

Haskell Community Standards: The Student Code

PREAMBLE

Admission to Haskell Indian Nations University (“Haskell” or “University”) signifies more than joining an academic community; it’s an immersive journey within a unique, Indigenous-centered educational experience. This community thrives not only within classroom walls but also through diverse academic activities and co-curricular experiences at Haskell. Participating in your University’s academic community becomes a profound tribute to one’s ancestors and a sincere commitment to evolving into the best version of oneself for future generations.

Within this community, the “spirit of inquiry” is a guiding force—a recognition that learning is fundamental to personal growth. Cultivating this spirit demands courage to navigate the unfamiliar, explore diverse viewpoints, and challenge assumptions. It also requires a willingness to develop critical thinking skills and a genuine willingness to understand other cultural values and customs with an open mind.

Being a member of the Haskell community also means accepting responsibility for one’s actions and reflecting on the “why” behind our actions. Acting ethically and treating others with dignity contributes to an environment where each member is not just valued but is encouraged to grow. Many different strands of our Native way of life are gathered and intertwined at Haskell. Each student contributes a part of her, his, or their cultural community to the whole, including language, ceremony, prayer, and family traditions. Haskell celebrates the dynamic essence of all tribal nations, embracing the uniqueness of all our students. Every Haskell student plays a pivotal role in shaping the future of our communities and continuing the vibrancy of our Indigenous ways of life.

A. APPLICATION AND SCOPE

The Haskell Community Standards: The Student Code (“*The Student Code*”) covers how the University will respond to reported allegations or instances of prohibited conduct as defined by this policy, which is referred to as the Community Standards Process. *The Student Code* applies to students and their registered student organizations. Unless otherwise noted, the term “student” in this document shall apply to the student as an individual and to a registered student organization as a single entity, as applicable. Nothing in *The Student Code* shall preclude holding certain members of a registered student organization accountable for their individual acts committed in the context of or in association with the organization’s alleged violation of *The Student Code*.

Each student shall be responsible for one’s conduct from the time of admission through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment (and even if the conduct is not discovered until after a degree is awarded). *The Student Code* shall apply to a student’s conduct even if the student withdraws from the University while a student conduct case is pending.

The Student Code applies to on-campus student conduct, as well as off campus student conduct that either (1) occurs at Haskell-sponsored activities, (2) unreasonably interferes with the rights of other students or members of the Haskell community, or (3) substantially disrupts the learning environment at Haskell.

Haskell may invoke the Community Standards Process against a student without regard to the pendency of any civil or criminal proceeding(s) resulting from the same or related conduct. Determinations made or actions imposed under *The Student Code* shall not be subject to change based on the outcome of the criminal or civil proceeding.

This is not the only conduct process students may be held accountable to at Haskell. The other conduct processes that Haskell students need to be aware of include the Academic Standing Policy, Academic Dishonesty Policy, Student Sexual Misconduct Policy, and the Housing Handbook.

All aspects of this Policy will be carried out in a fair and impartial manner.

B. ROLE DEFINITIONS

The following terms define the various roles identified in this document. Other terms are explained throughout *The Student Code*.

Appeal Officer

The appeal officer is the person assigned by the Dean of Students to conduct a review of a decision reached by a hearing officer.

Community Educator

The “community educator” is the Student Conduct Administrator, who will initiate the Community Standards Process as described in this Policy, unless it is determined that a conflict of interest exists at which point the community educator may be any University employee or contracted service provider assigned by the Haskell Office of the Dean of Students. The Community Educator will not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. A community educator may also serve as an investigator in the same case; however, the community educator cannot serve as a hearing officer or an appeal officer in the same case where they either conducted the educational conference(s) or served as an investigator.

Complainant

The “complainant” is a student who is alleged to have been subjected to another student’s violation of *The Student Code*, or a person other than a Haskell student who is alleged to have been subject to a student’s violation of *The Student Code* and who was participating or attempting to participate in a Haskell program or activity at the time of the alleged prohibited conduct by a student. This term does not include federal employees, including Haskell staff. If there is a student complainant and the case is referred to an administrative hearing, the complainant will have the same rights under *The Student Code* as provided to the respondent.

