

# Policies and Procedures

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# Policies and Procedures

## Student Conduct

(200.010 Standard of Conduct; Amended Bd. Min. 3-20-81; Bd. Min. 8-3-90, Bd. Min 5-19-94; Bd. Min. 5-24-01.)

This policy is also available at <http://www.umsystem.edu/ums/departments/gc/rules/programs/200/010.shtml>.

A student enrolling in the University assumes an obligation to behave in a manner compatible with the University's function as an educational institution.

### A. JURISDICTION OF THE UNIVERSITY OF MISSOURI

generally shall be limited to conduct which occurs on the University of Missouri premises or at University-sponsored or University-supervised functions. However, nothing restrains the administration of the University of Missouri from taking appropriate action, including, but not limited to, the imposition of sanctions under Section 200.020 (C), against students for conduct on or off University premises in order to protect the physical safety of students, faculty, staff and visitors.

**B. CONDUCT** for which students are subject to sanctions falls into the following categories:

1. Academic dishonesty, such as cheating, plagiarism, or sabotage. The Board of Curators recognizes that academic honesty is essential for the intellectual life of the University. Faculty members have a special obligation to expect high standards of academic honesty in all student work. Students have a special obligation to adhere to such standards. In all cases of academic dishonesty, the instructor shall make an academic judgment about the student's grade on that work and in that course. The instructor shall report the alleged academic dishonesty to the Primary Administrative Officer.
  - a. The term **cheating** includes but is not limited to:
    - (i) use of any unauthorized assistance in taking quizzes, tests, or examinations;
    - (ii) dependence upon the aid of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments;
    - (iii) acquisition or possession without permission of tests or other academic material belonging to a member of the University faculty or staff; or
    - (iv) knowingly providing any unauthorized assistance to another student on quizzes, tests, or examinations.
  - b. The term **plagiarism** includes, but is not limited to:
    - (i) use by paraphrase or direct quotation of the published or unpublished work of another person without fully and properly crediting the author with footnotes, citations or bibliographical reference;
    - (ii) unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials; or
    - (iii) unacknowledged use of original work/material that has been produced through collaboration with others without release in writing from collaborators.
  - c. The term **sabotage** includes, but is not limited to, the unauthorized interference with, modification of, or destruction of the work or intellectual property of another member of the University community.
2. Forgery, alteration, or misuse of University documents, records or identification, or knowingly furnishing false information to the University.
3. Obstruction or disruption of teaching, research, administration, conduct proceedings, or other University activities, including its public service functions on or off campus.
4. Physical abuse or other conduct which threatens or endangers the health or safety of any person.
5. Attempted or actual theft of, damage to, or possession without permission of property of the University or of a member of the University community or of a campus visitor.
6. Unauthorized possession, duplication or use of keys to any University facilities or unauthorized entry to or use of University facilities.

7. Violation of University policies, rules or regulations or of campus regulations including, but not limited to, those governing residence in University-provided housing, or the use of University facilities, or the time, place and manner of public expression.
8. Manufacture, use, possession, sale or distribution of alcoholic beverages or any controlled substance without proper prescription or required license or as expressly permitted by law or University regulations, including operating a vehicle on University property, or on streets or roadways adjacent to and abutting a campus, under the influence of alcohol or a controlled substance as prohibited by law of the state of Missouri.
9. Disruptive or disorderly conduct or lewd, indecent, or obscene conduct or expression.
10. Failure to comply with directions of University officials acting in the performance of their duties.
11. The illegal or unauthorized possession or use of firearms, explosives, other weapons, or hazardous chemicals.
12. Misuse in accordance with University policy of computing resources, including but not limited to:
  - a. Actual or attempted theft or other abuse.
  - b. Unauthorized entry into a file to use, read, or change the contents, or for any other purpose.
  - c. Unauthorized transfer of a file.
  - d. Unauthorized use of another individual's identification and password.
  - e. Use of computing facilities to interfere with the work of another student, faculty member, or University official.
  - f. Use of computing facilities to interfere with normal operation of the University computing system.
  - g. Knowingly causing a computer virus to become installed in a computer system or file.

## Rules of Procedures in Student Conduct Matters

(200.020 Rules of Procedures in Student Conduct Matters; Bd. Min. 11-8-68, Amended Bd. Min. 3-20-81; Bd. Min. 12-8-89, Amended 5-19-94; Bd. Min. 5-24-01.)

This policy is also available at

[www.umsystem.edu/ums/departments/gc/rules/programs/200/020.shtml](http://www.umsystem.edu/ums/departments/gc/rules/programs/200/020.shtml).

**A. PREAMBLE.** The following rules of procedure in student conduct matters are hereby adopted in order to insure insofar as possible and practicable

- (a) that the requirements of procedural due process in student conduct proceedings will be fulfilled by the University,
- (b) that the immediate effectiveness of Section 10.030, which is Article V of the Bylaws of the Board of Curators relating to student conduct and sanctions may be secured for all students in the University of Missouri, and
- (c) that procedures shall be definite and determinable within the University of Missouri.

**B. DEFINITIONS.** As used in these rules, the following definitions shall apply:

1. **Primary Administrative Officers.** As used in these procedures, the Chief Student Affairs Administrator on each campus is the Primary Administrative Officer except in cases of academic dishonesty, where the Chief Academic Administrator is the Primary Administrative Officer. Each Primary Administrative Officer may appoint designee(s) who are responsible for the administration of these conduct procedures, provided all such appointments must be in writing, filed with the Chancellor of the campus, and the office of General Counsel. The Primary Administrator's Office will certify in writing that the given designee has been trained in the administration of student conduct matters.
2. **Student Panel.** A panel of students appointed by the Chancellor, from which shall be selected by the Chair, upon the request of a student charged before the Student Conduct Committee, not more than three students to serve with the Student Conduct Committee.

3. **Student.** A person having once been admitted to the University who has not completed a course of study and who intends to or does continue a course of study in or through one of the campuses of the University. For the purpose of these rules, student status continues whether or not the University's academic programs are in session.
4. **Student Conduct Committee.** As used in these procedures, "Student Conduct Committee," hereinafter referred to as the Committee, is that body on each campus which is authorized to conduct hearings and to make dispositions under these procedures or a Hearing Panel of such body as herein defined.

**C. SANCTIONS.**

1. The following sanctions may be imposed upon any student found to have violated the Student Conduct Code; more than one of the sanctions may be imposed for any single violation:
  - a. **Warning.** A notice in writing to the student that the student is violating or has violated institutional regulations.
  - b. **Probation.** A written reprimand for violation of specified regulations. Probation is for a designated period of time and includes the probability of more severe sanctions if the student is found to be violating any institutional regulation(s) during the probationary period.
  - c. **Loss of Privileges.** Denial of specified privileges for a designated period of time.
  - d. **Restitution.** Compensation for loss, damage, or injury to the University or University property. This may take the form of appropriate service and/or monetary or material replacement.
  - e. **Discretionary Sanctions.** Work assignments, service to the University, or other related discretionary assignments.
  - f. **Residence Hall Suspension.** Separation of the student from the residence halls for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.
  - g. **Residence Hall Expulsion.** Permanent separation of the student from the residence halls.
  - h. **University Dismissal.** An involuntary separation of the student from the institution for misconduct apart from academic requirements. It does not imply or state a minimum separation time.
  - i. **University Suspension.** Separation of the student from the University for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.
  - j. **University Expulsion.** Permanent separation of the student from the University.
2. **Temporary Suspension.** The Chancellor or Designee may at any time temporarily suspend or deny readmission to a student from the University pending formal procedures when the Chancellor or Designee finds and believes from available information that the presence of a student on campus would seriously disrupt the University or constitute a danger to the health, safety, or welfare of members of the University community. The appropriate procedure to determine the future status of the student will be initiated within seven calendar days.

**D. RECORDS RETENTION.** Student conduct records shall be maintained for five years after University action is completed.

**E. POLICY AND PROCEDURES.**

1. **Preliminary Procedures.** The Primary Administrative Officer/Designee(s) shall investigate any reported student misconduct before initiating formal conduct procedures and give the student the opportunity to present a personal version of the incident or occurrence. The Primary Administrative Officer/Designee(s) may discuss with any student such alleged misconduct and the student shall attend such consultation as requested by the Primary Administrative Officer/Designee(s). The Primary Administrative Officer/Designee(s), in making an investigation and disposition, may utilize student courts and boards and/or divisional deans to make recommendations.
2. **Informal Disposition.** The Primary Administrative Officer/Designee(s) shall have the authority to make a

determination and to impose appropriate sanctions and shall fix a reasonable time within which the student shall accept or reject a proposed informal disposition. A failure of the student either to accept or reject within the time fixed may be deemed by the University to be an acceptance of the determination, provided the student has received written notice of the proposed determination and the result of the student's failure to formally reject and, in such event, the proposed disposition shall become final upon expiration of such time. If the student rejects informal disposition it must be in writing and shall be forwarded to the Committee. The Primary Administrative Officer/Designee(s) may refer cases to the Committee without first offering informal disposition.

