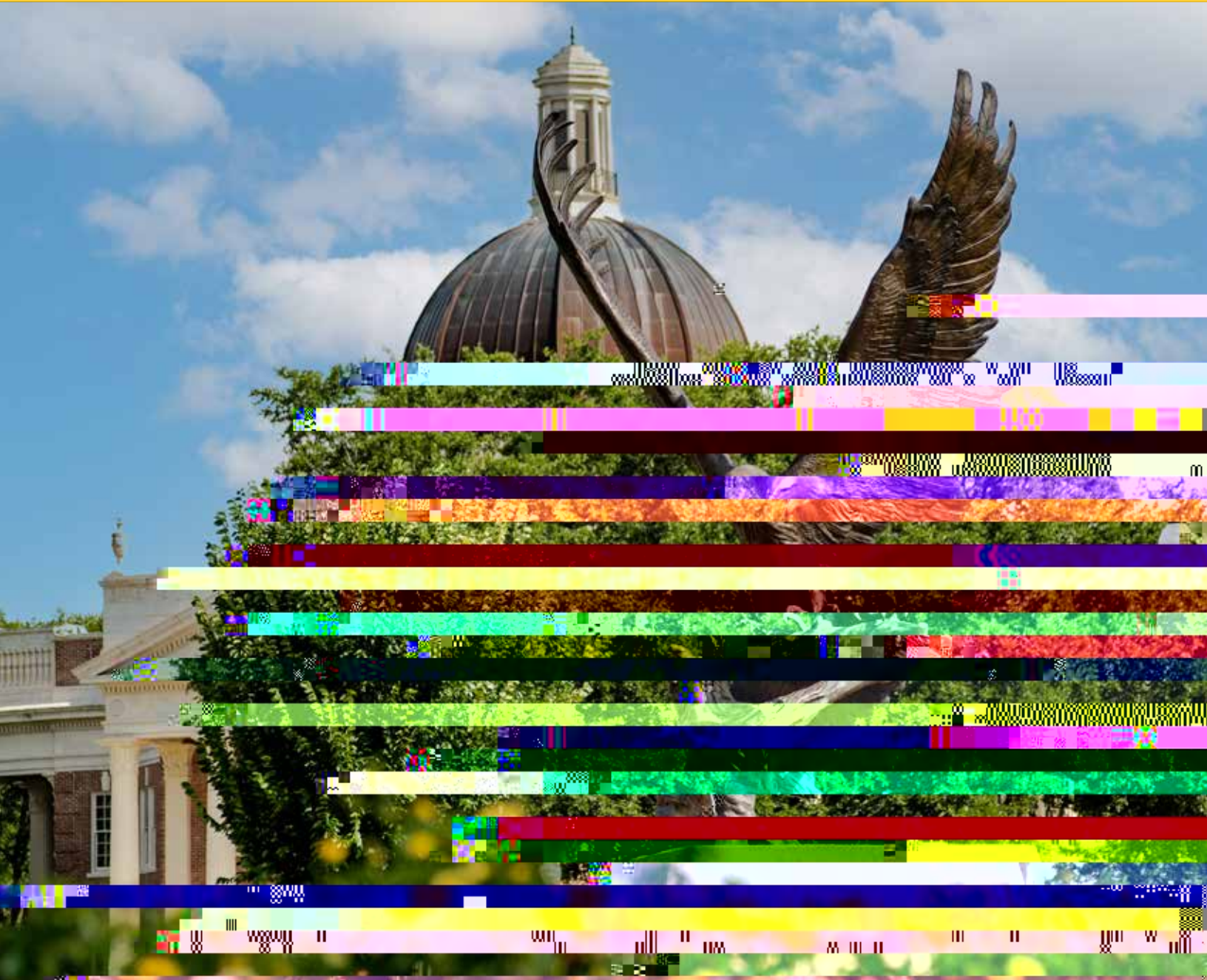


THE UNIVERSITY OF SOUTHERN MISSISSIPPI
CODE OF STUDENT CONDUCT
2024-25



The University of Southern Mississippi
DIVISION OF STUDENT AFFAIRS
Office of the Dean of Students