Hearing Officer

The “hearing officer” is the person or persons assigned by the student conduct administrator to conduct an administrative hearing and make the determination of responsibility at the conclusion of the administrative hearing (formal proceeding) under this Policy. More than one hearing officer may be appointed to serve together on a panel; therefore, for purposes of this policy, any reference to the hearing officer should be read as “hearing officer or hearing officers.” A hearing officer may be an employee or contracted service provider, but cannot be the same person who served as the community educator and/or investigator. Any Haskell hearing officer will be trained and will not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

Investigator

The “investigator” is the person assigned to investigate a complaint. An investigator may be an employee or contracted service provider. The Community Educator can also be the investigator, or the case may be assigned to another investigator, depending on workload or context. The investigator will be trained and will not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant.

Probation Review Team

The Probation Review Team will be assembled on an as needed basis and will be selected by the Dean of Students. This team will consist of two representatives from the Division of Student Affairs, two faculty, and one administrative representative.

Reporter

The “reporter” is the person who submits an allegation that a student may have violated *The Student Code*. The reporter is not considered a complainant and does not have the same rights as a complainant unless the reporter meets the definition of complainant.

Respondent

The “respondent” means the student alleged to have violated *The Student Code*.

Student

“Student” means any person registered, enrolled, or attending any University course or University program, or any person admitted to the University who is on University premises or University-related premises for any purpose pertaining to the person’s registration or enrollment. For purposes of *The Student Code*’s jurisdiction, the Student Conduct Administrator will make any final determination as to whether or not an individual is a student.

Student Organization

Group of students that has complied with the formal requirements for University recognition.

Student Conduct Administrator

The “student conduct administrator” is the person designated by the Haskell President to be responsible for the overall coordination of *The Student Code* and its Community Standards process, including developing policies, procedures, and education and training programs. The Student Conduct Administrator typically serves as the Community Educator. The Student Conduct Administrator will not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

The Student Conduct Administrator may delegate responsibilities when appropriate; therefore, for purposes of this policy, any reference to the student conduct administrator should be read as “student conduct administrator or designee.”

Support Person

The “support person” is the person who may accompany a respondent or student complainant to any part of the Community Standards process for the limited purpose of providing support and guidance. Part of the Community Standards process is for a respondent or complainant to actively engage with the community educator. To that end, a support person may not actively participate in the process by speaking on behalf of the respondent or complainant. A support person also cannot serve as a complainant, respondent, or witness in the same case.

A support person may be a parent, guardian, or other person. A student should choose a support person whose schedule allows attendance at the scheduled dates and times because delays typically will not be allowed due to the scheduling conflicts of a support person.

For cases resulting in an administrative hearing (formal proceeding), a student has a right to be represented by counsel. The student is responsible for obtaining and funding such an advisor if they choose to do so.

Witness

The “witness” is the person who has direct knowledge of an incident or is considered an expert witness with special knowledge or proficiency in an area relevant to an allegation. Character witnesses are not part of the Community Standards processes.

C. CONDUCT EXPECTATIONS

Prohibited Conduct

As members of the Haskell community, students are obligated to know and comply with University policies and procedures and to obey federal, state, and local laws. The student conduct administrator shall determine what

constitutes a potential violation of *The Student Code*. No student shall be found “in violation” without appropriate notice and a meaningful opportunity to respond to the allegation(s).

The following list of behaviors is prohibited conduct that constitute violations of *The Student Code*. Attempts to commit any prohibited conduct are prohibited and will be considered the same as completed acts. Although the list is extensive, it should not be regarded as all-inclusive.