**3. Formal Procedure and Disposition.**

- a. **Student Conduct Committee:**
  - (1) The Committee shall be appointed by the Chancellor and shall have the authority to impose appropriate sanctions upon any student or students appearing before it.
  - (2) The Committee, when appropriate or convenient, may be divided by the Chair of the Committee into Hearing Panels, each panel to be composed of at least five Committee members, which may include a maximum of two students, present at the hearing, including a designated chair. A Hearing Panel has the authority of the whole Committee in those cases assigned to it. The Chair of the Committee or of a Hearing Panel shall count as one member of the Committee or Hearing Panel and have the same rights as other members.
  - (3) Each Chancellor shall appoint a panel of students, to be known as the Student Panel. Upon written request of a student charged before the Committee, made at least seventy-two (72) hours prior to the hearing, the Chair of the Committee or Hearing Panel shall appoint from the Student Panel not more than three students to sit with the Committee or two students to sit with the Hearing Panel (as stated in 4.a.(2)) for that particular case. When students from the Student Panel serve at the request of a student charged, they shall have the same rights as other members of the Committee or Hearing Panel.
- b. **General Statement of Procedures.** A student charged with a breach of the Student Conduct Code is entitled to a written notice and a formal hearing unless the matter is disposed of under the rules for informal disposition. Student conduct proceedings are not to be construed as judicial trials and need not wait for legal action before proceeding; but care shall be taken to comply as fully as possible with the spirit and intent of the procedural safeguards set forth herein. The Office of the General Counsel shall be legal adviser to the Committee and the Primary Administrative Officer/Designee(s).
- c. **Notice.** The Primary Administrative Officer/Designee(s) shall initiate student conduct proceedings by arranging with the Chair to call a meeting of the Committee and by giving written notice by certified mail or personal delivery to the student charged with misconduct. The notice shall set forth the date, time, and place of the alleged violation and the date, time, and place of the hearing before the Committee. Notice by certified mail may be addressed to the last address currently on record with the University. Failure by the student to have a current correct local address on record with the University shall not be construed to invalidate such notice. The notice shall be given at least seven (7) consecutive days prior to the hearing, unless a shorter time is fixed by the Chair for good cause. Any request for continuance shall be made in writing to the Chair, who shall have the authority to continue the hearing if the request is timely and made for good cause. The Chair shall notify the Primary Administrative Officer/Designee(s) and the student of the new date for the hearing. If the student fails to appear at the scheduled time, the Committee may hear and determine the matter.

4. **Right to Petition for Review:** (other than University expulsion, University dismissal, or University suspension)
  - a. In all cases where the sanction imposed by the Committee is other than University expulsion, University dismissal, or University suspension, the Primary Administrative Officer/Designee(s) or the student may petition the Chancellor or Designee in writing for a review of the decision within five (5) calendar days after written notification. A copy of the Petition for Review must also be served upon the nonappealing party within such time. The Petition for Review shall state the grounds or reasons for review, and the nonappealing party may answer the petition within five (5) calendar days.
  - b. The Chancellor or Designee may grant or refuse the right of review. In all cases where the Petition for Review is refused, the action of the Committee shall be final. If the Chancellor or Designee reviews the decision, the action of the Chancellor shall be final unless it is to remand the matter for further proceedings.
5. **Right of Appeal:** (University expulsion, University dismissal, or University suspension only)
  - a. When a student is expelled, dismissed, or suspended from the University by the Committee, the Primary Administrative Officer/Designee(s), or the student may appeal such decision to the Chancellor or Designee by filing written notice of appeal with the Chancellor within ten (10) calendar days after notification of the decision of the Committee. A copy of the Notice of Appeal will contemporaneously be given by the student to the Primary Administrative Officer/Designee(s) or by the Primary Administrative Officer/Designee(s) to the student. The appealing party may file a written memorandum for consideration by the Chancellor with the Notice of Appeal, and the Chancellor may request a reply to such memorandum by the appropriate party.
  - b. The Chancellor or Designee shall review the record of the case and the appeal documents and may affirm, reverse, or remand the case for further proceedings and shall notify each party in writing of the decision on the appeal. The action of the Chancellor shall be final unless it is to remand the matter for further proceedings.
6. **Status During Appeal.** In cases of suspension, dismissal, or expulsion where a Notice of Appeal is filed within the required time, a student may petition the Chancellor in writing for permission to attend classes pending final determination of appeal. The Chancellor may permit a student to continue in school under such conditions as may be designated pending completion of appellate procedures, provided such continuance will not seriously disrupt the University or constitute a danger to the health, safety, or welfare of members of the University community. In such event, however, any final sanctions imposed shall be effective from the date of the action of the Committee.
7. **Student Honor System.** Forums under the student honor systems established for investigating facts, holding hearings, and recommending and imposing sanctions are authorized when the student honor code or other regulations containing well defined jurisdictional statements and satisfying the requirements of Section 10.030, which is Article V of the Bylaws of the Board of Curators, have been reduced to writing and have been approved by the Chancellor and the Board of Curators and notice thereof in writing has been furnished to students subject thereto. Though the student honor system has jurisdiction, together with procedures set forth therein, instead of the Primary Administrative Officer/Designee(s), the standard of conduct called for in any such student honor system shall be deemed to contain at a minimum the same standards set forth in Section 200.010, entitled Standards of Conduct. Procedures shall satisfy the requirements of the Board of Curators' Bylaws, Section 10.030, which is Article V, and shall contain procedures herein before stated insofar as appropriate and adaptable to the particular situation and shall be approved by the Chancellor and the General Counsel. Students subject to student honor systems shall have the rights of appeal as set forth in Section 200.020 E.6 and 7.

## F. Hearing Procedures.

1. **Conduct of Hearing.** The Chair shall preside at the hearing, call the hearing to order, call the roll of the Committee in attendance, ascertain the presence or absence of the student charged with misconduct, read the notice of hearing and charges and verify the receipt of notices of charges by the student, report any continuances requested or granted, establish the presence of any adviser or counselor of the student, and call to the attention of the student charged and the adviser any special or extraordinary procedures to be employed during the hearing and permit the student to make suggestions regarding or objections to any procedures for the Conduct Committee to consider.
  - a. **Opening Statements.**
    - (1) The Primary Administrative Officer/Designee(s) shall make opening remarks outlining the general nature of the case and testify to any facts the investigation has revealed.
    - (2) The student may make a statement to the Committee about the charge at this time or at the conclusion of the University's presentation.
  - b. **University Evidence.**
    - (1) University witnesses are to be called and identified or written reports of evidence introduced as appropriate.
    - (2) The Committee may question witnesses at any time.
    - (3) The student or, with permission of the Committee, the adviser or counselor may question witnesses or examine evidence at the conclusion of the University's presentation.
  - c. **Student Evidence.**
    - (1) If the student has not elected to make a statement earlier under a. (2) above, the student shall have the opportunity to make a statement to the Committee about the charge.
    - (2) The student may present evidence through witnesses or in the form of written memoranda.
    - (3) The Committee may question the student or witnesses at any time. The Primary Administrative Officer/Designee(s) may question the student or witnesses.
  - d. **Rebuttal Evidence.** The Committee may permit the University or the student to offer a rebuttal of the other's presentation.
  - e. **Rights of Student Conduct Committee.** The Committee shall have the right to:
    - (1) Hear together cases involving more than one student which arise out of the same transaction or occurrence, but in that event shall make separate findings and determinations for each student;
    - (2) Permit a stipulation of facts by the Primary Administrative Officer/Designee(s) and the student involved;
    - (3) Permit the incorporation in the record by reference of any documentation, produced and desired in the record by the University or the student charged;
    - (4) Question witnesses or challenge other evidence introduced by either the University or the student at any time;
    - (5) Hear from the Primary Administrative Officer/Designee(s) about dispositions made in similar cases and any dispositions offered to the student appearing before the Committee;
    - (6) Call additional witnesses or require additional investigation;
    - (7) Dismiss any action at any time or permit informal disposition as otherwise provided;
    - (8) Permit or require at any time amendment of the Notice of Hearing to include new or additional matters which may come to the attention of the Committee before final determination of the case; provided, however, that in such event the Committee shall grant to the student or Primary Administrative Officer/Designee(s) such time as the Committee may determine reasonable under the circumstances to answer or explain such additional matters;

- (9) Dismiss any person from the hearing who interferes with or obstructs the hearing or fails to abide by the rulings of the Chair of the Committee;
  - (10) Suspend summarily students from the University who, during the hearing, obstruct or interfere with the course of the hearing or fail to abide by the ruling of the Chair of the Committee on any procedural question or request of the Chair for order.
2. **Student's Rights Upon Hearing.** A student appearing before a Committee shall have the right to:
    - a. Be present at the hearing;
    - b. Have an adviser or counselor and to consult with such adviser or counselor during the hearing;
    - c. Have students from the Student Panel sit with the Committee or Hearing Panel;
    - d. Hear or examine evidence presented to the Committee;
    - e. Question witnesses present and testifying;
    - f. Present evidence by witnesses or affidavit;
    - g. Make any statement to the Committee in mitigation or explanation of the conduct in question;
    - h. Be informed in writing of the findings of the Committee and any sanctions it imposes; and
    - i. Request review or appeal to the Chancellor as herein provided.
  3. **Determination by Student Conduct Committee.** The Committee shall then make its findings and determinations in executive session out of the presence of the Primary Administrative Officer/Designee(s) and the student charged. Separate findings are to be made:
    - a. As to the conduct of the student, and
    - b. On the sanctions, if any, to be imposed. No sanctions shall be imposed on the student unless a majority of the Committee present is reasonably convinced by the evidence that the student has committed the violation charged.
  4. **Official Report of Findings and Determinations.** The Committee shall promptly consider the case on the merits and make its findings and determination and transmit them to the Primary Administrative Officer/Designee(s) and the student charged forthwith.
  5. **Other Procedural Questions.** Procedural questions which arise during the hearing not covered by these general rules shall be determined by the Chair, whose ruling shall be final unless the Chair shall present the question to the Committee at the request of a member of the Committee, in which event the ruling of the Committee by majority vote shall be final.
  6. **General Rules of Decorum.** The following general rules of decorum shall be adhered to:
    - a. All requests to address the Committee shall be addressed to the Chair.
    - b. The Chair will rule on all requests and points of order and may consult with Committee's legal adviser prior to any ruling. The Chair's ruling shall be final and all participants shall abide thereby, unless the Chair shall present the question to the Committee at the request of a member of the Committee, in which event the ruling of the Committee by majority vote shall be final.
    - c. Rules of common courtesy and decency shall be observed at all times.
    - d. An adviser or counselor may be permitted to address the Committee at the discretion of the Committee. An adviser or counselor may request clarification of a procedural matter or object on the basis of procedure at any time by addressing the Chair after recognition.
  7. **Record of Hearing.** A taped or stenographic record of the hearing shall be maintained. The notice, exhibits, hearing record, and the findings and determination of the Committee shall become the "Record of the Case" and shall be filed in the Office of the Primary Administrative Officer/Designee(s) and for the purpose of review or appeal be accessible at reasonable times and places to both the University and the student.
  8. **Crimes of Violence and Non-Forcible Sex Offences.** In cases of alleged crimes of violence and non-forcible sex offences:

- a. The alleged victim is entitled to have an adviser or counselor present during his or her participation in the hearing.
- b. The alleged victim and the accused shall be informed of the outcome of any campus disciplinary proceeding brought alleging a crime of violence or non-forcible sexual assault.