CODE OF STUDENT CONDUCT 2024-25

e Creed at Southern Miss 1

e Scope of University Authority 2

 Code of Student Conduct 2

 Jurisdiction. 2

Student Rights and Responsibilities 2

 De nitions. 3

 Non-Discrimination Policy 4

 Prohibited Conduct (Academic) 4

 Prohibited Conduct (Sexual Misconduct) 4

 Prohibited Conduct (Residence Hall Violations) 4

 Prohibited Conduct (Student Conduct Violations) 4

 Student Conduct Procedures 6

 Investigation. 6

 Filing of Complaint and Initiation of Charges 6

 Administrative Hearing/Decision 7

 Notice of Hearing and Request for Postponement 7

 Hearing Procedures 7

 Conduct Hearing Panel. 7

 University Sanctions 8

 Appeal Process 9

 Interim Suspension 11

 Administrative Disenrollment and Other Restrictions 11

 Authority 11

 Expungement Process 12

The University of Southern Mississippi
DIVISION OF STUDENT AFFAIRS

THE CREED AT SOUTHERN MISS

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

I will demonstrate integrity and determination in all academic pursuits.

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

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

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

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

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

A

THE SCOPE OF UNIVERSITY AUTHORITY

Under the laws of the state of Mississippi, the Board of Trustees of State Institutions of Higher Learning has general supervision of the affairs of the University of Southern Mississippi. This board has delegated the power and authority to the president of the University (and the president's designee(s)) to maintain standards of academic achievement and student conduct. The Division of Student Affairs has been delegated responsibility to administer regulations governing conduct at the University. The Code of Student Conduct (CSC) is one of the methods by which the Division of Student Affairs administers those regulations.

1. Code of Student Conduct

The Code of Student Conduct has been established to foster and protect the core missions of the University of Southern Mississippi; to foster the scholarly and civic development of the University's students in a safe and secure learning environment; and to protect the people, properties and processes that support the University and its missions. The core missions of the University are research, teaching and learning, and service. Preservation of academic freedom and free and open exchange of ideas and opinions for all members of the University are central to these missions.

2. Jurisdiction

The CSC applies to the on-campus/University /Sprin5 6La23 0 ETEMC /P Lang (en-US)/MCID3ag02 Tm[s gTd(.)TjEMCudent 0 8nTE

The University of Southern Mississippi supports and respects the rights of all students, faculty and staff, and, therefore, believes it is the job of the University to create an environment conducive to that philosophy. However, the University may take immediate administrative action against a student considered a danger to self, the University or its guests. Any conduct that damages or destroys University property, obstructs University activities, or otherwise prohibits the normal routine of University operations is considered misconduct.

3. Definitions (as used in the Code of Student Conduct)

- 3.1. **3A** is any student alleged to have violated the Code of Student Conduct. This student will go through the Student Conduct Procedures as outlined in Section 14.
- 3.2. The term **3B** refers to the outcome and/or sanctions determined by the conduct administrator or conduct officer, in lieu of a formal hearing before a conduct hearing panel and accepted by the student. Administrative decisions cannot be appealed.
- 3.3. **3A** refers to the vice president for Student Affairs and takes on this role when a student appeals to the University Appeal Committee.
- 3.4. The term **3C** shall be defined as Monday through Friday, excluding official University-recognized holidays.
- 3.5. **3C** includes a written statement alleging a violation of the Code of Student Conduct, or other published rule applicable to students at the University, provided to an authorized University official, per Section 8 below. Information submitted by other means will be reviewed and may, at the University's discretion and consistent with its obligations, be acted upon.
- 3.6. The term **3D** shall be defined to mean conduct or conduct record, or conduct process for, the Code of Student Conduct, as applicable.
- 3.7. The University's chief **3E** is the dean of students.
- 3.8. The term **3F** is the group of persons authorized by the dean of students to determine whether a student has violated conduct regulations and to impose sanctions.
- 3.9. The term **3G** is any University staff or faculty member trained and authorized by the dean of students to make administrative decisions concerning violations of the Code of Student Conduct.
- 3.10. The term **3H**, otherwise called "CR," refers to all prohibited conduct. Any student found to have engaged, or to have attempted to engage, in any of the listed prohibited conduct while within the University's jurisdiction will be subject to disciplinary action by the University. For the purposes of prohibited conduct, "attempt" shall be defined as conduct that, if successful, would constitute or result in the prohibited conduct. An action by a student which indicates an abandonment of an attempt or prevention of prohibited