- ***Assisting in the Commission of a Student Code Violation:*** Assisting another person in the commission of violating *The Student Code*. This includes hosting a non-student who violates University policy.
- ***Damage or Misuse of Property:*** Attempted or actual damage to or misuse of University property or other personal or public property.
- ***Discriminatory Behavior:*** Discrimination on the basis of a protected class (race, color, national origin, disability, religion, age, or status as a parent) by a student organization or student which limits equal student access to a Haskell-sanctioned student organization or student activity. (For discrimination on the basis of sex, please refer to the definition of *Sex Discrimination, including Sex-Based Harassment* in this section.)
- ***Disruptive Behavior:*** Participating in or inciting others to participate in the disruption or obstruction of any University activity, including teaching, research, events, administration, student conduct proceedings, the living/learning environment, or other University activities in a manner that substantially interferes with the learning environment at Haskell or the rights of other members of the Haskell community.
- ***Gambling:*** Encouraging, promoting, or participating in gambling on campus, except Student Organization sponsored games or raffles approved by Haskell.
- ***Harming Behavior:*** The threat of or actual physical assault, threats, intimidation, physical contact without permission, stalking, coercion, and other conduct which threatens or endangers the health or safety of any person.
- ***Harassment:*** The severe or repeated use by one or more students of a written, verbal, or electronic expression, or a physical act or gesture, or any combination thereof, directed at another individual that has the effect of causing physical or emotional harm to the individual or damage to the individual’s property; placing the individual in reasonable fear of harm to the individual and/or the individual’s property; or infringing on the rights of the individual or other University community members to fully participate in the programs, activities, and mission of the University.

In determining whether an act constitutes harassment, the community educator or hearing officer will consider the full context of the conduct, giving due consideration to protecting the University climate, individual rights, freedom of speech, academic freedom, and advocacy. Not every act that might be offensive to an individual or a group constitutes harassment and/or a violation of *The Student Code*.

- ***Hazing:*** Any activity expected of someone for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization that humiliates, degrades, or risks emotional, psychological, and/or physical harm, regardless of a person’s willingness to participate.
- ***Misuse of alcohol and/or other drugs***
 - Possession and/or use of alcohol: Possession and/or use of alcohol on University property is prohibited.
 - Serving, distributing, and/or obtaining alcohol: Serving, distributing to, or obtaining alcohol for any individual who is under 21 years of age is prohibited. Allowing any person under the age of 21 to consume alcohol is also prohibited. Providing alcohol to a person who is visibly intoxicated and/or pressuring others to use alcohol is prohibited.
 - Driving under the influence: Driving under the influence of alcohol and/or drugs is prohibited.

- Illegal drugs and paraphernalia: Possession and/or use of illegal drugs, including marijuana, is prohibited. Internal possession of illegal drugs by any person is also prohibited. Internal possession is when an individual has an illegal drug in one's system. Possession of drug paraphernalia is prohibited on University property.
- Medications: Prescription drugs are permitted on University property if accompanied by an authentic medical prescription. Use of legal medication outside the parameters of medical authorization is prohibited. Possession and/or use of prescription medications not prescribed to the user is prohibited.
- Selling, distributing, or manufacturing drugs: The sale, distribution, and/or manufacturing of controlled substances or illegal drugs, including marijuana, is prohibited.
- **Misuse of University records**: Forgery, alteration, or misuse of any University document, record, or instrument of identification.
- **Possession of Dangerous Items**: Possession of weapons, firearms, explosives, ammunitions, incendiary devices, or dangerous chemicals.
- **Retaliation**: Retaliation against any University community member for raising a good faith concern or issue regarding another community member.
- **Sex Discrimination, including Sex-based Harassment**: Refer to Haskell's *Student Sexual Misconduct Policy* for definitions of this prohibited conduct. Reported allegations of such conduct will be managed and processed under the *Student Sexual Misconduct Policy*.
- **Tampering with Fire Safety Equipment**: Entering false fire alarms or bomb threats, tampering with fire extinguishers, alarms, smoke detectors, or other safety equipment.
- **Theft**: Theft of property, services, or identity.
- **Unauthorized Possession**: Unauthorized possession, access, duplication, or misuse of University property or other personal or public property, including, but not limited to, records, electronic files, telecommunications systems, forms of identification, and keys.
- **Unauthorized Presence**: Unauthorized presence and/or forcible entry into University-owned buildings or property.
- **Uncooperative Behavior**: Prohibiting University employees or law enforcement officers from fulfilling their duties and/or failure to comply with the directions of, providing false information, and/or failure to identify oneself to University employees or law enforcement officers acting in the performance of their duties.
- **Violation of Federal, State, or Local law**: Convictions or citations of federal, state, or local law violations may be addressed under *The Student Code* if the case falls under the University's jurisdiction. The mere presence of a conviction or citation does not automatically constitute a violation of *The Student Code*. The University will still be responsible for conducting a fair and impartial process as outlined in *The Student Code*.
- **Violation of Other University Policies**: Alleged violations of University policies, including the Housing Contract, may be referred to the Community Standards process. The student conduct administrator will determine if the alleged violation should be managed under *The Student Code* or remain with the policy owner. For example, parking violations are typically not managed under *The Student Code*.
- **Abuse of the Community Standards Process**:

- Disruption or interference with the orderly conduct of a Community Standards meeting or proceeding.
- Falsification, distortion, or misrepresentation of information to a community educator, investigator, or hearing officer.
- Knowingly making false statements or knowingly submitting false information during the Community Standards process.
- Influencing another person to commit an abuse of the Community Standards process.
- Discouraging or retaliating against an individual's proper participation in, or use of, the Community Standards process.
- Attempting to intimidate or retaliate against a community educator or any other participant prior to, during, and/or after a Community Standards meeting or proceeding.
- Intentionally filing a false report.
- Failure to comply with an action plan imposed under *The Student Code*.

D. THE COMMUNITY STANDARDS PROCESS

The Community Standards process is designed to be a non-adversarial educational process. It is distinct from external processes such as the criminal justice system; therefore, formal rules of process, procedure, and/or technical rules of evidence, such as those applied in criminal or civil court, are not used in the Community Standards process. Where appropriate or possible, consideration will be given to the student's traditional Native customs and practices.

Haskell may allow for reasonable extension of timeframes set forth in the Community Standards process on a case-by-case basis for good cause with written notice of any extension to the parties that includes the reason for the delay.

Reporting

Any person may report an allegation of prohibited conduct as defined by *The Student Code*. Reports should be made to the Student Conduct Administrator in the Student Affairs Office as soon as possible after the prohibited conduct was alleged to have occurred.

The decision to continue a case through the Community Standards process is the decision of the Student Conduct Administrator. Within three days of receiving a reported violation of *The Student Code*, the Student Conduct Administrator will determine if a report of on campus or off-campus student conduct alleges or addresses a potential violation of *The Student Code*. The Student Conduct Administrator will serve as the Community Educator to the case and initiate the Community Standards process unless it is determined that a conflict of interest exists in which case the Haskell Dean of Students will appoint the Community Educator.

Interim Administrative Action

The Student Conduct Administrator may impose an interim suspension, an interim removal from housing, and/or other necessary restrictions on a student before the Community Standards process resolution if there is a finding by the Student Conduct Administrator, based on an individualized safety and risk analysis, that a threat of imminent harm to the health and safety of persons arising from the reported allegations exists.

Interim administrative action is not a sanction. Instead, it is taken to protect the safety and well-being of individuals. Interim administrative action is preliminary in nature; it is in effect only until there is a resolution of the Community Standards process for a reported violation of *The Student Code*.

Haskell will provide written Notice of an Interim Administrative Action to a student, which will include the right to request a hearing with the Dean of Students to be held within five business days from the date the action was imposed. The request for a hearing must be in writing and submitted by the student within two days of being notified, either electronically or hand-delivered, of the interim administrative action. The interim action is in effect pending

the outcome of a hearing by the Dean of Students on the interim administrative action. The Dean of Student's decision on the interim action will be final and not subject to further appeal.