## Attendance Policy

### General Principles

- Students are expected to attend and participate in classes.
- Advance notice of attendance policies of academic units and individual instructors should be given, and such notice should be in writing.
- Students should notify instructors of excused absences in advance, where possible.
- Students who have an excused absence are expected to make arrangements with instructors for alternative or make-up work. Such arrangements should be made in advance of the absence, where possible.
- Instructors should accommodate excused absences to the extent that an accommodation can be made that does not unreasonably interfere with the learning objectives of the course or unduly burden the instructor.
- Attendance policies shall be applied in a non-discriminatory manner.

### The Policy

Each academic unit and instructor may adopt an attendance policy appropriate to that unit, a particular field of study, or for a specific course. Such policy or policies must be consistent with the general principles, and must give students advance notice in writing. In the case of an academic unit, notice may be given in the appropriate section of the General Catalog, or in other materials provided to students for the purpose of informing them of the rules and regulations of the academic unit. In the case of an individual instructor, notice of an attendance policy should be given in the course syllabus.

If neither the academic unit nor the instructor has adopted an attendance policy, or if proper advance notice of the attendance policy was not given, the UMKC general attendance policy will govern. The general attendance policy is that students shall not be penalized for excused absences. "Excused absences" include absences due to illness of the student, illness of an immediate family member for whom the student must care, death of an immediate family member, religious observance (where the nature of the observance prevents the student from being present during class), representation of UMKC in an official capacity, and other compelling circumstances beyond the student's control. Students seeking an excused absence must provide documentation upon request to substantiate the excuse. Students with excused absences shall undertake appropriate make-up or alternative work to be provided by instructors of the courses in which excused absences were incurred.

Complaints concerning the application of an attendance policy or an instructor's attendance policy should be raised with the Department Chair of the instructor, or with the Dean if there is no Department Chair or the instructor is the Department Chair. If the student or instructor is not satisfied with the resolution of the complaint, the matter may be appealed to the Dean and to the Division of Academic Affairs. Complaints concerning the adoption or modification of an attendance policy by an academic unit should be raised with the Division of Academic Affairs. Complaints are to be promptly addressed at each level of review.

This policy was approved July, 2002 and effective Fall, 2002.

## Acceptable Use Policy

(110.005 Acceptable Use Policy; Bd. Min. 9-14-00.)

This policy is also available at <http://www.umsystem.edu/ums/departments/gc/rules/facilities/110/005.shtml>.

This policy applies to all users including faculty, staff, students, and guest users of University of Missouri computer networks, equipment, or connecting resources.

**A. UNIVERSITY INSPECTION OF PERSONAL**

**ELECTRONIC INFORMATION** – Electronic information on University networks or equipment, including, but not limited to, electronic mail and personal information, is subject to examination by the University where:

1. It is necessary to maintain or improve the functioning of University computing resources;
2. Where there is a suspicion of misconduct under University policies, or suspicion of violation of Federal or State laws; or
3. It is necessary to comply with or verify compliance with Federal or State law.

**B. ACCEPTABLE USE GUIDELINES**

1. Responsibilities of Users of University Computer Resources:
  - a. Respect the intellectual property rights of authors, contributors, and publishers in all media.
  - b. Protect user ID, password, and system from unauthorized use.
  - c. Adhere to the terms of software licenses and other contracts. Persons loading software on any University computer must adhere to all licensing requirements for the software. Except where allowed by University site licenses, copying software licensed for University use for personal use is a violation of this policy.
  - d. Adhere to other University and campus policies, including the Collected Rules and Regulations of the University of Missouri, and, if applicable, the University Business Policy Manual, Human Resources Manual and policies established for a specific resource.
  - e. Adhere to data access policies of the University or those established by law.
  - f. Use University computer resources in a manner that is compliant with University policies and State and Federal law.
2. Prohibited Uses of University Computer Resources:
  - a. Unauthorized or excessive personal use. Use may be excessive if it overburdens a network, results in substantial use of system capacity, or otherwise subjects the institution to increased costs or risks (employees additionally may be subject to discipline for unauthorized or excessive personal use of computer resources).
  - b. Uses that interfere with the proper functioning of the University's information technology resources.
  - c. Uses that unreasonably interfere with the ability of others to make use of University computer resources.
  - d. Attempting to gain or gaining unauthorized access to the computer system, or files of another.
  - e. Use of University computer resources to infringe the intellectual property rights of others.
  - f. Use of University computer resources for personal profit, except as permitted under the University's conflict of interest policy.

**C. ENFORCEMENT OF ACCEPTABLE USE POLICY –**

Violation of the Acceptable Use Policy may result in a denial of access to University computer resources, and those disciplinary actions provided or authorized by the Collected Rules and Regulations of the University of Missouri.

Students who violate these guidelines will be subject to sanctions as outlined in section 200.010 of the Student Conduct Code. All such cases will be forwarded to the Primary Administrative Officer in the Student Life Office for appropriate action.

Faculty or staff who violate these guidelines will be subject to disciplinary measures as outlined within the University Policy Manuals.

Violations of some of the above guidelines may constitute a criminal offense. Individuals using UMKC computing resources are urged to review the University Policy Manual, Computer Crimes Bill passed by the Missouri State Legislature and the MOREnet Acceptable Use Policy, all of which are stored on-line for easy access.

**Policy on Student Records**

(180.020 Student Records; Bd. Min. 6-10-59, p. 15,059; Bd. Min. 2-28-75; Amended 3-18-77; Bd. Min. 5-24-01.)

This policy is also available at <http://www.umsystem.edu/ums/departments/gc/rules/information/180/020.shtml>.

**A. PURPOSE.** The purpose of this regulation is to set forth the guidelines governing the protection of the privacy of student records and to implement The Family Educational Rights and Privacy Act of 1974 (Buckley Amendment; Pub. L. 93-380, as amended). These regulations apply to all students who are or have attended the University of Missouri.

**B. DEFINITIONS.**

1. **“Act”** means the Family Educational Rights and Privacy Act of 1974, as amended, enacted as Section 444 of the General Education Provisions Act.
  2. **“Attendance”** at the University includes, but is not limited to:
    - a. The period of time during which a student attends the University. Examples of dates of attendance include an academic year, a spring semester, or a first quarter.
    - b. The term does not include specific daily records of a student's attendance at the University.
  3. **“Directory Information/Public Information”** includes a student's name, address, e-mail address, telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, the most recent previous educational agency or institution attended by the student, student level, and full- or part-time status.
  4. **“Disclosure”** means to permit access to or the release, transfer, or other communication of personally identifiable information contained in education records to any party, by any means, including oral, written, or electronic means.
  5. **“Education Records”**
    - a. The term means those records that are:
      - (1) Directly related to a student; and
      - (2) Maintained by the University or by a party acting for the University.
    - b. The term does not include:
      - (1) Records that are kept in the sole possession of the maker of the record, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record;
      - (2) Records of a law enforcement unit of the University, but only if education records maintained by the University are not disclosed to the unit, and the law enforcement records are:
        - (a) Maintained separately from education records;
        - (b) Maintained solely for law enforcement purposes; and
        - (c) Disclosed only to law enforcement officials of the same jurisdiction;
- (3)
    - (i) Records relating to an individual who is employed by the University, that:
      - (a) Are made and maintained in the normal course of business;
      - (b) Relate exclusively to the individual in that individual's capacity as an employee; and
      - (c) Are not available for use for any other purpose.
    - (ii) Records relating to an individual in attendance at the University who is employed as a result of his or her status as a student are education records and not excepted under Section 180.020 B.5.b (3) of this definition.
  - (4) Records on a student who is attending the University, that are:
    - (a) Made or maintained by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional acting in his or her professional capacity or assisting in a paraprofessional capacity;

- (b) Made, maintained, or used only in connection with treatment of the student; and
  - (c) Disclosed only to individuals providing the treatment. For the purpose of this definition, **“treatment”** does not include remedial educational activities or activities that are part of the program of instruction at the University; and
- (5) Records that only contain information about an individual after he or she is no longer a student at the University.

6. **“Parent”** means a natural parent, an adoptive parent or the legal guardian of the student.
7. **“Party”** means an individual, agency, institution or organization.
8. **“Personally identifiable information,”** includes:
  - a. The student’s name;
  - b. The name of the student’s parent or other family member;
  - c. The address of the student or student’s family;
  - d. A personal identifier, such as the student’s social security number or student number;
  - e. A list of personal characteristics that would make the student’s identity easily traceable; or
  - f. Other information that would make the student’s identity easily traceable.
9. **“Record”** means information or data recorded in any medium, including, but not limited to handwriting, print, computer media, video or audio tape, film, microfilm, and microfiche.
10. **“Student”** means any person who is or has been in attendance at the University where the University maintains education records or personally identifiable information on such person. However, the term does not include a person who has not been in attendance at the University of Missouri.
11. **“University Official”** is a person employed by the University in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the University has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

**C. NOTIFICATION OF ACCESS RIGHTS BY THE UNIVERSITY.**

1. The University shall annually notify students currently in attendance of their rights under the Act.
2. Notice must be included in each campus’ information manual, or other publication, and must inform students that they have the right to:
  - a. Inspect and review the student’s education records;
  - b. Seek amendment of the student’s education records that the student believes to be inaccurate, misleading, or otherwise in violation of the student’s privacy rights;
  - c. Consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent that the Act and Section 180.020 M authorize disclosure without consent; and
  - d. File with the Department of Education’s Family Policy Compliance Office a complaint under Sections 99.63 and 99.64 of the Act concerning alleged failures by the University to comply with the requirements of the Act.
3. The notice must include all of the following:
  - a. The procedure for exercising the right to inspect and review education records;
  - b. The procedure for requesting amendment of records under Section 180.020 I; and
  - c. A specification of criteria for determining who constitutes a school official and what constitutes a legitimate educational interest, as listed in Section 180.020 M.1.a.
4. The University may provide this notice by any means that are reasonably likely to inform the students of their rights. The University shall effectively notify students who are disabled.