conduct from occurring under circumstances that demonstrate a complete and voluntary renunciation of the prohibited conduct may be considered in mitigation or forbearance of disciplinary action toward that student by the University.

- 3.11. **3C** is defined as (a) an offense that has as an element the use, attempted use or threatened use of physical force against the person or property of another; or (b) any other offense that is a felony and that, by its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense. It includes, but is not limited to, the offenses stated in Miss. Code Ann. § 97-3-2.
- 3.12. The term **3I** refers to the dean of students and/or designee. In cases where the dean of students and/or designee is not available, the vice president for Student Affairs and/or designee may serve as the designated conduct administrator.
- 3.13. **3H** shall mean that the dean of students and/or designee shall appoint members of each hearing panel and should be available to serve as a panel resource concerning process, procedures and sanctions. The hearing panel coordinator, at the discretion of the panel chair, may be asked to be present for some or all of a hearing.
- 3.14. **3H** will be designated by the hearing panel coordinator to lead the hearing

- ordered a person enrolled at the University, including, but not limited to, those individuals admitted to the University and attending Orientation programs.
- 3.20.2. Student status lasts until an individual graduates, is dismissed, or is otherwise not in attendance for two (2) complete, consecutive terms.
- 3.20.3. "Student" also includes registered

8.9. **F** - Misusing, damaging or tampering with fire safety equipment. No flames and incendiary devices (i.e. reworks, torches, explosives, etc.). See

[F](#)

9. Student Conduct Procedures

- 9.1. Initiation and investigation of CSC violations:
Person(s) witnessing or experiencing what they believe to be a possible CSC violation should provide an authorized University official with the information. That information should be forwarded to the Dean of Students Office for assignment.
- 9.2. Information and/or complaints about possible CSC violations occurring in residence halls should initially be provided to a Department of Housing and Residence Life staff member and forwarded to the dean of students. CSC violations occurring in a residence hall can also be reported directly to the

12. Administrative Hearing/Decision

In all cases, a student charged with one or more violations of the Code of Student Conduct has the right to a hearing. However, in a case where a charged student admits to such violation(s) in writing, the student may request in writing to have a decision as to appropriate action made administratively by the dean of students or designee rather than have the charges referred to a conduct hearing panel. In such situations, the student waives the right to a hearing and the related procedural guarantees provided by a hearing panel. Before the student agrees to an administrative decision in writing, the dean of students or designee should advise the student of the proposed sanction(s). An administrative decision, agreed to in writing by the student, is not appealable. The student will be required to enter a plea of "responsible" or "not responsible" for each charge on the notice of hearing. The student may plead responsible and address only the sanction if they wish.

13. Notice of Hearing and Request for Postponement

13.1. Notice - If a conduct hearing is to be held, written notification will be provided. The notice will be sent by email to the accused student's official University email address, which may direct the student to view the notice on a secure website, no fewer than seven (7) calendar days prior to the hearing or sooner if requested by the student. Unless already provided to the student, the notification will include the alleged violation(s), date, time and location of the hearing, a statement of the student's rights, and information on the conduct hearing procedures.

13.2. Postponement - The accused student may request a postponement for reasonable cause or a separate hearing from other accused persons. Such requests must be made in writing, include supporting rationale, and received by the person sending the hearing notification at least two (2) business days before the scheduled hearing.

