student, the Vice President of Student Affairs and Dean of Students, or her or his designee, in her or his sole discretion may permit the hearings concerning each student to be conducted either separately or jointly.

Administrative hearings shall be closed to all parties other than the following:

- the charged student
- the administrative hearing officer
- a witness

While the University brings all charges within the student disciplinary process, there are occasions when a member of the campus community believes she or he has been a victim of the alleged violation and may also be considered a complainant. In this case, this person:

1. Will need to complete an incident report.
2. Have the opportunity to bring relevant witnesses to support the charges at hand during the investigation of alleged violation.

3. Have the opportunity to review and assess the content of the evidence to be presented in the case (except that no student shall have access to records or information the disclosure of which is prohibited by law).
4. Will be given written notice of the specific charges prior to the hearing.

Complainants wishing to know the outcome of a hearing covered by this student disciplinary process must submit a written request to the office of the Vice President of Student Affairs and Dean of Students. The Vice President of Student Affairs and Dean of Students or her or his designee will address the request to the extent allowed by law.

All procedural questions are subject to the final decision of the Vice President of Student Affairs and Dean of Students or her or his designee.

Appeals

Any student found responsible for a violation of the Student Code of Conduct, or any complainant, has the right to appeal an administrative hearing decision within five (5) business days of receiving the decision notice. Requests for appeals must be made in writing, via signed letter or email from the student's Midway University email account. Students may choose one of two appeal decision bodies:

1. Appeal to be considered solely by the Vice President of Student Affairs and Dean of Students or designee
2. Appeal considered by the University Appeals Board, comprised of one University staff member, one faculty member, and one current student. Membership on the Appeals Board changes depending on faculty, staff, and student availability and will meet as needed.

Appeal Process

If a hearing decision is appealed by the charged student or the complainant(s), the appeal will be assessed and processed as described below. This process will serve as the sole appeal for all parties:

1. Student submits a letter or email addressing the following:
    a. Preferred appeal hearing body:
        i. Vice President of Student Affairs and Dean of Students, or designee
        ii. University Appeals Board
    b. Identify the specific outcomes to be considered. For example, a student may wish to appeal one decision of responsibility, or all.
    c. Clearly articulate how at least one of the grounds for appeal are met. For an appeal to be granted and/or for the outcome to be amended, one or more of the following grounds for appeal must be met:
        i. The University made a procedural error, which could have significantly affected the outcome
        ii. Previously unavailable and relevant evidence was found that could impact the result
        iii. The determination of responsibility and/or the sanctions are arbitrary and unjustified by the information presented at the hearing.
2. The Vice President of Student Affairs and Dean of Students notifies all parties once an appeal is filed.

3. The appeal request is forwarded to the student's preferred hearing body.
    a. When grounds for the appeal have been met, the appeals body has the option to make decisions that extend the full range of the student discipline process, from finding the charged student responsible or not responsible for the violation to assigning any sanction it deems appropriate to the violation, including maintaining, decreasing, or increasing the sanction.
    b. Copies of all written materials used in the original hearing shall be made available to all members of the appeals body. These materials shall include the charge letter, documentation reports, witness statements, disposition letter, and any other documents pertinent to the case. In addition, if the original hearing was recorded, a copy of that recording shall be made available to the appeals body as well. Further, the appeals body will receive copies of the request for appeal and any additional documentation that will be presented at the appeals hearing. All documents shall be held in confidence and will be collected at the conclusion of the appeal. The burden of proof lies with the party that appealed.
    c. After a review of the record, the Appeals Board will deliberate privately and reach a decision.
4. The Vice President of Student Affairs and Dean of Students will send an appeal decision letter to the student who filed the appeal. The decision letter will be sent no later than 21-days after the initial request for appeal. The decision of the Appeals Board is final and will be presented to the charged student as soon as possible after the hearing by the Vice President of Student Affairs and Dean of Students or her or his designee.

Other Appeal Information:

- During the academic year, the Vice President of Student Affairs and Dean of Students or designee and Appeals Board will assess and decide appeals of cases that were adjudicated in an administrative student conduct hearing. The Vice President of Student Affairs and Dean of Students may serve as an administrative hearing officer and in such cases, must designate another campus administrator to hear appeals. During break periods when classes are not in session, the Vice President of Student Affairs and Dean of Students or designee may hear appeals in place of the board.
- Complainants wishing to know the outcome of an appeal covered by this student disciplinary process must submit a written request to the office of the Vice President of Student Affairs and Dean of Students. The Vice President of Student Affairs and Dean of Students or her or his designee will address the request to the extent allowed by law.
- All procedural questions are subject to the final decision of the Vice President of Student Affairs and Dean of Students or designee.

Notice and Disclaimer

The student disciplinary process applies to all persons taking courses at the University, either full-time or part-time. Persons who withdraw after allegedly violating the Student Code of Conduct, who are not officially enrolled for a particular term but have a continuing relationship with the University, or who have been notified of their acceptance for admission may also be considered "students" for purposes of this student disciplinary process.

Nothing about this student disciplinary process nor any policy, rule or other directive implementing it shall be construed as a contract of any kind--not for attendance at or enrollment in the University,

nor for any other thing addressed in this process or in any other policy, rule or other directive implementing it.