Educational Conferences

Within seven days of the Student Conduct Administrator's decision to continue a reported violation of *The Student Code* through the Community Standards process, the Community Educator will schedule an educational conference with the respondent. The community educator will provide the respondent with at least a seven day advance written notification of the educational conference's date, time, and location and a brief description of the alleged violation of *The Student Code*. The educational conference is an opportunity for the Community Educator to discuss the reported Student Code violation and the Community Standards process with the respondent, and review possible options for resolving the case.

The Community Educator and respondent can resolve the case in the educational conference through an "Educational Conference Resolution." This is a written agreement between the Community Educator and the respondent, which acknowledges the behavior and includes an action plan that needs to be completed by the student to promote personal reflection and growth, repair any harm caused, and assist the student in contributing positively to the Haskell community. This is considered an alternative dispute resolution as the parties (complainant and respondent) must agree to resolve this outside of a formal proceeding. When a respondent and complainant agree to resolve any alleged violations of *The Student Code* through an Educational Conference Resolution, there shall be no right to appeal.

The Community Educator may need additional information, and therefore, the case cannot be resolved in the initial educational conference. An investigation will then be conducted. The Community Educator and respondent can agree to an Educational Conference Resolution at any point during an investigation or upon its completion.

Investigations

The Community Educator will notify the respondent of the allegations of prohibited conduct with sufficient detail and that an investigation has been initiated. The Community Educator can also be the investigator, or the case may be assigned to another investigator, depending on workload or context. The community educator also will provide written notification to the student complainant that an investigation has been initiated.

During the investigation, the respondent and complainant, if any, will have an equal opportunity to be heard, to identify witnesses, and to submit information, including any available evidence. The Community Educator will gather other relevant and available information, including, without limitation, photographs, written documentation, and records of communications between the parties or witnesses.

Upon completion of the investigation, the Community Educator will send the respondent and student complainant a copy of the completed investigative report. The report will outline the factual findings of relevant and not otherwise impermissible evidence. The Community Educator will hold an educational conference with the respondent to review the investigation findings. A separate educational conference will be held with a student complainant.

After an investigation and review of the investigative report, the respondent and student complainant may agree to resolve the case through an Educational Conference Resolution, as described above. If the case cannot be resolved through an Educational Conference Resolution or the respondent fails to participate in the Community Standards process, the case will be referred for an administrative hearing.

Administrative Hearing

If the case cannot be resolved through an Educational Conference Resolution, the Student Conduct Administrator will assign a hearing officer to conduct an administrative hearing. The hearing officer cannot be the same person who served as the Community Educator and/or investigator.

The Hearing

An administrative hearing allows for a review of the investigation of an allegation that a student has violated *The Student Code*.

All participants are expected to respect each other's purpose in the hearing process and to conduct themselves according to the direction of the hearing officer. Hearings may be held in person or virtually. The student conduct administrator will determine the appropriate venue. A request for a virtual hearing will typically be granted.

The respondent and complainant, if any, will receive seven-day advance written notification of the administrative hearing, which will include:

- the date, time, and location of the hearing,
- the allegations of the prohibited conduct,
- the names and roles of the individuals expected to be in attendance,
- a copy of the investigative report, including all supporting documentation and information about any statements that the school has received relating to the allegations, and
- a copy or link to *The Student Code* and any related school policy alleged to have been violated.

The parties may submit to the hearing officer a written response to the investigative report no later than two business days prior to the hearing. The parties may include in their response a request for specific witnesses to attend the hearing. Prior to the hearing, the parties will be notified in writing of the identity of the witnesses who will be called by the hearing officer to attend the hearing. The hearing officer may elect not to permit one or more witnesses to participate in the hearing if the information they are expected to provide is not relevant to any material issue.

A hearing shall be conducted in private. Admission of any person into the hearing shall be at the hearing officer's discretion. The hearing officer shall have the authority to discharge or remove any person whose presence is deemed unnecessary or obstructive to the proceedings. A student has the right to be accompanied to the hearing by their support person (parents, guardians, or a designee/advisor). If a student chooses to utilize legal counsel, the student is responsible for obtaining and paying for counsel.

