

CONDUCT STANDARDS AND POLICIES

PREAMBLE

Attending an institution of higher learning is a privilege that many people cannot enjoy. Students are expected to respect this privilege while attending Delaware State University and engage in responsible behavior. Students must conduct themselves with propriety, conforming to the high standards of the University, and respect the rights and opinions of others. Students are expected to abide by the University's policies, regulations, and rules. This means that students must comply with this Handbook and all other current and future policies, regulations, and rules issued by the University or face disciplinary measures, up to, and including suspension or expulsion from the University and other University Premises. In appropriate cases, the University may refer a matter to the authorities for criminal prosecution.

COVERAGE

The Student Code of Conduct and other policies and rules described in this Handbook, or adopted by the University, are not limited to the main campus and apply to all of the following (collectively defined as "University Premises and Activities"):

University Premises: Students must comply with all University rules and regulations when they are on the main campus, on any land, other property leased, owned, used, or controlled by the University, or at which the University provides programs or services. This includes but is not limited to the residence halls, the University Village and the University Courtyard Apartments.

University Activities and Representation of Delaware State University: Students must comply with all University rules and regulations when attending any "University Activities." "University Activities" are defined as any activity, whether on or off-campus, that is sponsored by and/or funded by the University or its affiliates, or by a Student Organization, or by any University-recognized or supported organization. University Activities also include any event, regardless of sponsor, where students are representing the University or a sponsored organization. (See Definition section.)

Off-Campus Offenses: The University has jurisdiction to discipline students for engaging in conduct that occurs off campus, and outside of University Premises and University Activities, if such conduct adversely affects the vital interests of the University. This includes, but is not limited to behavior that is disruptive of the education process; behavior that potentially harms the institutional educational interests of the University; behavior that involves another member of the University community; and behavior that threatens or poses a substantial risk to the safety or well-being of students, employees or other members of the University community.

The University also has a vital interest in the character of its students, and regards off-campus behavior as a reflection of a student's character and his/her fitness to be a

member of the student body, even if the student does not pose a direct risk to the University community. Therefore, off-campus behavior that indicates disregard for the health and safety of people or their property, including but not limited to criminal conduct, may be subject to disciplinary action by the University.

GENERAL STANDARDS OF CONDUCT

STUDENT RESPONSIBILITIES

1. Students are responsible for informing themselves of their responsibilities as described throughout this Student Handbook and in other University publications, and of their rights under the Student Judicial System.
2. Students have the responsibility to comply with the University's policies, regulations, and rules that apply to students and student conduct.
3. Students are expected to conduct themselves with propriety and uphold the reputation and high standards of the University.
4. Students must respect the rights and opinions of others.
5. Students are expected to preserve healthful, wholesome physical and hygienic conditions.
6. Students have the responsibility to attend classes punctually and regularly and to devote themselves earnestly to their studies in order to learn.
7. Students have the responsibility to assist and take pride in the maintenance and preservation of University property.
8. Students have the responsibility to adopt positive patterns of behavior and values in order to develop a wider understanding of themselves and society.
9. Students are expected to use their varied abilities to make their years at Delaware State University a meaningful experience.
10. Students should actively participate in life at the University.

DECORUM

1. Students are expected to conform to recognized University standards of conduct, behave with decency, and dress appropriately while on University Premises and during University Activities, including academic settings, social events, extracurricular activities, and other public functions.
2. Male students are required to remove hats and any other form of headwear or covering when the Alma Mater is being sung or played, and prior to entering any University Premises, including the dining hall, library, classroom buildings, campus housing, and other buildings with the exception of the Student Center and **student housing** when head coverings are worn for religious or medical reasons.
3. All students are expected to stand when the Alma Mater is being sung or played.
4. Students are expected to refrain from using four-letter words, obscenities and non-verbal behavior that is not acceptable under Delaware State University's standard of decency, when communicating (verbally, non-verbally or in writing) with parents, students, visitors, professional staff, and others on University Premises or during University Activities. This policy does not extend to private conversations where no one present is offended by the language, but does include any communication in public where others may overhear and be offended by the conduct or behavior. Nor does this policy extend to any communications protected by the First Amendment. Violations may be subject to judicial action under the category of verbal abuse and, where applicable, insubordination. (See Violations section for details.)

