

- iii. Referrals to off-campus specialists, support groups, outpatient and inpatient services for the treatment of alcohol dependence; and
  - iv. Educational materials and programs for educational campaigns, classes and student groups;
- b. Campus Ministry: the University Chaplain provides pastoral care through an array of opportunities addressing alcohol and other drug problems and leading students to recovery support and healing;
- c. Residence Life: Staff members address residents' concerns and make appropriate referrals related to the negative effects of alcohol use, including interpersonal conflicts, vandalism, and health concerns;
- d. Student Health Services: Professionals treat injuries and illnesses associated with alcohol use and refer students who may have problems related to alcohol use to the Counseling and Consultation Center or an off-campus specialist for assessment and treatment, if needed;
- e. Campus Life and the First Year Experience: Staff members provide training during New Student Orientation and provide programming on related topics; and
- f. AOD Task Force: The Dean of Student Affairs coordinates and collaborates with members of the Alcohol and Other Drug Task Force to periodically review University policies, sanctions, educational initiatives, and treatment efforts related to alcohol and other drugs.

### **7.2.2    *Wheeled Devices/Bicycles***

Skateboards, roller blades, roller skates, bicycles, and similar wheeled devices are not permitted to be ridden inside HT buildings, residence halls, or on tennis courts. Additionally, skateboards and other wheeled items may not be ridden on railings, curbs, benches, or any such fixtures that may be damaged by these activities and individuals may be liable for damage to HT property caused by these activities.

Students with a bicycle on campus must assume full responsibility for its proper use and storage. It is strongly recommended that every bicycle be locked. A bicycle may not block doors, walks, stairs, halls, fire escapes or any other area where it may be considered a fire or other safety hazard.

### **7.2.3    *Cancellations***

In the event Huston-Tillotson University should need to delay or cancel classes (especially due to inclement weather), the following notification procedures will be followed:

1. During normal work hours (8:30 a.m. – 5:30 p.m.), faculty, staff and students **will be notified by campus email** of emergency situations or pending emergency situations, such as severe weather or national emergency:
  - a. Supervisors will ensure that all employees in their area have read their email and are aware of the situation;
  - b. Faculty will ensure that all students in their classes are aware of the situation; and
  - c. The Dean of Student Affairs is responsible for ensuring students residing in the residence halls are aware of the situation.
2. After work hours (5:30 p.m. – 8:30 a.m.), faculty, staff and students **will be notified via local television and radio stations and by campus email** on the status of the University and of any delayed openings or closures, such as in the case of severe weather or national emergency:

- a. Supervisors will develop a plan to contact employees to ensure they are aware of the status of the University; and
- b. The Dean of Student Affairs is responsible for ensuring students residing in the residence halls are notified about the status of the University.

In the case of a prolonged emergency or disaster, the Director of Information Technology, in conjunction with the Director of Public Relations, will coordinate to announce the status of the University on the website.

#### **7.2.4 Children Unattended on Campus**

The University has an obligation to its students, faculty, staff, and visitors to conduct its operations and maintain its facilities in a manner consistent with its mission as an institution of higher education. There may be occasions when brief visits by children under the age of 17 of faculty, staff, and students may be necessary. Minor children may visit University offices and facilities, other than classrooms, for limited periods of time at the discretion of the supervisor of the office or facility which is the destination of the parents or child. On such occasions, children will be subject to the same conditions as any other visitor to the University. Children may not stay overnight in the residence halls and must be accompanied by their parent or guardian at all times. Regular, repeated visits by children are not permitted. It is a parent's responsibility to supervise children at all times they are present on University premises. Children are not to be left unattended on campus. If children are unattended, Campus Safety should be notified immediately. Students should also refer to the policy regarding children in the residence halls located in this Handbook.

#### **7.2.5 Copyright Guidelines**

See Volume II, Campus Community Policies.

#### **7.2.6 Demonstrations**

Demonstrations must be registered in writing at least thirty-six hours in advance with the Dean of Student Affairs. The University reserves the right to restrict demonstrations to designated locations and times. All demonstrations (and expression of any form) must be peaceful and orderly. Demonstrations may be organized and led only by members of the HT community. Demonstrations or other forms of expression may not compromise the rights of other members of the University community nor interfere materially with the general operation of the University. Free speech is a cherished foundation of academia. Forms of expression, however, may not demean or degrade individuals.

