

College Standards and Student Conduct

This section contains major policies addressing college standards and student conduct. These policies are the Student Conduct Policy, the Policy Regarding Sex Offenses and the Respect Statement. The Residential Life section covers housing standards and policies that augment the Student Conduct Policy. The Missouri Nursing Practice Act and the Student Alcohol Policy also address matters related to this chapter and are contained in the Appendices of this Guide. Academic Standards of Conduct policy appears in the Academic Policy.

Student Conduct Policy

Purposes of College Standards

The commitment of Research College of Nursing to scholarship, community service and the development of the individual involves a keen appreciation of liberal education's contribution to the overall educational process. Recognizing that education is for the present as well as the future, Research College of Nursing strives "to provide an environment that supports and enhances the educational programs and fulfills student learning needs."

The articulation and implementation of college standards contribute significantly to the framing of the college community environment in a way that encourages self-teaching of human values, responsibility for self and concern for others. It is, however, inevitable that some students will explore the limits of college standards sometimes to the point of violating standards or infringing on the rights of others. Research College of Nursing provides the mechanism for appropriate interventions which emphasize the education and development of the student needed for continued participation in this educational environment. Great care has been taken to provide safeguards intended to protect the rights of students involved in cases of misconduct.

In addition to these standards and procedures students should familiarize themselves with the policies, standards and basic expectations of the College as set forth in this guide, catalogs and any other official college publications and communications.

The Director of Student Affairs bears primary responsibility for implementing non-academic college standards and may delegate authority to appropriate staff or an ad hoc disciplinary committee.

Standards of Conduct

Students enrolling at Research College of Nursing assume an obligation to conduct themselves in a manner consistent with the goals of the College as expressed in the College Standards of Conduct. Although it is not possible to articulate in detail all regulations and policies, the following provide examples of the kinds of conduct that are unacceptable. Therefore, student misconduct that interferes with the normal function of the College or a College-sponsored activity or event in any of the following areas constitutes grounds for initiating action:

1. Violation of local, state or federal laws or statutes. Action by civil authorities is not a prerequisite for action by College officials.
2. Any dishonesty such as knowingly furnishing false information, orally or written, to the College or representative thereof.
3. Forgery, alteration, destruction or misuse of college documents, records or identification.
4. Possession or consumption of alcoholic beverages on campus or at a College sponsored event by persons under 21 years of age and or by students of any age in areas other than student living quarters on campus. (for more information refer to the Student Alcohol Policy and the chapter on Public Laws.)

5. Vandalism, destruction or damage, theft, unauthorized possession or misuse of private, public, medical center or College property including keys, library materials and all computer related hardware and software.
6. Disorderly or indecent conduct or expression. This would include, but not be limited to, any form of harassment, abuse, intimidation-physical or psychological- excessive noise or conduct which threatens or endangers the health, safety or welfare of self or others or infringes upon the rights of others.
7. Harassment of a non-sexual nature. This includes conduct that is offensive or shows hostility toward another student or employee because of his/her race, color, religion, national origin, age, disability, gender/sex, sexual orientation or veteran's status or those of his/her relatives, friends or associates.
8. Illegal, unauthorized or unprescribed use, possession or distribution of narcotics, drugs and/or chemicals.
9. Failure to comply with directions of College officials acting in the performance of their duties. This includes failure to comply with conditions of sanctions resulting from College conduct actions.
10. Conduct which adversely affects the student's suitability as a member of the academic community.

References to on-campus apply to both the Rockhurst campus and the Research campus.

Sanctions

Sanctions refer to the step(s) taken to help a student who has violated a College standard understand the consequences of her/his actions and re-emphasize the expectations the College has of her/him as a member of the College community. Sanctions are intended to educate for better decision making on the part of the student. Sanctions can include warnings, probation, fines and dismissal. The sanction imposed will depend upon the facts and circumstances in each case and on the student's prior disciplinary history. In serious cases, dismissal may result even if there is no prior record of misconduct.

Warning

This is the least demanding sanction. It recognizes behavior that reflects poor judgment and/or a lack of responsibility. It implies no further consequences unless additional violations occur. This sanction is noted in writing and placed in the student's file.

Probation

This sanction recognizes a serious offense and/or a pattern of misconduct. A student on probation is considered to be in the category of "not in good standing."

In some cases conditions may be attached to the probation. Conditions may include, but are not limited to, restrictions of activity, fines, community service, restitution, etc. Duration of the probation will generally be for the equivalent of one semester and/or until the conditions of the probation are met. The student must submit written documentation after completion of the terms of the probation to be returned to good standing.

Fines

Fines may be imposed as a part of probation or separately. All fines collected will be deposited in the College Scholarship Endowment Fund unless the fine is restitution for specific damages.

Dismissal

Students may be dismissed when their conduct adversely affects their suitability to continue as a member of the academic community. Dismissal may be imposed in two forms; suspension or expulsion.

Suspension is generally for a stated period of time. If the student chooses to reapply after completion of the term of the suspension the case is referred to the Director of Student Affairs to

review. This review and accompanying recommendation are included for consideration by the appropriate Admission Committee for readmittance.