INTEGRITY

Integrity must be practiced in all endeavors and relationships on University Premises and during University activities. Students found to have engaged in acts of dishonesty such as cheating on tests and examinations, plagiarism, alteration or misuse of University documents, records or identification cards, forgery, misrepresentation and any other form of deceit, will be subject to dismissal from Delaware State University.

VIOLENCE AND CRIMINAL BEHAVIOR

Students who commit criminal behavior, acts of violence, threats, or conduct that demonstrates lack of respect for the property of others may lose the privilege of attending Delaware State University or be subject to other disciplinary measures. (See Sanctions section.) In addition to the specific infractions of community life and criminal law proscribed in this Handbook, shoplifting, drug violations, violent acts, use of a weapon off-campus, conveying bomb threats and other obvious violations of criminal law may be dealt with through both the criminal court system and the University disciplinary system

(see Coverage section regarding conduct occurring outside University Premises and Activities that may be processed by the University disciplinary system.)

Students are expected to report all off-campus arrests to the Office of the Assistant Provost. Failure to do so will be considered a violation of University policy. The University does not assume responsibility for posting bail or bond for students who are arrested. The University will notify parents or guardians of students who are arrested.

ZERO TOLERANCE POLICY GUIDELINES AND SANCTIONS

ZERO TOLERANCE means the University will not tolerate and prohibits all illegal or unauthorized possession and/or use of weapons, drugs, fighting or other forms of assault and battery on University Premises or during University Activities. In addition, the University may take action when such conduct occurs outside of University Premises and University Activities if it adversely affects the vital interests of the University. Although Zero Tolerance Policy violations results in a minimum sanction of one year of suspension, the Judicial Council may consider special mitigating circumstances and recommend a lesser sanction. This recommendation must be unanimous and accompanied by a detailed justification.

ZERO TOLERANCE VIOLATION(S) may result in

- speedy adjudication by the General Judiciary Council within 2-5 academic days from the time the infraction report is received in the Office of Student Judicial Affairs;
- a minimum sanction of one (1) year suspension up to expulsion;
- immediate dismissal from University should violator be deemed dangerous or a threat to self or to others.

The Zero Tolerance Policy applies to:

- **Drugs** (possession, consumption or distribution)
- **Fighting/Assault & Battery**
- **Hazing/Illegal Pledging**
- **Sexual Assault and Rape**
- **Weapons/Firearms/Explosives** (possession or use)
- **Other Criminal Acts** (including, but not limited to burglary, robbery and arson, identity theft and forgery)

Any student charged with these violations will be referred to the Student Judicial System for possible disciplinary sanctions, and may be referred for criminal prosecution.

DRUG POLICY

The University will uphold the federal and state laws concerning the illegal use, possession, consumption, sale, trafficking, manufacturing, dispersing, and/or distribution of drugs, narcotics, controlled substances, counterfeit substances and drug paraphernalia. The illegal use, possession, sale or distribution, and consumption of drugs, narcotics, or other controlled substances or synthetic substances on University Premises or during University Activities is prohibited. Students will be held accountable for any drug paraphernalia that tests positive for illegal drugs as result of ongoing field testing. Individual drug testing of any accused student is voluntary. Students who take this option do so at their own expense and must complete the test within 24 hours of the alleged violation for consideration by a campus judicial body. Any student found in violation of this policy will be referred to the Judicial System. Violations will result in the student being immediately suspended from the University for a minimum of one (1) year.

FIGHTING AND ASSAULT & BATTERY

Fighting, assault and battery and other altercations involving physical contact endanger the health or safety of members of the University Community. Prohibited behavior includes, but is not limited to, beatings, muggings, physical torture, or any bodily injuries inflicted upon a person. Students who violate this policy will be referred to the Judicial System. If found responsible, students will be suspended from the University for a minimum of one (1) year.

