

potential for causing physical harm.

- g. Any activity that intimidates or threatens a student with ostracism or that subjects a student to extreme mental stress.
- h. Any activity that would incite others to engage in hazing activity.

#### **11. Housing and Residence Life Regulations**

The Department of Housing and Residence Life has a detailed list of policies, procedures and regulations. Students who violate housing policies are also subject to other University violations as well. Students living in campus housing are responsible for all activities in their assigned room, apartment and building. For more information, please see the Housing and Residence Life section of the student handbook.

#### **12. University Parking Policies and Regulations**

Violation of properly constituted rules and regulations governing the use of motor vehicles on University – owned or – controlled property.

#### **13. Smoking Policy**

Francis Marion University is a “smoke-free campus”. Smoking is prohibited on all property-owned or –controlled by Francis Marion University and the Francis Marion University Foundation, and the Francis Marion University Real Estate Foundation. This prohibition includes all buildings and grounds. This policy also includes other devices:

- a. The sale or distribution for marketing purposes of products designed to be smoked on Francis Marion University property.
- b. Advertising and marketing efforts related to products designed to be smoked is prohibited in public spaces on Francis Marion University property and its entities as well as publications produced by the same.
- c. This policy includes cigarettes, cigars, vapor devices, electronic smoking devices or any combination thereof that is used to smoke and/or emits any substance into the air for the purpose of the activity of smoking.

#### **14. Solicitation Policy**

Solicitation by persons not affiliated with the University is prohibited for non-invitees. Students assisting with the distribution of solicitation materials are subject to the Honor Code. Both commercial and noncommercial solicitations are prohibited in non-public areas of the University.

## **Implementation of the Student Conduct Process**

The conduct process for students is based upon the elements of constitutional due process and local, state and federal law which have been developed over the last several decades. While University students do not give up their rights at the gates of the University, it is important to understand that the level of due process in the University disciplinary system differs from that of the legal system.

The following procedures outline the University process and shall be carried out as fully as possible. Community members should be aware, however, that there are emergency situations in which these procedures may be omitted when necessary to protect public safety. Any person may refer a student or student group or organization suspected of a violation of the Section. Persons making such

referrals are required to provide information pertinent to the case and will normally be expected to appear before a conduct board or conduct official as a complainant. The Dean of Students Office administers the conduct process at Francis Marion University, except for academic violations, which are administered by the Office of the Provost.

## **Reporting Alleged Student Conduct Violations**

Campus Police officers, Residence Life and Housing staff and other University officials are charged with the maintenance of appropriate student behavior. As a result, occasions may arise when these persons must confront students who they believe are violating University or residence hall standards of conduct. In such cases, these officials will make contact with the student whenever possible and inform him/her that they may be charged with a violation of the code.

1. Campus Police officers will normally inform the student who they believe has allegedly committed the violation and refer the student to the Dean of Students Office. The referral will normally include a prepared incident report.
2. Housing staff may inform the student orally that he/she is being referred for an alleged violation of standards. These staff members will subsequently prepare a report of the incident leading to the allegation. A copy of this report will be forwarded to the Offices of Housing and the Dean of Students. Depending upon the seriousness of the alleged violation, the student will be informed by one of the above named offices to report to that office within a certain period of time for adjudication of the alleged violation. The student will be required to meet with the University Conduct Officer appointed by the Dean of Students.
3. Other community members such as faculty, administrators, or fellow students may also from time to time report alleged violations to the conduct officials of the University. In these cases, the alleged violator will receive a letter from the University conduct officer appointed by the Dean of Students.

## **Violations of the Law and Standards of Conduct**

There are occasions when behavior which violates the Francis Marion University policies and procedures also violates the civil or criminal law. In these cases students should understand that they may be held accountable to both authorities. University procedures related to these matters will normally continue during the pendency of criminal proceedings and will not be subject to challenge on the ground that criminal and civil charges involving the same incident have been dismissed or reduced. The University student conduct system is not analogous to the criminal justice system. The purposes, the standards of proof, the procedures and many other aspects differ.

## **University Conduct Boards and Conduct Officers**

### **University Conduct Boards**

The Dean of Students Office may convene University Conduct