The role of a support person during the hearing is limited unless they are serving as the student's legal counsel. A support person may not question witnesses or make statements. A support person's role is to provide advice to the student in a manner that does not disturb the proceedings. Counsel may speak for the student at those portions of the hearing when the student is addressed. If a support person/counsel fails to act according to these procedures, the person may be dismissed.

The hearing officer will determine the method for questioning at the hearing. Generally, questions posed by the parties will be submitted and asked exclusively by the hearing officer. In no instance will the parties be permitted to ask questions directly to each other or a witness. Prior to a question being asked, the hearing officer will determine whether the question is relevant and explain any decision to exclude a question as not relevant or otherwise impermissible.

Questions posed during the hearing are designed to provide clarification and assess credibility. Questions that are unclear or harassing of the other party or witness being questioned will not be permitted. The hearing officer will give a party an opportunity to clarify or revise a question that the hearing officer determines is unclear or harassing. If the party sufficiently clarifies or revises the question, the question will be asked.

A complainant, respondent, or witness may decline to participate in the Hearing. The hearing officer will not draw any adverse inference from a party's silence or stated desire not to participate.

The hearing officer has broad authority to respond to disruptive or harassing behaviors, including adjourning the hearing or excluding any offending person, including a support person/counsel. A recording of the hearing will be made by the University, and either party may review the recording upon request. All other recordings are prohibited.

Written Determination

The hearing officer shall use a preponderance of the evidence standard to evaluate relevant and not otherwise impermissible evidence for its persuasiveness and determine whether the alleged *Student Code* violation occurred. The preponderance of the evidence means a standard of proof in which the totality of the evidence offered in support of a fact is greater or more convincing than the evidence which is offered in opposition to it; given the totality of information the version of events that is more likely than not to have occurred. A preponderance of the evidence is understood to require more than 50 percent certainty to determine responsibility for a *Student Code* violation (51% or greater).

The hearing officer will notify the parties, in writing, of the hearing outcome and the appeals process, including the permissible bases for the parties to appeal. The outcome will be provided within three business days of the conclusion of the hearing. The parties will be notified if there is a delay for good cause.

The written determination letter will include:

- a description of the allegations,
- the findings of the alleged policy violations (either not responsible, responsible, or no further action/insufficient information to determine responsibility),
- the rationale as to the findings,
- any action plan imposed on the respondent,¹
- notice that the allegation of misconduct and related information will be removed from the respondent's student record if the respondent is determined to have not violated *The Student Code*,
- the right to a meeting with a University official to explain the outcome, accompanied by their support person/counsel and/or their parents or guardians, and
- the procedures to appeal, including the permissible bases for appeal and deadline for filing an appeal.

Appeals

A student complainant or respondent may file a written appeal with the Dean of Students, who will then identify an appeal officer. The appeal officer will not have served as a community educator, investigator, or hearing officer in the previous steps of the process for the applicable case. The deadline for filing a written appeal is three business days from the date the parties are provided the written notification of the outcome of the hearing, or three days beyond meeting with University officials to discuss the outcome of the hearing decision, whichever comes later.

The appeal must be on one or more of the following grounds:

- Procedural irregularity that would change the determination. At any stage in the Community Standards Process, the University did not follow the processes outlined in *The Student Code*.
- New evidence that was not reasonably available at the time of the determination.
- Information was deliberately submitted during the hearing process that was not factually true.
- Student's rights, as described in *The Student Code*, were violated during the Community Standards process.

The written appeal must explain how the identified ground(s) would have materially affected the outcome of the hearing. If either party files an appeal, the Student Conduct Administrator will notify the other party in writing and allow both parties to submit a written statement.

The purpose of an appeal is not to initiate a review of factual issues. The appeal officer may decide to uphold the original determination or to return the case for additional proceedings or other action based on the process under appeal and the ground.