**D. RECORDS OF THE UNIVERSITY’S LAW ENFORCEMENT UNIT.**

1. **“Law enforcement unit”** means any individual, office, department, division or other component of the University, such as the University of Missouri Police Department or noncommissioned security guards, that is officially authorized or designed by the University to:
  - a. Enforce any local, state or federal law, or refer to appropriate authorities a matter for enforcement of any local, state or federal law against any individual or organization other than the University itself; or
  - b. Maintain the physical security and safety of the University.
2. A component of the University does not lose its status as a **“law enforcement unit”** if it also performs other, non-law enforcement functions for the University, including investigation of incidents or conduct that constitutes or leads to a disciplinary action or proceedings against the student.
3. **“Records of law enforcement unit”** means those records, files, documents, and other materials that are:
  - a. Created by a law enforcement unit;
  - b. Created for a law enforcement purpose; and
  - c. Maintained by the law enforcement unit.
4. **“Records of law enforcement unit”** does not mean:
  - a. Records created by a law enforcement unit for a law enforcement purpose that are maintained by a component of the University other than the law enforcement unit; or
  - b. Records created and maintained by a law enforcement unit exclusively for a non-law enforcement purpose, such as disciplinary action or proceeding conducted by the University.
5. The University may contact its law enforcement unit, orally or in writing, for the purpose of asking that unit to investigate a possible violation of, or to enforce, any local, state or federal law.
6. Education records, and personally identifiable information contained in education records, do not lose their status as education records and remain subject to the Act, as well as the disclosure provisions of Section 180.020 L, while in possession of the law enforcement unit.

**E. RIGHTS OF INSPECTION AND REVIEW OF EDUCATION RECORDS.**

1. The University shall provide students access to their educational records except as provided in Section 180.020 G.
2. The University shall comply with a request within a reasonable period of time, but in no case more than 45 days after the request has been received.
3. The University shall respond to reasonable requests for explanations and interpretations of those records.
4. If circumstances effectively prevent the student from exercising the right to inspect and review the student’s education records, the University shall:
  - a. Provide the student with a copy of the records requested; or
  - b. Make other arrangements for the student to inspect and review the requested records.
5. The University shall not destroy any education records if there is an outstanding request to inspect and review the records under this section.

**F. FEES FOR COPIES OF EDUCATIONAL RECORDS.**

1. Unless the imposition of a fee effectively prevents a student from exercising the right to inspect and review the student’s education records, the University may impose a reasonable fee for reproduction costs. This fee will not exceed the actual cost of production.
2. The University shall not charge a fee to search for or to retrieve the education records of a student.

**G. LIMITATION ON ACCESS.**

1. If the education records of a student contain information on more than one student, the student may inspect and review or be informed of only the specific information about that student.
2. The University will not permit a student to inspect and review education records that are:

- a. Financial records, including any information those records contain, of his or her parents;
- b. Confidential letters and confidential statements of recommendation placed in the education records of the student before January 1, 1975, as long as the statements are used only for the purposes for which they were specifically intended; and
- c. Confidential letters and confidential statements of recommendation placed in the student's education records after January 1, 1975, if:
  - (1) The student has waived his or her right to inspect and review those letters and statements; and
  - (2) Those letters and statements are related to the student's:
    - (a) Admission to the University;
    - (b) Application for employment; or
    - (c) Receipt of an honor or honorary recognition.

#### **H. WAIVERS.**

1. A waiver under Section 180.020 G is valid only if:
  - a. The University does not require the waiver as a condition for admission to or receipt of a service or benefit from the University; and
  - b. The waiver is made in writing and signed by the student, regardless of age.
2. If a student has waived his or her rights under Section 180.020 G, the University shall:
  - a. Give the student, on request, the names of the individuals who provided the letters and statements of recommendation; and
  - b. Use the letters and statements of recommendation only for the purpose for which they were intended.
3. A waiver under Section 180.020 G may be revoked with respect to any actions occurring after the revocation. A revocation must be in writing.

#### **I. AMENDMENT OF EDUCATION RECORDS.**

1. If a student believes the education records relating to the student contain information that is inaccurate, misleading, or in violation of the student's rights of privacy, he or she may ask the University to amend the record by contacting the University Registrar.
2. The University shall decide whether to amend the record as requested within a reasonable time after the request is received.
3. If the University decides not to amend the record as requested, the University Registrar shall inform the student of its decision and of his or her right to a hearing under Section 180.020 J.

#### **J. RIGHTS TO A HEARING.**

1. The University shall give a student, on request, an opportunity for a hearing to challenge the content of the student's education records on the grounds that the information contained in the education records is in violation of the privacy rights of the student.
2. If, as a result of the hearing, the University decides that the information is inaccurate, misleading, or otherwise in violation of the privacy rights of the student, it shall:
  - a. Amend the record accordingly; and
  - b. Inform the student of the amendment in writing.
3. If, as a result of the hearing, the University decides that the information in the education record is not inaccurate, misleading, or otherwise in violation of the privacy rights of the student, it shall inform the student of the right to place a statement in the record commenting on the contested information in the record or stating why he or she disagrees with the decision of the University, or both.
4. If the University places a statement in the education records of a student, it shall:
  - a. Maintain the statement with the contested part of the record for as long as the record is maintained; and
  - b. Disclose the statement whenever it discloses the portion of the record to which the statement relates.

**K. CONDUCT OF A HEARING.** Upon the request of the University official charged with custody of the records of the student, the hearing required by Section 180.020 J shall be conducted.

1. The request for a hearing shall be submitted in writing to the campus Chancellor, who will appoint a hearing officer or a hearing committee to conduct the hearing.
2. The hearing shall be conducted and decided within a reasonable period of time following the request for the hearing. The University shall give the student notice of the date, time, and place, reasonably in advance of the hearing.
3. The hearing shall be conducted and the decision rendered by an appointed hearing official or officials who shall not have a direct interest in the outcome of the hearing.
4. The student shall be afforded a full and fair opportunity to present evidence relevant to the hearing, and may be assisted or represented by individuals of his or her choice at his or her own expense, including an attorney.
5. The decision of the University shall be based solely upon the evidence presented at the hearing and shall include a summary of the evidence and the reasons for the decision.
6. The decision shall be rendered in writing within a reasonable period of time after the conclusion of the hearing.
7. Either party may appeal the decision of the hearing official or officials to the campus Chancellor.

#### **L. CONDITIONS UNDER WHICH PRIOR CONSENT IS REQUIRED.**

1. The student shall provide a signed and dated written consent before the University discloses personally identifiable information from the student's education records, except as provided in Section 180.020 M.
2. The written consent must:
  - a. Specify the records that may be disclosed;
  - b. State the purpose of the disclosure; and
  - c. Identify the party or class of parties to whom the disclosure may be made.
3. If a student so requests, the University shall provide him or her with a copy of the records disclosed.

#### **M. CONDITIONS UNDER WHICH PRIOR CONSENT IS NOT REQUIRED.**

1. The University may disclose personally identifiable information from an education record of a student without the consent required by Section 180.020 L if the disclosure meets one or more of the following conditions:
  - a. The disclosure is to other University officials, including teachers, within the University who have been determined by the University to have legitimate educational interests. A University official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.
  - b. The disclosure is to officials of other schools or school systems in which the student seeks or intends to enroll, upon condition that the student is notified of the transfer, receives a copy of the record if requested, and has an opportunity for a hearing to challenge the content of the record.
  - c. The disclosure is, subject to the requirements of Section 180.020 P, to authorized representatives of:
    - (1) The Comptroller General of the United States;
    - (2) The Attorney General of the United States;
    - (3) The Secretary; or
    - (4) State and local educational authorities.
  - d. The disclosure is in connection with financial aid - defined as a payment of funds provided to an individual (or a payment in kind of tangible or intangible property to the individual) that is conditioned on the individual's attendance at the University - for which the student has applied or which the student has received, if the information is necessary for such purposes as to:
    - (1) Determine eligibility for the aid;
    - (2) Determine the amount of the aid;
    - (3) Determine the conditions for the aid; or
    - (4) Enforce the terms and conditions of the aid.
  - e. The disclosure is to state and local officials or authorities to which such information is specifically required to be reported or disclosed pursuant to a state statute adopted prior to November 19, 1974.

- f. The disclosure is to organizations conducting studies for, or on behalf of, educational agencies or institutions to develop, validate, or administer predictive tests, administer student aid programs, or improve instruction. Such studies are to be conducted in such a manner as will not permit the personal identification of students or their parents by persons other than representatives of the organization, and this information will be destroyed when no longer needed for the purpose for which the study is conducted.
- g. The disclosure is to accrediting organizations to carry out their accrediting functions.
- h. The disclosure is to parents of a dependent student, as defined in Section 152 of the Internal Revenue Code of 1986, as amended.
- i. The disclosure is to comply with a lawfully issued subpoena.
  - (1) The University may disclose this information only if it makes a reasonable effort to notify the student of the order or subpoena in advance of compliance, so that the student may seek protective action, unless the disclosure is in compliance with –
    - (a) A federal grand jury subpoena and the court has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed; or
    - (b) Any other subpoena issued for a law enforcement purpose and the court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed.
  - (2) If the University initiates legal action against a parent or student, the University may disclose to the court, without a court order or subpoena, the education records of the student that are relevant for the University to process with the legal action as plaintiff.
  - (3) If a parent or eligible student initiates legal action against the University, the University may disclose to the court, without a court order or subpoena, the student's education records that are relevant for the University to defend itself.
- j. The disclosure is in connection with a health or safety emergency, under the conditions described in Section 180.020 Q.
- k. The disclosure is information the University has designated as “**directory information,**” under the conditions described in Section 180.020 R.
- l. The disclosure is to the student.
- m. The disclosure, subject to the requirements in Section 180.020 S, is to a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense. The disclosure may include only the final results of the disciplinary proceeding conducted by the University with respect to that alleged crime or offense. The University may disclose the final results of the disciplinary proceeding, regardless of whether the University concluded a violation was committed.
- n.
  - (i) The disclosure, subject to the requirements in Section 180.020 S, is in connection with a disciplinary proceeding at the University providing that the University determines that:
    - (1) The student is an alleged perpetrator of a crime of violence or non-forcible sex offense; and
    - (2) With respect to the allegation made against him or her, the student has committed the violation of the University's rules or policies.
  - (ii) The University may not disclose the name of any other student, including a victim or witness, without the prior written consent of the other student.
  - (iii) This section applies only to disciplinary proceedings in which the final results were reached on or after October 7, 1998.
- o. The disclosure is to a parent of a student under the age of twenty-one at the time of disclosure, and is limited to a

determination that the student violated University regulations pertaining to the use or possession of alcohol or a controlled substance, as provided by and under the restrictions contained in Section 180.025.