14. Hearing Procedures

Although the procedural requirements are not as formal as those existing in criminal or civil courts of law, to ensure fairness, the following procedures will apply and, unless already provided to the student, be included within the hearing notice:

14.1. Attendance at hearings is limited to those directly involved or those requested by the conduct hearing panel to attend. The hearing panel chair will take reasonable measures to assure an orderly hearing, including removal of persons who impede or disrupt proceedings. All deliberations and votes are strictly confidential, thus the numerical division or unanimity of any vote shall not be disclosed to any party.

14.2. The accused student may have an advisor throughout the disciplinary process. The advisor may only counsel the student and may not actively participate in the conduct hearing, unless clarification is needed as determined by the conduct hearing panel. The Dean of Students Office will offer the student an advocate

that is familiar with the conduct hearing process and can assist them with preparing for and attending the conduct hearing.

14.3. The accused student may submit a written statement, invite relevant factual witnesses to attend, invite character witnesses to submit written statements, ask questions of witnesses called by others, and will be notified of potential witnesses to be called. The accused must submit a list of potential witnesses to the dean of students or designee at least two (2) business days prior to the hearing. The University may present witnesses, as well as question those presented by the accused student.

14.4. The conduct hearing panel may allow written statements if, for good reason, a factual witness cannot attend the conduct hearing.

14.5. In cases requiring special expertise, the hearing panel may invite individuals with appropriate expertise to serve as consultants to the panel. The consultants may be present and provide information as called upon during the conduct hearing. Any consultant that provides information at a conduct hearing will not have a vote.

14.6. An accused student will only be found in violation if a preponderance of evidence supports the charges. In the event of a tie, the conduct panel will continue to deliberate. If after the conduct hearing panel determines that exhaustive deliberations have occurred and a majority decision is not reached, the accused student will be found not in violation.

14.

to a community service site located on or off campus, with acceptance by the agency or organization. A predetermined number of hours must be completed by a given date.

- 16.3.2. **Probationary Condition** - is a probationary condition shall be in effect for a specified period of time and may involve the loss of specified privileges. Further violation of University policies during the probationary period will additionally be viewed as a violation of the probation, which shall result in further action up to and including suspension or dismissal from the University.
- 16.3.3. **Educational Assignments** - Student(s) can be required to complete related educational assignments, such as, but not limited to, readings, focused papers, training modules, written apologies and interactive assignments.
- 16.3.4. **Expulsion** - Expulsion is a sanction which permanently separates a student or student organization from the University without opportunity to re-enroll or be reinstated in the future.
- 16.3.5. **Fines** - Money charged to a student for a Code of Conduct violation.
- 16.3.6. **Letter of Reprimand** - A written letter of reprimand resulting from a student's misconduct.
- 16.3.7. **Restrictions** - A student may be restricted from certain facilities, programs or areas of campus, including all University of Southern Mississippi campuses or affiliated events. A student removed from campus may have the ability to stay in classes by working remotely.
- 16.3.8.