Disciplinary Sanctions

The Midway University Student Code of Conduct exists to support educational discipline and facilitate a caring community. The goal of the disciplinary process is to address and repair disruption to our community. Therefore, when a student is not a danger to the University community, or when repetition of misconduct is unlikely, the University will make an effort to educate the student through disciplinary sanctions. However, should the student demonstrate an unwillingness to adhere to the behavioral expectations of the University, he or she may be separated from the University.

Possible disciplinary sanctions include, but are not limited to:

- **Written Warning.** A written notice to the student that the student has violated the Student Code of Conduct that such behavior is unacceptable, and that further violations may result in more serious disciplinary sanctions.
- **Disciplinary Probation.** Disciplinary probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to be violating the Student Code of Conduct during the probationary period.
- **Loss of Privileges.** Denial of specific privileges for a designated period of time.
- **Fines.** Previously established fines may be imposed.
- **Restitution.** Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
- **Educational Sanctions.** Assignments made to assist in the educational outcome of the disciplinary process (e.g., participation in counseling, attendance at programs, writing a research paper, etc.). These assignments are designed to address the specific issues that arise in each disciplinary case.
- **Residence Hall Reassignment.** Mandatory room and/or hall change. This may occur when the student has been or may be a danger to herself or himself, to other residents, or to the facility, or when the hearing officer determines that a reassignment will minimize the risk of repeated violations of the Student Code of Conduct.
- **Parental Notification.** See the Parental Notification Policy. Students under the age of 21 who are found in violation of University policies related to alcohol or drugs will have a letter sent home regarding the incident.
- **Residence Hall Suspension.** Separation of the student from the residence halls for a specified period of time, after which the student is eligible to return. Conditions for readmission may be specified at conduct hearing.
- **Residence Hall Expulsion.** Permanent separation of the student from residence halls.
- **Disciplinary Suspension.** Separation of the student from the University for a defined period of time, after which the student is eligible to apply for readmission. Conditions for readmission may be specified at conduct hearing.
- **Disciplinary Expulsion.** Permanent separation of the student from the University.

More than one of the sanctions listed above may be imposed for any single violation. Disciplinary sanctions do not appear on a student’s academic transcript but do become a part of the student’s educational record with the University.

Any of the following sanctions may be imposed upon groups or organizations found to have violated the Student Code of Conduct:

- **Written Warning.** A written notice to the student that the student has violated the Student Code of Conduct, that such behavior is unacceptable, and that further violations may result in more serious disciplinary sanctions.
- **Disciplinary Probation.** Disciplinary probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to be violating the Student Code of Conduct during the probationary period.
- **Loss of Privileges.** Denial of specific privileges for a designated period of time.
- **Fines.** Previously established fines may be imposed.
- **Restitution.** Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
- **Educational Sanctions.** Assignments made to assist in the educational outcome of the disciplinary process (e.g., participation in counseling, attendance at programs, writing a research paper, etc.). These assignments are designed to address the specific issues that arise in each disciplinary case.
- **Deactivation.** Loss of all privileges, including University recognition, for a specified period of time. Conditions for reactivation may be specified.

Interim Measures

In certain circumstances, the Vice President of Student Affairs and Dean of Students, or her or his designee, may impose a disciplinary or residence hall suspension or other interim measures prior to a disciplinary hearing. Interim measures may be imposed:

1. to ensure the safety and well-being of members of the University community or preservation of University property;
2. to ensure the student's own physical or emotional safety and well-being;
3. if the student poses a definite threat of disruption of or interference with the operations of the University.

During an interim suspension, the student shall be denied access to the campus to the extent deemed appropriate by the Dean of Students or her or his designee. This may include restriction from residence halls, University activities, campus buildings, classes, etc., or may constitute restriction from the campus entirely.

Filing a Complaint

Complaints for alleged violations of the Student Code of Conduct may be filed with the Vice President of Student Affairs and Dean of Students or the Executive Director of Human Resources. Complaints about sexual misconduct (i.e., sexual harassment, sexual assault, domestic violence, dating violence, stalking and sexual exploitation) should be submitted pursuant to the University's Policy Against Unlawful Discrimination and Harassment. Complaints about all other forms of unlawful discrimination or harassment of a student by a University employee or third party should be submitted pursuant to the Midway University Policy Against Unlawful Discrimination and Harassment.

Parental Notification Policy

The Family Educational Rights and Privacy Act (FERPA), administered by the U.S. Department of Education, states that it is permissible for Midway University to notify the parents of underage students (under age of 21) when those students are found responsible for alcohol and other drug related offenses. Midway endorses the concept that the student, parents and the University are in a partnership in which each partner has the responsibility to promote a healthy and productive educational experience for the student.

The University imposes disciplinary policies and procedures to provide a positive learning experience for the student, protect the campus community, and maintain an environment conducive to learning. Students who have violated University alcohol and/or drug policies can benefit from candid discussion with their parents concerning the specifics of their disciplinary violations and how their use of alcohol and/or drugs can detract from their educational goals.

In support of this philosophy, parents and/or guardians of underage students may be notified when the student is found responsible for an alcohol or other drug related offense and a sanction of disciplinary probation or a more severe disciplinary sanction is imposed.

***** “Parent” as used in this policy also includes legal guardian.

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