**N. RECORD KEEPING.**

1. The University shall maintain a record of each request for access to and each disclosure of personally identifiable information from the education records of each student, for as long as the records are maintained.
2. For each request or disclosure the record must include:
  - a. The parties who have requested or received personally identifiable information from the education records; and
  - b. The legitimate interests the parties had in requesting or obtaining the information.
3. If the University discloses personally identifiable information from an education record with the understanding authorized under Section 180.020 O.2, the record of the disclosure required under this section must include:
  - a. The names of the additional parties to which the receiving party may disclose the information on behalf of the University; and
  - b. The legitimate interests under Section 180.020 M which each of the additional parties has in requesting or obtaining the information.
4. The following parties may inspect the record relating to each student:
  - a. The student;
  - b. The school official or his or her assistants who are responsible for the custody of the records; and
  - c. Those parties authorized in Section 180.020 M.1.a and M.1.c for the purposes of auditing the record keeping procedures of the University.
5. Paragraph 1 of this section does not apply if the request was from, or the disclosure was to:
  - a. The student;
  - b. A University official under Section 180.020 M.1.a;
  - c. A party with written consent from the student;
  - d. A party seeking directory information; or
  - e. A party seeking or receiving the records as directed by a federal grand jury or other law enforcement subpoena and the issuing court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed.

**O. LIMITATIONS TO THE REDISCLOSURE OF INFORMATION.**

1. The University may disclose personally identifiable information from an education record only on the condition that the party to whom the information is disclosed will not disclose the information to any other party without the prior consent of the student. The officers, employees, and agents of a party that receives information may use the information, but only for the purposes for which the disclosure was made.
2. This does not prevent the University from disclosing personally identifiable information with the understanding that the party receiving the information may make further disclosures of the information on behalf of the University if:
  - a. The disclosures meet the requirements of Section 180.020 M; and
  - b. The University has complied with the requirements of Section 180.020 N.3.
3. Section 180.020 O.1 does not apply to disclosures made pursuant to court orders, lawfully issued subpoenas, litigation under Section 180.020 M.1.i, to disclosures of directory information under Section 180.020 M.1.k, to disclosures made to a parent or student under Section 180.020 M.1.j, to disclosures made in connection with a disciplinary proceeding under Section 180.020 M.1.n, or to disclosures made to parents under Section 180.025.
4. Except for disclosures under Section 180.020 M.1.k, l, m, and n, the University shall inform a party to whom disclosure is made of the requirements of this section.

- If the University determines that a third party improperly rediscloses personally identifiable information from education records in violation of Section 180.020 O.1, the University may not allow that third party access to personally identifiable information from education records for at least five years.

#### **P. DISCLOSURE OF INFORMATION FOR FEDERAL OR STATE PROGRAM PURPOSES.**

- The officials listed in Section 180.020 M.1.c may have access to education records in connection with an audit or evaluation of federal or state supported education programs, or for the enforcement of or compliance with federal legal requirements which relate to those programs.
- This information must:
  - Be protected in a manner that does not permit personal identification of individuals by anyone except the officials referred to in part 1 of this section; and
  - Be destroyed when no longer needed for the purposes listed in part 1 of this section.
- Part 2 of this section does not apply if:
  - The student has given written consent for the disclosure under Section 180.020 L; or
  - The collection of personally identifiable information is specifically authorized by Federal law.

**Q. RELEASE OF INFORMATION FOR HEALTH OR SAFETY EMERGENCIES.** The University may release information from an education record to appropriate persons in connection with an emergency if the knowledge of such information is necessary to protect the health or safety of a student or other persons. The factors which will be taken into account in determining whether the records may be released under this section include the following:

- The seriousness of the threat to the health or safety of the student or other persons;
- The need for such records to meet the emergency;
- Whether the persons to whom such records are released are in a position to deal with the emergency; and
- The extent to which time is of the essence in dealing with the emergency.

#### **R. CONDITIONS FOR DISCLOSURE OF DIRECTORY INFORMATION.**

- The University may disclose directory information if it has given public notice to students in attendance at the University of:
  - The types of personally identifiable information that the University has designated as directory information;
  - A student's right to refuse to let the University designate any or all of those types of information about the student as directory information; and
  - The period of time within which a student has to notify the University in writing that he or she does not want any or all of those types of information about the student designated as directory information.
- The University may disclose directory information about former students without meeting the conditions of this section.

**S. DEFINITIONS APPLYING TO THE NONCONSENSUAL DISCLOSURE OF RECORDS IN CONNECTION WITH DISCIPLINARY PROCEEDINGS CONCERNING CRIMES OF VIOLENCE OR NON-FORCIBLE SEX OFFENSES.** As used in this part:

- "Alleged perpetrator of a crime of violence"** is a student who is alleged to have committed acts that would, if proven, constitute any of the following offenses or attempts to commit the following offenses that are defined in Title 18, **"Crimes and Criminal Procedure,"** of the United States Code:
  - Arson;
  - Assault offenses;
  - Burglary;
  - Criminal homicide - manslaughter by negligence;
  - Criminal homicide - murder and nonnegligent manslaughter;
  - Destruction/damage/vandalism of property;
  - Kidnapping/abduction;
  - Robbery; or
  - Forcible sex offenses.

- "Alleged perpetrator of non-forcible sex offense"** means a student who is alleged to have committed acts that, if proven, would constitute statutory rape or incest. These offenses are defined in Title 18, **"Crimes and Criminal Procedure,"** of the United States Code.
- "Final results"** means a decision or determination, made by an honor court or council, committee, commission, or other entity authorized to resolve disciplinary matters within the University. The disclosure of final results must include only the name of the student, the violation committed, and any sanction imposed by the University against the student.
- "Sanction imposed"** means a description of the disciplinary action taken by the University, the date of its imposition, and its duration.
- "Violation committed"** means the University rules or code sections that were violated and any essential finding supporting the University's conclusion that the violation was committed.

### **Procedure for Appeal of Grades**

Students are responsible for meeting the standards of academic performance established for each course in which they are enrolled. The establishment of the criteria for grades and the evaluation of student academic performance are the responsibilities of the instructor.

This grade appeal procedure is available only for the review of allegedly capricious grading and not for review of the instructor's evaluation of the student's academic performance. Capricious grading, as that term is used here, comprises any of the following:

- The assignment of a grade to a particular student on some basis other than the performance in the course;
- The assignment of a grade to a particular student according to more exacting or demanding standards than were applied to other students in the course; (**Note:** Additional or different grading criteria may be applied to graduate students enrolled for graduate credit in 300- and 400-level courses.)
- The assignment of a grade by a substantial departure from the instructor's previously announced standards.

### **Appeal Procedures**

- The student should first discuss the course grade fully with the instructor of the course. This must be done within six weeks after the beginning of the succeeding regular academic semester.
- If the matter cannot be resolved by consultation with the instructor, the student should use the departmental grade-appeal procedure. Every academic unit (school, College or department) must have a set of appeal procedures that are to be made available to students on request. These procedures will specify the manner in which the departmental review of the challenged grade will be conducted.
- If the matter is not resolved at the departmental level, an appeal can be made to the academic dean, in accordance with the school's or College's appeals process. The decision of the dean will be communicated to the student, the instructor and the department.
- If the matter is not resolved within the school or College, the student may appeal to the chancellor or designated representative. This appeal must be made within 10 consecutive calendar days after notification of the decision of the dean.
- The chancellor or designated representative shall review the full record of the case and appeal documents. At this level, the chancellor may appoint an ad hoc academic appeals committee to review the record and provide advice on the matter. The decision of the chancellor, or designated representative, is final and will be communicated to the student, the instructor, the department and the dean of the school or College.

### **Academic Amnesty Policy**

The University of Missouri-Kansas City has an Amnesty policy to enable those students who did not perform adequately in their undergraduate enrollment at UMKC to be given a second chance to pursue their academic goals. The policy is as follows:

**I. A student may apply or petition for amnesty if she or he meets the following requirements:**

1. Has not been enrolled at UMKC at any time during the past two years.
2. Applies for readmission at UMKC and applies for academic amnesty at the same time or applies for amnesty before the end of the first semester of re-enrollment.

**Note:** Amnesty will not be considered for students who are concurrently enrolled or who intend to enroll at colleges and universities other than UMKC.

**II. Academic Amnesty will be implemented as follows:**

1. Grades for all UMKC courses taken in the semester or semesters for which amnesty is requested will be marked if the request is approved. The student may not choose specific courses to be included, leaving other courses with an unmarked original grade.
2. The original grade will remain on the student's record, but will be marked by an "x" preceding the grade. For plus/minus grades, the plus or minus will be dropped and the base grade will be used. For example, grades of A, B+, B, B-...F will be changed to XA, XB, ...XF. These hours and grades will remain on the transcript, but will not count toward cumulative hours nor GPA, nor can they be used to fulfill any degree requirements, regardless of the original grade.
3. A statement "Grades granted amnesty by faculty committee action" (or similar) will follow the courses granted amnesty.
4. The change to the transcript will be processed within 30 days following an approved petition for amnesty but in no case sooner than the end of the fourth week of classes in the first term in which the student re-enrolls. If the student then withdraws before grades are awarded at the end of that term the grades will be returned to the original grades.
5. Students can receive amnesty only one time.