#### **7.2.7 Non-Discrimination Policy**

The University is committed to upholding standards that promote respect and human dignity in an environment fostering learning and professionalism. It is the policy of the University to maintain an educational and work environment free from all types of discrimination and harassment, an open environment which values and protects individual dignity and the integrity of human relationships. Accordingly, all forms of discrimination against or harassment of any member of the University community, whether based on race, color, gender, age, marital status, religion, national origin, sexual orientation, political affiliation, disability, Vietnam or disabled veteran status, or such other characteristic recognized by law as unacceptable, are prohibited.

The educational process at the University is based on mutual trust, freedom of inquiry, freedom of expression, and the absence of intimidation and exploitation. Such an atmosphere of respect and regard for individual dignity among members of the academic community is essential if the University is to function as a center of academic freedom and intellectual advancement. In addition, the University has a compelling interest in assuring the provision of an environment in

which learning and work may thrive. Such an environment requires free and unfettered discussion of the widest possible nature; one which encourages expression of all points of view.

The University recognizes that the academic setting is distinct from the workplace in that wide latitude is required for professional judgment in determining the appropriate content and presentation of academic material. Assertions regarding any of the recognized characteristics listed above, however, should be directly related to the exchange of ideas, ideologies or philosophies. Any such assertions in the teaching context that are persistent, pervasive, and not germane to the subject matter may constitute sexual or another form of harassment and will not be tolerated. See complete policy and procedures for reporting violations in Volume II, Campus Community Policies.

#### **7.2.7.1 Hostile Environment in Absence of Complaint**

If the University has credible notice – either direct or indirect – of possible discrimination, harassment, or sexual harassment of a member of its community or notice of a sexually hostile, harassing, or discriminatory environment, in the absence of a complaint, it will take immediate and appropriate steps to investigate or otherwise determine what occurred. The University will take appropriate steps to end the harassment and/or discrimination, eliminate a hostile environment if one has been created, and prevent harassment and/or discrimination from occurring again. Complaints involving sexual harassment by any University employee or vendor should be referred to Human Resources.

#### **7.2.8 Disruptive Behavior in the Classroom**

Each student is subject to the rules and regulations of Huston-Tillotson University. No student may obstruct, hamper, disrupt, or otherwise interfere with the institution's fulfillment of its mission. Any occurrence of these infractions may lead to disciplinary action.

A student may be removed from the classroom if he/she engages in behavior that is considered disruptive. If a student fails to leave voluntarily, a Campus Safety officer may be summoned. Faculty members shall report disruptive student behavior in writing to the Provost and Vice President for Academic Affairs or the School or College Dean and shall be prepared to document actions taken in writing.

#### **7.2.9 Dogs on Campus**

There are significant health and safety hazards and nuisances created by unrestrained dogs on campus. Accordingly, the following guidelines shall be enforced:

1. Dogs shall not be brought on campus unless they serve as guide dogs.
2. Trained helping animals (sometimes referred to as service animals) such as guide dogs for the blind, as well as animals being trained as such, are permitted on the University campus and in University buildings for use by those employees and students with registered disabilities.
3. Animals used for approved research projects are permitted on the University campus and in certain University buildings.

#### **7.2.10 Electronic Devices**

Cellular phones, pagers and other electronic devices shall not be used in a manner that causes disruption in the classroom, library or within any University owned or University operated facility. Abuse of cellular devices with photographic capabilities, use of devices for purposes of photographing test questions or other notes and materials is prohibited. Photographing individuals in secured areas such as bathrooms, locker rooms or other areas where there is a reasonable expectation of privacy, and/or taking photographs of an individual against his/her will

is strictly prohibited. Electronic transmission of photographs of any person without express permission is strictly prohibited and may be subject to conduct action.

#### **7.2.11 Facilities Use**

Internal and external requests for use of campus grounds and/or facilities are directed to the Events Management in Institutional Advancement. A detailed facilities reservation policy may be obtained from Events Management.