- 17.1.1. A student who has accepted responsibility for violating the Code of Student Conduct and the determined disciplinary sanction waives the right to appeal.
- 17.1.2. A student who does not show for either a referral conference and subsequent administrative hearing, or does not show for a conduct hearing, loses their right to an appeal if that case is heard in absentia.
- 17.2. **Appeals Office** - The vice president for Student Affairs or designee will serve as the appeal officer. They are the first step in the appeal process and will respond to any appeals made following the conduct hearing panel's decision. This person will be responsible for determining if the grievance meets the criteria for a valid appeal.
 - 17.2.1. **Appeal Process**
 - 17.2.1.1. Email a copy of your appeal to the Vice President for Student Affairs Office to Lydia.Pierce@usm.edu
 - 17.2.1.2. Physical copy of the appeal can be dropped off to the Vice President for Student Affairs Office, located in room 210 of the R. C. Cook Student Union.
 - 17.2.1.3. Physical copy of the appeal can be mailed to:
118 College Dr. #5071
Hattiesburg, MS 39406
- 17.3. **Grounds for Appeal** - An appeal must be made in writing and may be based only upon one or more of the following grounds for appeal:
 - 17.3.1. Procedural error that resulted in material harm or prejudice to the student (i.e., by preventing a fair, impartial or proper hearing). Deviations from the designated procedures will not be a basis for sustaining an appeal unless material harm or prejudice results.
 - 17.3.2. Discovery of substantial new evidence that was unavailable to the appealing student at the time of the hearing upon reasonable search and inquiry, and which reasonably could have affected the decision of the conduct hearing panel.
 - 17.3.3. Disciplinary sanctions imposed are grossly disproportionate to the violation(s) committed, considering the relevant aggravating and/or mitigating factors.
 - 17.3.4. Non-attendance by the accused student is not grounds for an appeal.
- 17.4. **Appeal Officer**
 - 17.4.1. The appeal officer and/or University Appeals Committee will dismiss the appeal if the appeal is not based upon one or more of the grounds set forth in Section 17.3.
 - 17.4.2. The appeal officer and/or University Appeals Committee will decide the appeal based upon a review of the record and supporting documents (e.g. prior disciplinary history).
- 17.4.3. The appeal officer and/or University Appeals Committee may consider additional relevant information from any party to the proceeding and then decide the appeal based upon the enhanced record.
- 17.4.4. The review of the appeal generally does not involve the appealing student being present; however, the University Appeals Committee may request their presence if needed.
- 17.5. **Final Appeal** - Final step in the appeals process, following the decision made by the Student Affairs appeal officer. The appeal can be emailed to president@usm.edu. As with the first appeal, this final appeal must be submitted within five (5) business days after the date on which notice of the decision was sent to the student.
 - 17.5.1. The University Appeals Committee shall consist of four members of faculty or staff appointed annually by the University president and four students appointed by the Student Government Association president, with the advice of the student senate and subject to final approval by the University president. The term of all student appointments shall be until resignation, graduation or other departure from the University. In addition to the eight members, there shall be a University Appeals Committee chair appointed by the University president.
 - 17.5.2. The University Appeals Committee shall have appellate jurisdiction in all cases involving alleged violations of the Code of Student Conduct, which have been determined through a formal hearing by a conduct hearing panel.
 - 17.5.3. A simple majority of committee members (excluding the chair) must be present in order to hear an appeal and must include at least two faculty or staff members and two students.
- 17.6. **Appeal Officer** - The appeal officer or committee, after a review of the record may
 - 17.6.1. Uphold the original decision and/or sanction(s);
 - 17.6.2. Dismiss the case or individual charge(s) against the appealing student and vacate any portion or all of the sanction(s);
 - 17.6.3. Modify, enhance or reduce the original sanction(s); or
 - 17.6.4. Remand the case to the original conduct hearing panel or refer the case to a new hearing officer or conduct hearing panel to be reheard. If possible, a new hearing officer or conduct hearing panel members should be different from the one(s) that originally

heard and decided the case. If a case is

the Vice President for Student Affairs. No substantive revision to the Code of Student Conduct shall become effective unless reviewed and supported by the vice president for Student Affairs and submitted for approval to the University Executive Cabinet. Absent extraordinary circumstances, any changes in the administration of the Code of Student Conduct, as determined by the vice president for Student Affairs, and/or any substantive revisions approved by the Executive Cabinet, should only occur once a year, prior to the beginning of a new academic year. The Code of Student Conduct must be available to all students on the Division of Student Affairs website.

21. Expungement Process

Student disciplinary records are part of the Master Student Record retained permanently by the Registrar's Office per [University Policy 1.57](#). Disciplinary records can only be expunged if the court grants an expungement specific to academic disciplinary records. All court orders should be sent to General Counsel at Box 5079 or delivered to the fifth floor of the International Building, Room 505.

The University of Southern Mississippi
DIVISION OF STUDENT AFFAIRS

Office of the Dean of Students
Union, Room 210
118 College Drive #5071, Hattiesburg, MS 39406
601.266.5020