¹ Complainants will only be notified of a respondent's sanctions and action items that have a direct impact on the complainant.

Both parties will be notified simultaneously in writing of the reasoning and outcome of the appeal. The determination of responsibility becomes final either on notification of the results of the appeal or the date on which an appeal would no longer be considered timely. If the respondent is determined to have not violated *The Student Code*, the allegation of misconduct and related information will be removed from the student's school record.

Action Plans

An action plan is intended to provide educational opportunities and accountability while also reducing the likelihood of future prohibited conduct. An action plan may include administrative, educational, and restorative components. Some conduct, however, is so egregious in nature or so damaging to the educational environment that it requires significant sanctions, including suspension or expulsion.

An action plan typically consists of a status sanction and action items and is developed either through an Education Conference or imposed by a hearing officer through an administrative hearing. In developing an action plan, the community educator/hearing officer will consider the behavior, precedent, and any aggravating and mitigating factors.

If a student is determined to be in violation of *The Student Code* and the behavior was directed toward an individual or group due to race, ethnicity, ancestry, national origin, religion, sex, sexual orientation, gender identity or expression, age, physical or mental disabilities, including learning disabilities, intellectual development disorders, and past/present history of a mental disorder, the status sanctions and action items may be enhanced.

Status Sanctions

A student who was found to have violated *The Student Code* may be assigned one status sanction in a case, either individually or in combination with action items.

- **Warning**: A notice that the student has violated *The Student Code* and a warning that another violation will likely result in a more severe sanction, which could include Conduct Probation, Suspension, or Expulsion.
- **Conduct Probation**: Conduct probation may be administered for a period of time lasting between a minimum of one semester (15 calendar weeks) up to two years. During this time, the student loses certain privileges within the Haskell community as identified by the hearing officer/community educator, such as access to campus events, limitations added to campus presence, course load limitations, or other student privileges. Students will be given the opportunity to modify unacceptable behavior and demonstrate a positive contribution to the Haskell Community. After the initial period of one semester (15 calendar weeks), students may apply to the Probation Review Committee for a review of the student's probationary status. The student will need to demonstrate modifications, treatments, or community enrichment activities they have completed as a sign of their commitment to a safe campus community. The Probation Review Committee will determine if the student continues on Conduct Probation or if the Conduct Probation is lifted. The decision of the Probation Review Committee is final and not subject to appeal. If it is decided that Conduct Probation will continue, the student may reapply after another semester (15 calendar weeks), after the committee's decision. After a period of two years, the Conduct Probation will be automatically lifted. Due to the student's conduct history, Suspension or Expulsion is possible if the student is found in violation of *The Student Code* a subsequent time.
- **Suspension**: Suspension is separation from the University for a designated period after which the student shall be eligible to apply for readmission to the University. Readmission to the University is not guaranteed. Conditions for consideration of readmission may be specified. A student who is on suspension is prohibited from participating in any University activity or program. The individual may not be in or on any University owned or leased property without securing prior approval from the student conduct administrator. A notation of "Suspension" shall be placed on the student's official transcript until graduation. However, the student may submit a written petition to the student conduct administrator for earlier removal of the notation upon completion of the suspension. The student conduct administrator will issue a decision in writing to the student on their petition.

- **Expulsion:** Expulsion is permanent separation from the University. A student who has been expelled is prohibited from participating in any University activity or program and may not apply for readmission to the University. The individual may not be in or on any University owned or leased property. A permanent notation of “Expulsion” shall be placed on the student’s transcript.

Action Items

Action items are designed to restore the harm caused by the respondent and/or actively engage the student to contribute positively to the University. Action items may be implemented individually or in combination with a status sanction and/or other action items.