#### **7.2.12 Felonies**

Should any student be charged with or convicted of a felony, the University reserves the right to make a determination in each case as to the academic and resident status of the student.

#### **7.2.13 The Family Educational Rights and Privacy Act of 1974**

At the University, all academic records of students who enroll are kept in accordance with the provisions of The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99), which is a federal law that protects the privacy of student education records.

Eligible students (those over 18 years of age) have the right to inspect and review their education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.

There are some records to which the student has no right of access. These are:

1. Financial records of parents;
2. Confidential letters and recommendations written prior to January 1, 1975;
3. Those confidential letters and recommendations for which a waiver of rights to access has been assigned, provided the student is given the names of those writing letters (there are three areas in which waivers may be signed – admission, employment, and honors);
4. Doctors' and psychiatrists' records. However, these may be reviewed by the student's own physician.

Eligible students have the right to request that a school correct records that they believe to be inaccurate or misleading. If the school decides not to amend the record, the student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the student has the right to place a statement with the record setting forth the student's view regarding the contested information.

A school is not required to consider requests for amendment under FERPA that:

1. Seek to change a grade or disciplinary decision; or
2. Seek to change the opinions or reflections of a school official or other person reflected in an education record.

Generally, schools must have written permission from the student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):

1. School officials with legitimate educational interest;
2. Other schools to which a student is transferring;
3. Specified officials for audit or evaluation purposes;

4. Appropriate parties in connection with financial aid to a student or the result of a judicial or quasi-judicial hearing;
5. Organizations conducting certain studies for or on behalf of the school;
6. Accrediting organizations;
7. To comply with a judicial order or lawfully issued subpoena;
8. Appropriate officials in cases of health and safety emergencies; and
9. State and local authorities, within a juvenile justice system, pursuant to specific State law.

Schools may disclose, without consent, “directory” information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. However, schools must tell students about directory information and allow parents and eligible students a reasonable amount of time to request that the school not disclose directory information about them.

At the University, information about student rights and responsibilities under FERPA is available in the Office of the Registrar.

#### **7.2.14 Freedom of Expression and Dissent**

Freedom of expression and dissent is protected by University policy for all members of the University community. The University values and defends the right of free speech and the freedom of individual expression, providing such expression respects the laws of the civil and University communities and responsibility for the expression is assumed by the individual. The exercise of these rights must not deny the same rights to any other individual. This University acknowledges that, by common understanding, a college fosters and protects the rights of individuals to express themselves even in a dissenting mode.

The University respects the rights of all groups or individuals to express opinions, publicly and privately, regarding matters relating to their welfare while members of the University community. The University also respects the rights of each member of the academic community to be free from coercion and harassment. A demonstrable effort will be made to understand grievances and to solve problems. Established lines of communication, which provide channels for orderly expression of thought, will remain open at all times. Members of the University community are expected to follow these lines of communication. The University does not condone disruptive or destructive activities or demonstrations which interfere with the normal operations of the University. Unauthorized occupancy of or damage to buildings, property, or materials therein is prohibited. Persons engaged in such activities will be subject to disciplinary action, including suspension or expulsion.

Protest or demonstration shall not be discouraged so long as neither force nor the threat of force or other means of intimidation are used, and so long as the orderly processes of the University are not obstructed. The time, place, and manner of exercising this right on campus are subject to University regulations. Student membership in the University community carries with it, as a necessary condition, the agreement to honor and abide by these guidelines and by the Code of Conduct and Community Standards. Specifically, expression of dissent shall not:

1. Deny or infringe upon the rights or result in harassment of other students, faculty, staff or guests of the University community. Expression that is severe, persistent, and objectively offensive, that is directed toward an individual based upon that individual's protected status (e.g., sex/gender, race, ethnicity, national origin, disability or age) and has the effect of limiting or denying educational or employment access, benefits or

opportunities is not a protected form of speech or expression, and can form the basis of a violation of the campus harassment, bullying or discrimination policies;