## Academic Amnesty Procedures

1. Application may be made by use of a standard application form available online at [www.umkc.edu/registrar/forms.html](http://www.umkc.edu/registrar/forms.html) or by any written document or letter which contains the necessary information (see form). Applications should be submitted to the UMKC Records Office, to the attention of the Assistant Registrar-Records, prior to the first day of classes in the student's second semester of readmission.
2. Amnesty applications are acted upon by a standing faculty committee to be appointed by the Provost's Office.
3. Notification of committee decisions will be made in writing to the student and the appropriate Academic Deans by the UMKC Records Office.

## Equal Opportunity Procedures

### Guidelines on Sex Discrimination

The University of Missouri-Kansas City complies with Title IX of the Educational Amendment of 1972 which ensures that all employees and students are not victims of sex discrimination. To ensure compliance with this policy of nondiscrimination on the basis of sex, the University has taken the following steps:

1. The University recruits employees of both sexes for all jobs except where sex is a bona fide occupational qualification.
2. Advertisements in journals, newspapers and other media for employment do not express a sexual preference unless sex is a bona fide occupational qualification for the position.
3. Personnel policies for the University explicitly state that there will be no discrimination on account of sex.
4. Promotion and job advancement opportunities except where governed by the rules and regulations of tenure are afforded to all employees regardless of sex. The University makes no distinction based upon sex in employment opportunities, wages, hours or other conditions of employment.
5. Policies and practices of the University assure that appropriate physical facilities are available for both sexes.
6. Women employees are not penalized in their conditions of employment because of time away from work on account of child bearing. Following childbirth and upon signifying intent to return within a reasonable time, such female employees are reinstated to their original jobs or positions of like status and pay without loss of service credit.

7. The wage schedule and job classifications of the University are not related to or based on the sex of the employee.
8. The University has issued policies and guidelines to ensure an educational and work environment that is free from sexual harassment.
9. The University has taken the above steps to alleviate sex discrimination within the institution. Those employees who believe they have been discriminated against on the basis of sex may use the appropriate internal grievance procedure.

### Guidelines on Discrimination on the Basis of Religion or National Origin

Members of various religious and ethnic groups, primarily but not exclusively of Eastern, Middle and southern European ancestry, such as Muslim, Jewish, Catholic, Italian, Greek and Slavic groups, continue to be excluded from executive, middle management and other job levels because of discrimination based on their religion or national origin. Under the Equal Opportunity Clause contained in section 202 of Executive Order 11246 as amended, the University of Missouri-Kansas City does not discriminate against employees or applicants for employment because of religion or national origin, and employees are treated during employment without regard to their religion or national origin. To ensure this, the University of Missouri-Kansas City has taken the following steps:

1. The University's Office of Equal Opportunity/Affirmative Action and external communications media have made known that equal employment opportunity without regard to religion or national origin is the policy of the University. All employees of the University must be committed to equal employment for all persons without regard to religion or national origin.
2. In all of its recruitment sources, the University of Missouri-Kansas City expresses that it is committed to equal employment opportunity without regard to religion or national origin.
3. Through local and national publications, as well as through its Web site job listings at <http://www.umkc.edu/html/acjobs> and <http://www.umkc.edu/adminfinance/hr/jobs/index.asp>, the University informs the public, including community, religious and ethnic groups, of employment opportunities available at the University of Missouri-Kansas City.
4. The University of Missouri-Kansas City accommodates the religious observance and practices of all employees when reasonably possible.
5. The University has taken the above steps to eliminate discrimination based on religion or national origin. Employees who believe they have been discriminated against on the basis of religion or national origin may use the University's internal grievance procedures.

### Guidelines on Sexual Harassment

(Executive Order No. 20, 3-17-81; 330.060 Sexual Harassment; Bd. Min. 3-18-93.)

This policy is also available at <http://www.umsystem.edu/ums/departments/gc/rules/personnel/330/060.shtml>.

This University of Missouri policy aims for an increased awareness regarding sexual harassment by making available information, education and guidance on the subject for the University community.

**A. Policy Statement.** It is the policy of the University of Missouri, in accord with providing a positive, discrimination-free environment, that sexual harassment in the work place or educational environment is unacceptable conduct. Sexual harassment is subject to discipline, up to and including separation from the institution.

**B. Definition.** Sexual harassment is defined for this policy as either

1. Unwelcome sexual advances or requests for sexual activity by a University employee in a position of power or authority to a University employee or a member of the student body, or
2. Other unwelcome verbal or physical conduct of a sexual nature by a University employee or a member of the student body to a University employee or a member of the student body, when:
  - a. Submission to or rejection of such conduct is used explicitly or implicitly as a condition for academic or employment decisions; or

- b. The purpose or effect of such conduct is to interfere unreasonably with the work or academic performance of the person being harassed; or
- c. The purpose or effect of such conduct, to a reasonable person, is to create an intimidating, hostile, or offensive environment.

**C. Non-Retaliation.** This policy also prohibits retaliation against any person who brings an accusation of discrimination or sexual harassment or who assists with the investigation of sexual harassment. Notwithstanding this provision, the University may discipline an employee or student who has been determined to have brought accusation of sexual harassment in bad faith.

**D. Redress Procedures.** Members of the University community who believe they have been sexually harassed may seek redress, using the following options:

1. Pursue appropriate informal resolution procedures as defined by the individual campuses. These procedures are available from the campus Equal Opportunity/Affirmative Action Officer.
2. Initiate a complaint or grievance within the period of time prescribed by an applicable grievance procedure. Faculty are referred to Section 370.010, "Academic Grievance Procedures"; staff to Section 380.010, "Grievance Procedure for Administrative, Service and Support Staff" and students to Section 390.010, "Discrimination Grievance Procedure for Students". Pursuing a complaint or informal resolution procedure does not compromise one's rights to initiate a grievance or seek redress under state or federal laws.

**E. Discipline.** Upon receiving a charge of sexual harassment against a member of faculty, staff, or student body, the University will investigate and, if substantiated, will initiate the appropriate disciplinary procedures. There is a five year limitation period from the date of occurrence for filing a charge that may lead to discipline. An individual who makes an accusation of sexual harassment will be informed:

1. At the close of the investigation, whether or not disciplinary procedures will be initiated; and
2. At the end of any disciplinary procedures, of the discipline imposed, if any.

## Minimum Standards of Progress for Veterans

Veterans Affairs regulations require that all veterans drawing VA educational benefits at UMKC must comply with the Veterans Affairs Minimum Standards of Progress. These standards dictate that the veteran must be making satisfactory progress toward a degree while enrolled. The University's academic and probation policies have been approved by the Veterans Affairs as those Minimum Standards of Progress.

## Undergraduate Student

Undergraduate degree-seeking students' academic status is assessed at the end of every term, whether the student is full-time or part-time for that term. A summer session is considered the same as a semester for the purpose of the following regulations:

1. In general, students will be placed on academic probation whenever their official UM grade-point average falls below 2.0 (C average). Some academic units may have a higher grade-point average requirement. New freshman admitted to UMKC on the basis of high school records, who have grade-point averages between 1.50 and 1.99 at the end of the first semester of either full- or part-time study will be placed on academic warning. Students on academic warning must achieve an overall C average by the end of their second semester or be placed on regular probation. They then would be subject to the regular probation requirements.
2. Students on academic probation will be restored to good standing when their UM grade-point average reaches 2.0 or the GPA level established by their academic units.
3. Students on academic probation must maintain the grade-point average required by their academic units during each subsequent semester or summer session while on probation. Otherwise, they are ineligible to re-enroll without the approval of the academic units.

4. Students on academic probation must remove themselves from probation within three successive semesters (including the semester in which they originally were placed on probation). Otherwise, they are ineligible to re-enroll without the approval of the academic units.
5. Students are responsible for knowing their academic status by referring to the term grade reports and their permanent academic records in the UMKC Records Office.

## Graduate and Professional Students

Because there may be some variation in the academic and probation policies in the various graduate and professional schools within the University, reference should be made to the appropriate sections in this catalog.

## Conduct

Institutional policy relating to conduct for veteran students is the same as for all other students. Statement of requirements is shown elsewhere in this catalog.

## Student Records

Adequate records are kept by the school to show the progress of each eligible veteran. The records are sufficient to show continued pursuit at the rate for which enrolled and the progress being made.

These records include the final grade in each subject completed and a record of the date of withdrawal from any class the veteran does not complete. The last date of attendance must be reported to the Veterans Affairs.

No veteran will be considered to have made satisfactory progress when the veteran fails all subjects undertaken except with a show of mitigating circumstances, when enrolled in two or more unit subjects. This is immediately reported to Veterans Affairs. The determination for the continuance of benefits is made by the regional office of the Veterans Affairs.

## Discrimination Grievance Procedure for Students

(390.010 Discrimination Grievance Procedure for Students; Bd. Min. 12-17-82, Bd. Min. 1-25-90, Amended Bd. Min. 10-16-03)

This policy is also available at

<http://www.umsystem.edu/ums/departments/gc/rules/grievance/390/010.shtml>.

### A. General

1. It is the policy of the University of Missouri to provide equal opportunity for all enrolled students and applicants for admission to the University on the basis of merit without discrimination on the basis of their race, color, religion, sex, sexual orientation, national origin, age or disability, or Vietnam era veteran status. Sexual harassment shall be considered discrimination because of sex. This policy shall not be interpreted in such a way as to violate the legal rights of religious organizations or military organizations associated with the Armed Forces of the United States of America.
2. To insure compliance with this policy, all University of Missouri prospective or enrolled students shall have available to them this student discrimination grievance procedure for resolving complaints or grievances regarding alleged discrimination.
3. This grievance procedure neither supersedes nor takes precedence over established University procedures of due process for any and all matters related to Academic Dishonesty, Grade Appeals, Traffic Appeals, Disciplinary Appeals, or other specific campus procedures which are authorized by the Board of Curators and deal with faculty/staff responsibilities.
4. These proceedings may be terminated at any time by the mutual agreement of the parties involved. **Note:** A grievance concerning specific incidents filed under this discrimination grievance procedure shall not be processed on behalf of any student who elects to utilize another University grievance procedure. In addition, the filing of a grievance under these procedures precludes the subsequent use of other University grievance or appeals procedures for the same incident.