- **Educational Initiatives:** Projects; participation in health or safety programs (the student may be required to pay a fee for services not offered directly or covered by Haskell); service to the University or the larger community; seminars; and other assignments as warranted.
- **Loss of Campus Housing:** Removal from University housing for a defined period.
- **Loss of Privileges:** The withdrawal of specified privileges for a defined period.
- **Mentor Program:** A student is assigned to a student or employee mentor who meets with the student regularly. The mentors will assist students in designing a customized involvement plan based on the student’s interests and academic plans.
- **No Contact Order:** No contact with (staying away from) an individual, including no physical or non-physical contact, whether direct or indirect (including but not limited to telephone calls, text messages, mail, email, faxes, written notes, or through other electronic means [social media]), or through third parties who may know or may not know about the restriction.
- **Restitution:** Compensation for loss or damage to University property or services rendered. This may be an appropriate service and/or monetary or material replacement.
- **Restorative Programs (Educational Conference Resolutions only):** Engagement in restorative practice initiatives such as restorative circles and mediation.

E. ADDITIONAL POLICY-RELATED INFORMATION

Disability Accommodations and Interpretive Services

By federal law, a person with a disability may request accommodation through the Haskell Student Accessibility Support Services Coordinator (Tommaney Library Room 111, (785) 832-6607, adaservices@haskell.edu), who will assist with the request and notify the appropriate parties.

Students who require interpretive services should request translation services from the Student Conduct Administrator.

Free Expression Statement

Haskell is committed to protecting the right to freely communicate ideas and fully supports the freedom of all members of the Haskell community to engage in robust, uninhibited discussion and deliberation on any and all topics. However, freedom of expression at Haskell is not without limits. Haskell reserves the right to reasonably restrict student speech and conduct in accordance with longstanding Supreme Court precedent concerning on-campus speech, incitement, defamation, threats and harassment, and any other applicable subject area. Haskell will strive to implement any of these restrictions in a manner consistent with Haskell’s foundational commitment to a free and open discussion of ideas.

Medical Intervention Statement

Haskell expects that all community members will advocate for the safety of others. Students are expected to seek immediate medical assistance for themselves or others when necessary. Calling for medical assistance for the aid of another person demonstrates the traditional American Indian/Alaska Native cultural value of responsibility. Accessing medical assistance for a person suffering from over-consumption of alcohol and/or drugs must be the priority over any other consideration.

In an effort to promote responsible student behavior and respect for the health and welfare of all members of the University, a student seeking medical assistance for themselves or for another due to a medical emergency will be considered a favorable factor by a community educator when considering disciplinary action against the student for violation of *The Student Code*'s prohibition against consumption or possession of alcohol or drugs. The Community Educator will consider whether a student sought medical assistance for a person in need and, in most cases, view the act of seeking medical assistance as sound judgment, and the student will not face status sanctions.

This does not excuse or protect those who flagrantly or repeatedly violate *The Student Code* and applies only to possession or consumption of alcohol or drugs. It does not apply to other violations of *The Student Code*, including but not limited to destruction to the University community, assault, or property damage. A follow-up evaluation for the involved parties will typically be conducted to determine appropriate measures to prevent future occurrences.

Recordkeeping

Student conduct files are student records, and therefore subject to BIE regulations on the maintenance and control of student records in bureau schools at 25 CFR Part 43, as well as the Privacy Act of 1974 ("Privacy Act"), 5 U.S.C. §552(a) and the Department of the Interior's implementing regulations at 43 CFR Part 2, DOI's System of Records Notice for BIE records.

Haskell will maintain a student conduct file for a period of at least seven years from the date of the report. This may include electronic and hard-copy files. The student conduct file of an expelled student shall be retained indefinitely.

Revision and Interpretation

The policy is maintained by the Dean of Students in concurrence with the Office of the President and in consultation with the Student Affairs Committee and Student Government Association. Haskell reserves the right to review and update the policy in accordance with changing legal requirements and the specific needs of the University.

Any questions of interpretation regarding *The Student Code* shall be referred to the Student Conduct Administrator. The Student Conduct Administrator's determination is final.

All reports received by the University after *The Student Code* approval date will be administered in accordance with the procedures described under *The Student Code*.