2. Disrupt or interfere with educational or other activities of the University community. Within the classroom, visual and/or aural demonstrations, depictions or conduct that may be offensive to an individual will not be restricted when there is a legitimate pedagogical context, such as material having an appropriate connection to course subject matter;
3. Create a volume of sound that prevents members of the University community from their normal activities;
4. Obstruct pedestrian or vehicular traffic on the campus;
5. Obstruct or restrict the free movement of persons in any part of property owned or leased by the University;
6. Deny the normal use of offices or other facilities to the students, faculty, staff or guests of the University;
7. Endanger the safety of any person on the University campus; or result in the defacement or destruction of University property;
8. Incite violence using "fighting words" directed at an individual or group;
9. Use language that is defamatory and/or obscene causing a discriminatory effect such that it limits or denies someone's educational or employment access, benefits and/or opportunities.

#### **7.2.15 Hazing**

Before pursuing membership in or joining a recognized Greek-lettered or athletic organization at Huston-Tillotson University, students are strongly encouraged to carefully review the section on hazing located below. This information can also be accessed on the Student Organizations and Title IX websites.

All prospective candidates for Greek-lettered membership and current members are required to sign a hazing release form if they wish to seek membership in a Greek-Lettered organization to ensure they are aware of the University policies and law against hazing. The University works closely with Graduate Advisors to ensure clear communication and enhanced chapter productivity. Finally, the University also includes hazing awareness among a variety of other risk management topics and leadership programming which is sponsored by the Office of Campus Life to aid student organizations in reaching their full potential. The Office of Campus Life provides an updated list of currently recognized student organizations on-campus.

Hazing is against the laws of the State of Texas and Huston-Tillotson University policy. The Office of Campus Life, in conjunction with the Office of the Dean of Student Affairs, will work to enforce all legislation, laws, regulations, and policies pertaining to this issue as it relates to officially recognized student organizations.

All acts of hazing, as defined by this policy, by any individual student or sanctioned or promoted by any University registered student club or organization and any of its members or alumni are prohibited. Students are entitled to be treated with consideration and respect, and no individual may perform an act that is likely to cause physical or psychological harm to any other person within the University community. Accordingly, any such behavior is expressly forbidden when related to the admission, initiation, pledging, joining, or any other group-affiliation activity.

Any student or organization found to be involved in any hazing activity will face conduct action and may be subjected to suspension or expulsion from the College/University. A violation of this

policy may exist irrespective of any alleged voluntary or consensual participation in the activity by the person(s) being abused.

Additional information regarding how the University addresses allegations of hazing can also be found on-line in the Campus Life Student Organizational Manual and Code of Conduct and Community Standards. The penalties associated with hazing include, but are not limited to: student suspension, student expulsion, criminal and civil charges, chapter suspension, or revocation of a chapter.

#### **7.2.15.1 Hazing Defined**

Hazing (as defined by the Texas Education Code) means any intentional, knowing, or reckless act, occurring on or off the campus of an educational institution, by one person alone or acting with others, directed against a student, that endangers the mental or physical health or safety of a student for the purpose of pledging, being initiated into, affiliating with, holding office in, or maintaining membership in an organization. The term includes:

1. Any type of physical brutality, such as whipping, beating, striking, branding, paddling, electronic shocking, placing of a harmful substance on the body, or similar activity;
2. Any type of physical activity, such as sleep deprivation, exposure to the elements, confinement in a small space, calisthenics, or other activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student;
3. Any activity involving consumption of a food, liquid, alcoholic beverage, liquor, drug, or other substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student;
4. Any activity that intimidates or threatens the student with ostracism, that subjects the student to extreme mental stress, shame, or humiliation, that adversely affects the mental health or dignity of the student or discourages the student from entering or remaining registered in an educational institution, or that may reasonably be expected to cause a student to leave the organization or the institution rather than submit to acts described in this subdivision; and
5. Any activity that induces, causes, or requires the student to perform a duty or task that involves a violation of the Penal Code.