Expulsion from the College means a student will not be readmitted to the College. Either suspension or expulsion may take place at any time during the year effective immediately.

A student's status is applicable to both Rockhurst University and Research College. Information regarding disciplinary actions is shared between the two.

Disciplinary Process

The disciplinary process is initiated by Research College of Nursing or Rockhurst University for alleged violations that occur within their respective jurisdictions.

In most cases where there is sufficient information a student has violated a College standard the student will be given a preliminary hearing by the Director of Student Affairs or his/her delegate. If the student agrees to a decision based on this hearing the matter is ended.

However, where serious sanctions may result due to a serious violation or a pattern of misconduct, the case may be referred by the Director of Student Affairs to an ad hoc disciplinary committee.

Ad hoc Committee Membership

For cases involving undergraduate students, membership on the ad hoc disciplinary committee shall be appointed by the Director of Student Affairs in consultation with the Rockhurst University Associate Vice President of Student Development or his/her delegate. Membership may be drawn from the Research and Rockhurst communities and shall consist of the Director of Student Affairs or his/her delegate as non-voting chairperson, one faculty member, one administrator and one undergraduate student.

For cases involving graduate students, membership on the ad hoc disciplinary committee shall be appointed by the Director of Student Affairs and shall consist of the Director of Student Affairs or his/her delegate as non-voting chairperson, one faculty member, one administrator and one graduate student.

The ad hoc disciplinary committee is generally appointed from the membership of the Student Affairs Committee and the Rockhurst Student Welfare Committee (for undergraduate cases only). In cases where scheduling prohibits or there is potential for conflict of interest membership may not be specifically from these committees. The Director of Student Affairs will review committee membership with the student in advance of the hearing to ensure an unbiased composition of the committee.

Committee Voting

A majority of votes is necessary to impose a sanction. The decision of the committee is final, subject only to the student's option to appeal the decision.

Notification

The student alleged to have violated a College standard will receive written notice of the particular offense, the specific charge(s) and instructions regarding the date, time and location of the hearing. Notice will be mailed to the students' current address on file with the College of Nursing and placed in the student's campus mailbox. In either case the notice will be deemed delivered.

Face to face meetings to resolve misconduct issues are the preferred method. However, meetings may be conducted using speakerphone or other electronic transmission methods for students who are unable to participate in a face to face meeting.

For preliminary hearings students will be given the option to schedule the hearing at their convenience within a week of the dated notification. Committee hearings will be scheduled around the student's

academic schedule no less than 24 hours from the date of notification by the chairperson of the committee.

The student will be provided access to and/or copies of any relevant documents prior to any hearing. The student is advised that the hearing may include review of all or part of their official college records.

Hearing Procedures

The student is advised before any hearing that a member of the college faculty, administration or staff may be brought along as an advisor but that the student is expected to present her/his own case. A written record of each hearing shall be maintained by the Student Affairs Office.

The chairperson is responsible for the conduct of the committee hearing, explaining the process and procedures for presenting information and questioning.

Participants in a committee hearing include the committee members, the student accused of violation(s), a note taker and persons presenting information for or against the student. The student is present for all presentation of information and questioning. Questioning is the purview of the committee. Repetitious testimony (e.g. character witnesses) may be limited by the chairperson or committee to that which is necessary to establish credible information.

Following the hearing process the committee deliberates in private until it reaches a decision. The student is recalled and informed of the committee's decision and his/her right to appeal.

Disciplinary hearings are not legal proceedings and technical rules of evidence do not apply. Every effort is made to ensure a fair hearing and to this end all participants are expected to provide honest responses to questions put forth.

Appeal Process

A student who wishes to appeal a decision must submit a written "intent to appeal" statement with the Director of Student Affairs within 24 hours of learning the decision. The student will then be permitted up to 72 hours to prepare and present a written appeal. At the student's option, he/she may be present for review of the appeal. The student may be accompanied by the advisor present during the original hearing.

Appeals are heard as follows: in cases heard by the Director of Student Affairs the appeal may go to either an ad hoc disciplinary committee or the President/Dean of the College of Nursing; in cases heard by an ad hoc disciplinary committee in which the sanction is anything but dismissal the appeal is heard by the President/Dean of the College of Nursing; in cases heard by an ad hoc disciplinary committee in which the sanction is dismissal (suspension or expulsion) the appeal goes to the President/Dean of the College of Nursing and President of Rockhurst University for undergraduate students and to the President/Dean of Research College of Nursing for graduate students.

Pending the response to an appeal, the student's status will remain unaltered except in cases where there are concerns for the safety and welfare of the student, patients or other members of the College community or property.

Grounds for Appeal

A decision may be appealed if the student believes at least one of the following:

1. The information was insufficient to warrant the action taken.
2. The decision was arbitrary and capricious.
3. The decision was inconsistent with existing College policy.

The decision following appeal, or the initial hearing if there is no appeal, is the final position of the College. The student will be notified in writing of the final decision within five (5) working days.