### B. Definitions

1. A complaint is an informal claim of discriminatory treatment. A complaint may, but need not, constitute a grievance. Complaints

- shall be processed through the informal procedure herein set forth.
2. A Grievance is the written allegation of discrimination which is related to:
    - a. Recruitment and admission to the institution.
    - b. Admission to and treatment while enrolled in an education program.
    - c. Employment as a student employee on campus.
    - d. Other matters of significance relating to campus living or student life, including, but not limited to: assignment of roommates in resident halls; actions of fraternities and sororities; membership in or admission to club/organizations; student health services; and financial aid awards.
  3. A student is any person who has applied for admission or readmission, or who is currently enrolled, or who was a student of the University of Missouri at the time of the alleged discrimination.
  4. Persons with disabilities—For the purpose of this student discrimination grievance procedure, a “person with a disability” has been substituted for “handicapped individual” (Section 504, Rehabilitation Act of 1973) and shall be defined as “. . . any person who:
    - a. Has a physical or mental impairment which substantially limits one or more of such person’s major life activities; or
    - b. Has a record of such impairment; or
    - c. Is regarded as having such an impairment.” For purpose of this definition, “major life activity” means any mental or physical function or activity which, if impaired, creates a substantial barrier to employment or education. Any reference in this document to written materials or to written or oral presentations within the student discrimination grievance procedure may be adjusted to accommodate persons with disabilities for whom the stated materials or required presentations would not be appropriate. Cost of such accommodation will be borne by the University, with no charge to the individual.
  5. Appropriate Administrative Officer – The primary administrative officer on the staff of the Chancellor (in the area of Student Affairs/Services, Administrative Services, Development, and Academic Affairs) having administrative responsibility for the unit in which the discrimination is alleged to have occurred.
  6. Grievance Consultant – At any step the Director of Equal Opportunity or of Affirmative Action may be asked to serve as a consultant by any of the parties involved in this grievance procedure.

**C. Complaints**

1. Policies and Procedures – A student with a complaint will be provided with copies of appropriate policies and procedures pertaining to student complaints and grievances, and the Chief Student Personnel Administrator or his/her designee and the Officer for Equal Opportunity/Affirmative Action shall be available to assist the student in understanding the opportunities afforded through such policies and procedures. The student may choose to have an adviser participate in any stage of the grievance procedures, subject to the restrictions of the hearing procedures set forth in Section 390.010 F.
2. Joint Complaint – If more than one student is aggrieved by the same action, these students may, by mutual written agreement among themselves, file with the Chief Student Personnel Administrator a complaint and pursue their complaints jointly under this grievance procedure. If the number of students in such a case is so large as to make it impractical for them to be heard individually in a joint proceeding, they may, by mutual agreement, elect one or more of their number to act on behalf of them all.
3. Students may informally discuss a complaint with the relevant supervising administrator. Every reasonable effort should be made to resolve the matter informally at this administrative level. If a satisfactory resolution is not reached, the student may pursue the matter through each level of administrative jurisdiction up to and including the Appropriate Administrative Officer, or file a grievance within the time specified in D.1.b.

4. Complaints Involving Recruitment
  - a. Undergraduate applicants must first present complaints about recruitment to the Director of Admissions. If a satisfactory resolution is not reached, the applicant may appeal the matter to the immediate supervising officer of the Director of Admissions.
  - b. Applicants for graduate study may request a meeting with the academic department head and the Dean of the College, or their designees, who are actually involved in the recruitment effort to discuss the matter informally. If a satisfactory resolution is not reached, the applicant may appeal to the Dean of the Graduate School and finally to the Appropriate Administrative Officer.
5. Complaints Involving Admissions (Undergraduate or Professional)
  - a. Undergraduate and professional student applicants shall present complaints to the Director of Admissions or to the Dean of the School or College, depending upon where the application was originally filed.
  - b. This University official shall compare the person’s academic qualifications against the official University admissions criteria and review the denial. If the denial is sustained, the applicant may appeal this decision to the official’s immediate supervisor or to the appropriate admissions committee.
6. Complaints Involving Admissions (Graduate) – Applicants to the Graduate School may ask for a meeting with the academic department head of the program to which the applicant was seeking admission. This official shall explain the reasons for the denial of recommendation for admission. If a satisfactory resolution is not reached, the applicant may then appeal to the Dean of the Graduate School or to the appropriate admissions committee. If the denial is upheld, the applicant may appeal the decision to the appropriate administrative officer.
7. Complaints Involving Admissions to or Treatment in an Educational Program or in the Granting of Assistantships – An undergraduate or graduate student enrolled at the institution who has a discrimination complaint involving admission to or treatment in an educational program or in the granting of assistantships may request a conference with the appropriate department head and with the Dean of the School or College (or the Dean’s designee) to discuss the matter informally. If a satisfactory resolution is not reached, the student may present a grievance pursuant to Section 390.010 F.
8. Complaints Involving Non-academic Matters Related to Campus Living and Student Life – A currently enrolled student who has a University-related complaint concerning discrimination in non-academic matters including but not limited to assignment of roommates, actions of fraternities and sororities, membership in or admission to clubs/organizations, student health services and financial aid awards, may request a conference with the appropriate administrative supervisor, department head or director to discuss the matter informally. If a satisfactory resolution is not reached, the student may present a grievance pursuant to Section 390.010 D.
9. Complaints Involving Student Employment on Campus – A student enrolled at the University who alleges that discrimination occurred either in applying for work or while working as a student employee at a University job may request a conference with the supervisor, department head or director of the employing unit to discuss the matter informally. If a satisfactory resolution is not reached, the student may present a grievance pursuant to Section 390.010 D.
10. Complaints Involving Financial Aid (Undergraduate, Graduate, Professional):
  - a. Undergraduate, graduate and professional student aid applicants shall present complaints to the Director of Student Financial Aid where the application was originally filed or the award originally made.
  - b. This University official shall compare the person’s financial and academic qualifications against the official University financial aid criteria and review the award amount or denial of the aid. If the original judgment is sustained, the applicant may appeal this decision to the official’s immediate supervisor or to the appropriate financial aid committee.

#### D. Initiating a Grievance

1. Policies and Procedures – A student with a grievance will be provided copies of appropriate policies and procedures pertaining to student complaints and grievances, and the Chief Student Personnel Administrator or designee, and the Officer for Equal Opportunity/Affirmative Action, shall be available to assist the student in understanding the opportunities afforded through such policies and procedures. The student may choose to have an adviser participate in any stage of the grievance procedure, subject to the restrictions of the hearing procedures set forth in Section 390.010 F.
  - a. Joint Grievance – If more than one student is aggrieved by the same action, these students may, by mutual written agreement among themselves, file with the Chief Student Personnel Administrator a grievance and pursue their grievances jointly under this grievance procedure. If the number of students in such a case is so large as to make it impractical for them to be heard individually in a joint proceeding, they may, by mutual agreement, elect one or more of their number to act on behalf of all of them.
  - b. Regardless of their nature, all discrimination grievances are to be filed with the Chief Student Personnel Administrator. A grievance must have been filed by a student within one-hundred-eighty(180) calendar days of the date of the alleged discriminatory act.
2. Filing a Grievance
  - a. All grievances must be presented in writing and contain the following information:
    - (a) A clear concise statement of the grievance which includes the name of the person(s) against whom the grievance is made, the date(s) of the alleged discrimination and a statement describing the specific supporting evidence;
    - (b) A brief summary of the prior attempts to resolve the matter, which includes the names of persons with whom the matter was discussed, and the results of those previous discussions;
    - (c) A specific statement of the remedial action or relief sought.
  - b. Within seven (7) working days, the original grievance form with an explanation will be returned to the student if, in the judgment of the Chief Student Personnel Administrator, the statements are vague or do not meet the above requirement. The student may make the necessary corrections and resubmit the grievance within seven (7) days.
3. Any grievance not filed within the time limits specified in Section 390.010 D.1.b shall be deemed waived by the grievant. The Chief Student Personnel Administrator may extend the time limits only if adequate cause for an extension of the time limits can be shown by the student.
4. For informational purposes, copies of the grievance shall be forwarded to the Appropriate Administrative Officer and the Director of Equal Opportunity/Affirmative Action.
5. Within fifteen (15) working days of receipt of a grievance that satisfies the requirement of Section 390.010 D.1.b, the Appropriate Administrative Officer, with the consent of the parties involved, may establish an informal hearing with the aggrieved student, the responding faculty/staff/organization, the respondent's supervisor and the Appropriate Administrative Officer's designee. The Appropriate Administrative Officer shall not involve himself/herself in this meeting. If the informal means of resolving the grievance fails, a grievance committee will be impaneled as called for in Section 390.010 E.1.

#### E. Formation of a Grievance Committee

1. It is the Appropriate Administrative Officer's responsibility to initiate the selection of the grievance committee within fifteen (15) working days after the request for the formation of a grievance committee, or after the completion of the informal hearing provided for in Section 390.010 F.5 without satisfaction to the grievant.

2. A grievance hearing panel shall be established by October 1 of each year from which a grievance committee should be constituted. The panel shall consist of ten (10) faculty, ten (10) staff and ten (10) students. Selection of the panel will be made by the Chief Student Personnel Administrator from recommendations by the appropriate faculty, staff and student associations. Selection of membership will consider sex, race, disability, academic rank, student classification and employee classification. Membership on the hearing panel shall be for two years. A member's term shall expire on September 30 of the second year unless he/she is serving at that time on a hearing committee still in the process of reviewing an unresolved grievance. In such case, the member's term shall expire as soon as the committee has submitted a written report of its findings and recommendations to the Appropriate Administrative Officer.
3. A hearing committee shall be composed of five (5) members. The grievant shall select two (2) members from the grievance hearing panel provided by the Chief Student Personnel Administrator. The responding faculty/staff/organization shall select two (2) members from the grievance hearing panel. Both parties should have their selections made within 15 working days of the receipt of the request. The four committee members shall then select an additional member from the grievance hearing panel to serve as chair. Neither members of the immediate departmental unit nor student members of pertinent student organizations involved in the grievance shall be eligible to serve on the committee.
4. Any person selected to a grievance committee will be expected to serve on such committee and to be present at all sessions. If a member is absent from a single session, that person will be required to review all tapes or transcribed proceedings of that session prior to the next meeting of the committee. Should a member be absent from two sessions or should a member request to be excused from service for reasons of illness, necessary absence from the campus or other hardship, then the member shall be replaced in the same manner used in the original selection (see Section 390.010 E.3). If a member is unable or ineligible to serve for whatever reason, the replacement shall review all tapes or written transcripts and all submitted evidence prior to service on the committee. Five members of the hearing committee, duly selected as in Sections 390.010 E.3 and E.4 must attend the opening and closing session of the hearing.