#### **7.2.15.1.1 Committing an Offense**

A person commits an offense if the person:

1. Engages in hazing;
2. Solicits, encourages, directs, aids, or attempts to aid another in engaging in hazing;
3. Recklessly permits hazing to occur; or
4. Has firsthand knowledge of the planning of a specific hazing incident involving a student in an educational institution, or has firsthand knowledge that a specific hazing incident has occurred and knowingly fails to report that knowledge, in writing, to the Dean of Student Affairs or other appropriate official of the institution.

#### **7.2.15.2 Texas Law Regarding Hazing**

Be aware that in a Texas court of law:

The offense of failing to report hazing is a Class B misdemeanor.

1. Any other offense considered hazing that does not cause serious bodily injury to another is a Class B misdemeanor.

2. Any other offense considered hazing that causes serious bodily injury to another is a Class A misdemeanor.
3. Any other offense considered hazing that causes the death of another is a state jail felony.

### **7.2.15.3 Other Unacceptable Activities**

Activities which constitute acts that are dangerous, harmful, or degrading, in violation of Huston-Tillotson University's definition of hazing include, but are not limited to:

- Calisthenics, such as sit-ups, push-ups, or any other form of physical exercise;
- Total or partial nudity at any time;
- The eating or ingestion of any unwanted or unpleasant substance;
- The wearing or carrying of any embarrassing, degrading, or physically burdensome article;
- Paddle swats, including the trading of swats;
- Pushing, shoving, punching, slapping, tackling, or any other physical contact;
- Throwing oil, syrup, flour, or any substance on a person;
- Individual or group interrogation;
- Consumption of alcoholic beverages accompanied either by threats or peer pressure;
- Lineups intended to demean or intimidate;
- Transportation and abandonment (road trips, kidnaps, walks, rides, drops);
- Confining individuals in an area that is uncomfortable or dangerous (hot box effect, high temperature, too small);
- Any type of personal servitude that is demeaning or of personal benefit to the individual members, including, but not limited to, spending money on chapter members or fulfilling chores (i.e., washing car, cleaning room, etc.);
- Wearing of embarrassing or uncomfortable clothing;
- Assigning pranks such as stealing, painting objects, harassing other organizations;
- Intentionally messing up the house or a room for clean up;
- Pressuring prospective members for sexual contact;
- Marching or death marches;
- Requiring travel outside of nationally sponsored events;
- Attending educational sessions at campuses other than HT;
- Demeaning names;
- Yelling and screaming;
- Requiring boxing matches, wrestling, or fights for entertainment;
- Failure to report any inappropriate activities or knowledge of hazing; and
- Any prohibited activities as outlined by the national organization or activities inconsistent with the national organization's membership intake or selection process.

**NOTE:** It is not a defense to prosecution of hazing that the person against whom the hazing was directed consented to or acquiesced in the hazing activity.

### **7.2.16 Internet Use**

Information and communication posted on the Internet are public in nature. This includes, but is not limited to, social networks such as: Facebook.com, MySpace.com, blackplanet.com, Yahoo360, Internet message boards, forums, web pages, tweeting, and blogs. Where information and communications posted in these avenues violate the Code or documents a violation of the Code, such information or communication may be used in conduct proceedings. In particular, communications that violate the Code, such as threats and harassment, are



violations whether they are transmitted in person, by phone, over the Internet, or by any other means.

As representatives of the University, student leaders are expected to refrain from posting inappropriate information on the Internet that violates the Code. Failure to abide by this directive may jeopardize the student's leadership position or ability to hold a position for a year after the infraction.

The University strongly discourages students from sharing personal information in these public spaces and cautions that employers frequently examine these sites to evaluate potential candidates.

#### **7.2.17 *Indebtedness to the University***

Financial responsibilities must be resolved before grades and/or official transcripts are released or before the student registers for additional classes. These include any fines or fees. Students may be withheld from participating in graduation if all financial responsibilities are not paid.

#### **7.2.18 *Intellectual Property Rights***

As an educational community characterized by the pursuit of truth and knowledge, critical thinking and self-discovery, and scholarly writing and technological advancements, the Huston-Tillotson University Intellectual Property Rights policy pertains to faculty, educational staff, and students. The policy states:

##### **7.2.18.1 *Intellectual Property Rights Regarding Research***

This policy on Intellectual Property enumerates the rights of Huston-Tillotson University regarding research under the auspices of the University. Intellectual Property is herein defined as all inventions, scientific or other discoveries, and technological advancements developed during the course of a research project that are patentable under applicable law, and/or such works of authorship that are subject to copyright law.