Policy Regarding Sex Offenses

Inclusion of this policy in this guide is one of several educational efforts to promote awareness of sex offenses. Programs offered by Rockhurst University, which are available to all undergraduate nursing students, include the "Party 101" performance during new student orientation and the programs dealing with the subject that are offered in each residence hall during the school year. Programs offered by Research are designed to further heighten awareness of the sex offenses addressed by this policy.

Policy

Sex offenses committed by any member of the Research community - student, faculty, administrator, staff or clinical partner - against any other member are prohibited. Sex offenses include behaviors ranging from sexual harassment to sexual assault, forcible or not forcible. Faculty members and others in positions of authority should be sensitive to questions of consent that may be raised by such behaviors, and to the conflict of interest inherent in intimate relationships where professional and educational relationships are also involved.

Definition

Sexual harassment means unwelcome, unsolicited, uninvited, offensive, or undesirable conduct of a sexual nature directed at or affecting another person of the same sex or of the opposite sex.

Sexual assault is divided into two categories:

Forcible sexual assault is any sexual act directed against another person forcibly and/or against that person's will and includes forcible rape, forcible sodomy, sexual assault with an object and forcible fondling.

Non-forcible sexual assault is any sexual act directed against another person non-forcibly or against that person's will where the victim is incapable of giving consent and includes unlawful, non-forcible sexual intercourse, incest and statutory rape.

Depending on the circumstances, acquaintance rape could be in either category.

Confidentiality and Reporting

The College will take all reasonable steps to maintain the confidentiality of all parties involved in an alleged sex offense. Confidentiality, however, cannot be guaranteed. Parties involved will be informed if the College cannot ensure confidentiality.

Consequences

Students found in violation of the College's Sex Offense Policy will be subject to disciplinary action, up to and including expulsion from the College. Even if student offenders are not prosecuted by criminal justice authorities, the College can pursue disciplinary action. The College may suspend or remove from campus housing a student accused of a sex offense pending the outcome of an investigation or disciplinary hearing if, in judgment of the College, the student poses a potential threat to him or herself or others. Any student found to be harassing or intimidating others who have filed sex offense complaints face disciplinary charges as outlined in the Student Code of Conduct.

Procedures for Addressing Sex Offense Allegations

1. Students who are victims of a sex offense should report the offense to the Director of Student Affairs or a member of the housing staff. Students are also encouraged to report such offenses to the Research Safety and Security Department and the Kansas City police. Students should take into consideration the nature of the offense (severity) when deciding to whom the alleged offense should

be reported and the importance of preserving evidence as may be necessary to the proof of criminal sexual assault. Students may wish to request assistance in notifying campus security or local police.

2. When a student reports a sex offense, the Director of Student Affairs will meet with the complainant to discuss the range of resources and alternatives available to her/him.
3. If a student requests confidentiality or asks that the complaint not be pursued, the College will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or request not to pursue an investigation.
4. If a student insists that his or her name or other identifiable information not be disclosed to the alleged perpetrator, the College will inform the student that its ability to respond may be limited. The College will pursue other steps to limit the effects of the alleged harassment and prevent its recurrence.
5. The complainant will be asked to sign a written statement of the specific charges, giving the nature of the sex offenses alleged, the name of the accused, and the date and place of the offense. The Director of Student Affairs will then secure permission from the complainant to discuss the alleged offense with the accused and present the option of an informal resolution of the complaint.
6. The Director of Student Affairs will conduct a full investigation of the complaint. The investigation needs to be completed in a timely manner. Most investigation periods should not exceed 60 calendar days. This time frame can vary depending upon the complexity of the investigation and the severity and extend of the harassment.
7. In the informal procedure, the complainant writes a letter to the accused, giving the details in the above statement. This letter should also state that a copy is being given to the Director of Student Affairs. The Director of Student Affairs prepares written notification of the complaint received, alleged violation(s) of College policy and that an attempt at informal resolution is to be scheduled. The notice and letter are sent to the accused. The Director of Student Affairs will take all reasonable steps to ensure confidentiality for all parties throughout the process.
8. Informal resolution may involve separate meetings by the Director of Student Affairs with each party. Proposals for resolution are discussed by the Director of Student Affairs with each party, after which the Director of Student Affairs will decide what disciplinary or other action will be taken. If a mutually satisfactory resolution of the complaint is achieved, a letter saying so, signed by both parties, will be secured by the Director of Student Affairs, with a copy to each party.
9. If both parties do not agree to the informal process, or if the informal process does not lead to mutually satisfactory resolution of the complaint, then the formal process described in the "College Standards and Student Conduct" section of this guide will be followed.

Victims of sex offenses will be assisted to avail themselves of counseling resources. They may also change academic and/or living arrangements precipitated by the offense if they wish to do so and if these changes are reasonably available.

The disciplinary sanctions that may be imposed through either the informal or the formal process are described in this guide.

The policy prohibits retaliation against anyone who brings an accusation of sex offense, or who helps with the investigation or resolution of the alleged offense. Such retaliation is subject to discipline. Also subject to discipline is anyone who brings false allegations of a sex offense.