#### F. Hearing Procedures for Formal Grievances

1. It shall be the responsibility of the Appropriate Administrative Officer to coordinate the procedures contained herein, to make provisions for hearing rooms, to coordinate secretarial and recording services and to otherwise serve the grievance committee as needed.
2. At the first organizational meeting of the grievance committee, the committee shall elect a chairperson from among the members to preside over subsequent meetings. Then the chairperson shall schedule a hearing at the earliest convenient time when all affected parties can be present.
3. A quorum consists of a minimum of four members of the committee except as provided by Section 390.010 E.4.
4. The grievance committee shall invite the grievant and the responding person to all hearings. Attendance at the hearings shall be limited to persons who have an official connection with the case as determined by the chairperson. The grievant and the responding person may choose to be accompanied by an adviser. Others whose participation in the hearing is considered essential in order to assist the committee in establishing the facts of the case shall appear before the committee only long enough to give testimony and to answer questions of committee members.
5. It is within the duties and responsibilities of all members of a grievance committee to commit themselves to observe procedures consistent with fairness to all parties concerned. For example, it is a matter of principle that members of the grievance committee will not discuss a case with anyone outside of the hearing process and that their finding will not be influenced by anything other than the evidence presented to them in meetings in which all affected parties are present.
6. The grievance committee shall set forth the rules of procedure for the hearing within the guidelines set forth herein. The chairperson may, for good cause and with the concurrence of a

majority of the entire committee, authorize deviation from the suggested format, in which case the principal parties shall be notified.

- a. The grievant shall be heard first in all phases of a grievance hearing and shall be primarily responsible for the presentation of his/her position.
  - b. The adviser of the grievant or respondent may advise that person and may briefly explain his or her position but shall not be permitted to testify or to cross-examine.
  - c. A reasonable time limit should be established for opening and closing statements and shall be announced prior to the hearing.
  - d. Length of hearing sessions may be established in advance; every effort should be made to conduct the hearing as expeditiously as possible, with equal fairness to both parties.
  - e. The interested parties shall provide the chairperson with the names of the adviser and potential witnesses at least forty-eight (48) hours prior to the hearing. It is the responsibility of the interested party, working with the chairperson, to ensure the presence of these individuals in a timely manner.
  - f. After initial witnesses for both parties have been heard, such witnesses may be recalled for additional questioning if requested by either party or the grievance committee. The committee may call new witnesses whose testimony it deems relevant or helpful.
  - g. In order to promote the truthful, unfettered exchange of information and ideas, all testimony pertaining to the grievance hearing shall be held in confidence.
  - h. Only evidence relevant to the grievance may be introduced. Questions regarding the admissibility of evidence shall be decided by the chairperson.
7. At any point in the proceedings prior to the time at which the committee reaches its final decision, the grievant may withdraw any portion or all of the grievance with the consent of a majority of the committee members and of the respondent. In all cases of withdrawal at the consent of the committee and of the respondent, the grievant shall not have the privilege of reopening the same grievance at any time in the future. In the event that the student refuses to participate further in the committee hearing, the committee may choose to continue the case or to move to closure with an appropriate closing statement as per Section 390.010 F.9.
8. A confidential tape recording of the grievance hearing shall be made and will be accessible to the parties involved, the committee, the Appropriate Administrative Officer, the Chancellor, the President, members of the Board of Curators and authorized representatives on a need-to-know basis. Either party to the grievance may request that the committee provide a written transcript of testimony. The cost of preparation of such a transcript is to be paid by the party making such request unless Section 390.010 B.4 is applicable. After the report of the grievance committee has been prepared, the tapes and relevant materials will be sealed and filed in the Appropriate Administrative Office. Unless extraordinary circumstances apply, these materials will be destroyed at the end of five years.
9. At the conclusion of the grievance hearing, the members of the grievance committee shall meet in closed session to deliberate upon their findings. A majority vote of the entire committee shall be required on all decisions. The grievance committee shall make a written report on findings and recommendations to the Appropriate Administrative Officer of the University, with copies to the grievant(s) and the responding person(s). The written report will contain:
- a. A statement of the purpose of the hearing,
  - b. Issues considered,
  - c. A summary of the testimony and other evidence presented,
  - d. Findings of fact as developed at the hearing, and
  - e. Recommendations for final disposition of the case.
10. The Appropriate Administrative Officer will make his/her decision. This decision and the actions that have been taken shall be presented to both parties in writing. If the administrative officer does not accept the recommendations of the grievance committee, a written statement of the reasons for so ruling must be given to both parties and to the chairperson of the committee.

11. If requested by the grievant or the responding party, normally within seven (7) calendar days of the notification of the decision, the decision of the Appropriate Administrative Officer may be subject to a review of the records by the Chancellor. Any review and decision by the Chancellor shall be made normally within thirty (30) calendar days. The decision of the Chancellor can be appealed to the President, who shall have thirty (30) calendar days in which to make a decision, which shall be final.
12. Grievances shall receive prompt attention. The hearing and the report of the grievance committee shall normally be completed within sixty (60) calendar days of the formation of the grievance committee, and a final decision shall be made by the Appropriate Administrative Officer normally within ten (10) calendar days thereafter. In any case in which these time schedules should prove to be inadequate, the committee shall present, in writing, an amended time schedule to all parties involved.

## Student Discrimination Grievance Procedure Form

(Use additional sheets if needed)

1. Your Name:

Check One: Male\_\_\_\_ Female\_\_\_\_

Student I.D. No.:

Mailing Address:

City, State, Zip Code:

Telephone:

2. Submitted to (Campus specific title for Chief Student Personnel Administrator):

On (Month/Day/Year):

3. The basis for the grievance is alleged discrimination on the basis of (Race/Color/Religion/Sex/National Origin/Age/Disability):

4. University official or unit against whom this grievance is filed (Name/ Department):

5. Explain in a clear and detailed statement the following:

a. The nature of the grievance and a description of specific supporting evidence:

b. The specific remedial action or relief sought:

For grievances alleging discrimination to admission and/or treatment while enrolled in an educational program, employment on campus, or other matters of consequence relating to campus living or activities.

c. A summary outlining with whom the point(s) of dissatisfaction were discussed and with what results:

6. Date you consider the "Informal discussion" ended:

**I HAVE READ AND UNDERSTAND THE ABOVE GRIEVANCE FORM AND GRIEVANCE PROCEDURE FOR STUDENTS.**

**THIS GRIEVANCE I AM FILING IS TRUE TO THE BEST OF MY KNOWLEDGE, INFORMATION, OR BELIEF.**

Signature\_\_\_\_\_ Date\_\_\_\_\_

This form forwarded to (Appropriate Administrative Officer):

On (Month/Day/Year):

By (Campus-specific title for Chief Student Personnel Administrator):  
(Campus Address)

## Suggested Format for Hearing

I. Opening remarks accompanied by written submission of parties' outlines of relevant, non-redundant evidence to be offered to committee.

- a. Grievant
- b. Respondent

II. Consideration of any decision on objections to acceptance of items of evidence.

III. Presentation of relevant, non-redundant evidence.

- a. Grievant (with additional questions from Respondent and/or committee)
  1. Witnesses
  2. Non-testimonial evidence
- b. Respondent (with additional questions from Grievant and/or committee)
  1. Witnesses
  2. Non-testimonial evidence

IV. Opportunity for presentation of any rebuttal evidence.

- a. Grievant
- b. Respondent

V. Presentation of additional evidence requested by committee.

VI. Summation of case

- a. Grievant
- b. Respondent

## UM System Policy on Maintaining a Positive Work and Learning Environment

(330.080 Maintaining a Positive Work and Learning Environment; Executive Guideline No. 3, 7-18-97; Executive Order No. 3 replaced by policy stated in Bd. Min. 1-29-99.)

This policy is also available at

<http://www.umsystem.edu/ums/departments/gc/rules/personnel/330/080.shtml>.

1. The University of Missouri is committed to providing a positive work and learning environment where all individuals are treated fairly and with respect, regardless of their status. Intimidation and harassment have no place in a university community. To honor the dignity and inherent worth of every individual – student, employee, or applicant for employment or admission – is a goal to which every member of the university community should aspire and to which officials of the University should direct attention and resources.
2. With respect to students, it is the University’s special responsibility to provide a positive climate in which students can learn. Chancellors are expected to provide educational programs and otherwise direct resources to creative and serious measures designed to improve interpersonal relationships, to help develop healthy attitudes toward different kinds of people, and to foster a climate in which students are treated as individuals rather than as members of a particular category of people.
3. With respect to employees, the strength we have as a university is directly related to maintaining a positive work environment throughout the institution. The University should provide a positive recruiting and work environment focused on the duties and skills of the work to be performed. It is the expectation of the University that all employees and potential employees will be treated on the basis of their contribution or potential contribution without regard to personal characteristics not related to competence, demonstrated ability, performance, or the advancement of the legitimate interests of the University. The General Officers are expected to provide training programs for supervisors to assist in achieving this objective.
4. With respect to violations of the policy, faculty, staff and students may utilize their respective grievance procedures approved by the Board of Curators. The approved grievance procedures are as follows: Grievance procedure in Section 370.010 for faculty; grievance procedure in Section 380.010 for staff; and grievance procedure in Section 390.010 for students, and each such procedure shall be deemed as amended to include grievances filed under this policy. This policy shall not be interpreted in such a manner as to violate the legal rights of religious organizations, or military organizations associated with the Armed Forces of the United States of America.