The University supports and encourages its faculty, staff, and students to explore research and consortia relationships as a means to advance knowledge and technology, to improve the effectiveness of their teaching, and to provide learning experiences, internships, and employment opportunities to students. It is the objective of Huston-Tillotson University to administer all patentable inventions and copyrightable works in a manner such as to maximize their benefit to the public.

##### **7.2.18.2 *Inventions***

Any invention by a University employee or student is the property of the University and is considered a "University invention," under the following circumstances: (a) that the invention or modification is conceived or reduced to practice by a University employee or student utilizing facilities owned or under the research work sponsored by the University, (b) or is related to an operation or activity of the University; and (c) that the invention is not subject to a written research grant agreement between the University and a third party specifying the terms of ownership, licensing, and use of the invention.

If an invention that is conceived or reduced to practice is funded by the University and a third party jointly, or solely by a third party or parties, the ownership of the invention is determined by the terms of the written agreement between the University and the third party.

The inventor shall assign the individual's interest in the invention to the University or an assignee named by the President, except when the University's interest in an invention is released to the inventor by the President as described later in this statement. The inventor shall, not more than 30 days after the development of the invention, file a written disclosure statement

with the President that includes the following information:

1. A title that is brief, technically accurate, and descriptive;
2. An abstract of the invention;
3. A statement of the background of the invention;
4. A description of the prior art that shows the novelty, utility, and non-obviousness of the invention being disclosed;
5. A list of publications, if any, in which the invention has been disclosed and occasions on which the invention was disclosed orally to others;
6. Each budget number used to defray invention related costs;
7. The signatures of each inventor and at least two witnesses who understand the invention;
8. The date the disclosure statement is filed with the President.

The inventor shall periodically report in writing to the President the current status of progress, results of research, and development work done with respect to the invention.

The inventor, when requested by the University, will do each thing necessary, including execute legal documents and review patent prosecution papers, to assist the University in patenting and administering the invention.

The President shall review each proposed research grant or program agreement to which the University is party and which may produce a patentable invention to determine its consistency with this policy, and where major differences are found, either approve them in writing as an exception to this policy or recommend amendments to the agreement.

The President shall, at the President's discretion, apply for patents for the invention; or release the University's interest in the invention to the inventor; or dispose or retain ownership of the invention in another manner.

The University will bear the costs associated with a University invention and before disbursement of royalties are made, may recover these costs as follows: If there is one inventor, the University shall pay the inventor a royalty of 40% of the net proceeds (the gross receipts from external users, less costs, and expenses paid or incurred by the University in connection with a University invention).

If there is more than one inventor, the University shall pay the inventors collectively 40% of the net proceeds and distribute this royalty equally between the inventors, if there is no agreement between the inventors covering the division of their interest in the invention or work, or in accordance with an agreement between the inventors covering the division of their interest.

The University shall distribute the remaining 60% as follows: 25% to the University's general fund, and 35% to the University department or program with which the inventor is associated.

#### **7.2.18.3 Works or Authorship**

The copyright of a work authored by a faculty member or student is the property of the faculty member or student unless the University has entered into a written agreement with the faculty member or student in which the faculty member or student has agreed to author the work for

hire.

If the University enters into an agreement with a faculty member or student in which the faculty member or student agrees to author a work, the work is “a work for hire” under federal copyright law.

A work authored by an administrative employee of the University as part of that employee’s assigned duties is “a work for hire” under federal copyright law.

The copyright to “a work for hire” is the sole property of the University.

The copyright of all materials (including software) that are developed with the significant use of funds, space, equipment, or facilities administered by the University, including but not limited to classroom and laboratory materials, but without any obligation to a third party or subject to a third party agreement, will be held by the University.

Creators of copyrightable material not owned by the University own the copyrights in their works and are free to publish them, register the copyright, and receive any revenues which may result there from.

Materials owned by the University (including software) under the terms of this policy shall not be altered or revised without providing the author a reasonable opportunity to assume the responsibility for the revision. If the author declines the opportunity to revise such material, the President will make the assignment of responsibility for the revision.

#### ***7.2.18.4 Dispute Resolution***

Should a disagreement arise between a researcher and the University regarding the application of this policy or the ownership of an invention or work, a committee consisting of one person selected by the inventor or author, one member selected by the President of the University, and a third member agreed upon by the first two committee members selected will resolve the disagreement and report the resolution to the President who will have the final word.

The University may not bring, prosecute, or defend court litigation involving a University invention or work without the prior written approval of the President.

#### ***7.2.19 University-Initiated Involuntary Withdrawal***

Huston-Tillotson University is committed to the health and safety of all students and to the campus community as a whole. The Code of Conduct and Community Standards (Code) is:

based on promoting academic achievement and a tradition of excellence regarding student behavior and citizenship. To accomplish these objectives and responsibilities requires that the University be free from violence, threats, and intimidation; protective of free inquiry and dissent; respectful of the rights of others; open to change; supportive of lawful and democratic procedure; and dedicated to intellectual integrity and the civil approach to the resolution of problems (*Code*, Philosophy 7.5.1.1).

The Code’s basic principles are:

- Respect for the person;
- Respect for property; and
- Respect for campus community standards.

If the Dean of Student Affairs believes that the complaint against the student demonstrates the potential for violence, the student may be temporarily suspended pending the outcome of the hearing or involuntarily withdrawn. Such action may be necessary in order to:

- Protect the safety and well-being of the campus community;
- Protect the student's own safety.

Such action may also be necessary where the student's behavior presents a threat of disruption or interference with normal campus operations. In addition, any conduct related to sexual misconduct, harassment, dating/domestic violence, hazing, and/or stalking will be reported to the HT Title IX Coordinator for review and investigation.

An action plan will be formulated for quickly and safely removing the student from campus while an investigation is conducted and a decision on the merits of the complaint is rendered. With such matters, the President will be consulted. Please refer to the *Code of Conduct and Community Standards* in the Student Handbook for additional information.

There may be instances in which a student's conduct violates the Code to the extent that the University believes an involuntary withdrawal is necessary. The Dean of Student Affairs or his/her designee may withdraw a student if it is determined that the student is engaging in or likely to engage in behavior which: 1) constitutes a direct threat or endangers the student or the campus community; 2) poses a significant disruption to the educational environment or the rights of others; or 3) renders the student unable to engage in basic required activities necessary to obtain an education.

The Dean of Student Affairs or his/her designee is empowered with the discretion to define within his/her professional judgment what is sufficiently threatening and/or disruptive to warrant invoking this involuntary withdrawal procedure. If the University decides an involuntary withdrawal is necessary, then the student will receive a formal written notice stating the reasons for the determination. The notification will include information concerning the conditions for reinstatement. A copy of the Code and these procedures, which includes the appeal process, will also be included. The student's parents/guardians will also be notified as soon as possible and are expected to assume responsibility for the student's care.

Involuntary withdrawal of a student from the University will be undertaken only as a last resort. Every effort should be made to help students understand the consequences of their behavior, make responsible decisions, and develop skills that will allow them to remain and function in the HT community.

#### **7.2.19.1 Withdrawals due to a Direct Threat**

A direct threat is defined as a significant risk to the health and/or safety of the student or others. A significant risk constitutes a high probability of substantial harm based on a timely, reasonable professional judgment. Significance will be determined by the nature, duration, and severity of the risk; the probability that the potentially threatening and/or risky behavior will actually occur; and whether mitigating measures or reasonable accommodations will sufficiently minimize the risk. Students charged in the criminal court for a violent or felony crime may also be considered a threat to the campus community.

In the event the withdrawn student posed a direct threat, the Dean of Student Affairs or his/her designee may require the student to be assessed off-campus by a qualified mental health professional as a condition of reinstatement. The purpose of the assessment is to assure the student is:

1. Safe to return to campus and does not pose a direct threat to him/herself or others;
2. Able to adequately care for him/herself;