PLEDGING AND HAZING POLICY

The University believes that true fraternalism is nurtured in an atmosphere of social and moral responsibility, respect for duly constituted authority, and loyalty to the principles of higher education.

While social behavior cannot be legislated, an organization without morally sound precepts and practices is not a constructive influence upon University students. Fraternity and sorority sweetheart organizations, extension groups, and any other unofficial affiliates unrecognized by the University are prohibited, regardless of whether they operate on University Premises. Any student soliciting the services of another under guise/pretenses of such an organization or any person participating in such a group will be subject to disciplinary action by the Student Judicial System.

Fraternities and sororities are permitted to have intake systems and a process for selecting new members. However, every organization has a solemn obligation in the development of its prospective members. Although much progress has been made, one of the most damaging instruments is a pledging system. Pledging is the employment of a program that includes hazing. The University believes that this unproductive and hazardous custom has no rightful place in an organization intake system. Therefore, pledging and all forms of hazing are strictly prohibited.

The University defines hazing as any action taken or situation created, recklessly or intentionally, to produce mental and physical discomfort, embarrassment, harassment or ridicule. Hazing includes any action taken or situation created that endangers the mental or physical health or safety of a student or that willfully destroys or removes public or private property for the purpose of initiation, admission into or affiliation with or as a condition for continued membership in any student organization.

Activities and situations considered as hazing include, but not limited to any activities that are expressly or impliedly required as a condition of pledging or admission to the organization. This includes activities initiated, condoned or ratified by the organization or its members that involve creation of excessive fatigue, physical and psychological shock. Subjecting an individual to extreme mental stress, such as sleep deprivation or forced exclusion from social contact, requiring public wearing apparel that is conspicuous and not normally in good taste, engaging in public stunts and buffoonery; morally degrading or humiliating games and activities and other activities intended or reasonably expected to result in extreme embarrassment. Hazing also includes any brutality of a physical nature, such as paddling, whipping, beating, branding, forced calisthenics, exposure to the elements, or any other physical activity that could adversely affect the physical health and safety of the individual.

SEXUAL ASSAULT AND RAP

Sexual assault and rape are serious crimes handled under the Zero Tolerance Policy. Students who violate this policy will be referred to the Judicial System. If responsible, students will be suspended from the University for a minimum of one (1) year.

Sexual assault is defined as any unwanted touching of a sexual nature or any other conduct that would be defined as assault or rape under Delaware law. This includes, but is not limited, to:

- Unwanted kissing, touching or fondling;
- Penetration with a finger or a foreign object;
- Rape (vaginal or anal intercourse, oral-genital contact).

These acts constitute sexual assault when they are attempted or committed through force, threat, or intimidation; when the perpetrator has been informed that his/her actions are unwanted; or by taking advantage of the victim's incapacity or helplessness caused by alcohol or other drugs.

Rape is defined as “unlawful sexual intercourse by force or deception.” A person is responsible of rape in the first degree when he/she intentionally engages in sexual intercourse with another person without consent.

“Rape” can occur in many forms, including:

- *Stranger Rape* - The sexual assault of an individual by someone the victim does not know.
- *Date Acquaintance Rape* - The sexual assault of an individual by someone the victim knows, usually an acquaintance or a date. Date rape is the most common type of rape occurring on college or university campuses, but the least frequently reported.
- *Group/Gang Rape* - The sexual assault of an individual by multiple perpetrators. Many gang rapes on college campuses occur in residence halls, fraternity houses or at off-campus parties and in vehicles.
- *Statutory Rape* – Sexual intercourse with or penetration of an individual under the age of 16; intercourse with an individual under the age of 18 by a person 30 years of age or older; or intercourse with or penetration of an individual under the age of 18 by a person who is in a position of authority over the minor.

Anyone who is a victim of a sexual assault or rape should contact one of the following offices:

- University Police Department - 857-6290
- Dover Police Department - 736-7111
- Counseling Office - 857-7381
- Office of Student Judicial Affairs - 857-6470
- Office of the Dean of Students - 857-6363

Sexually Violent Offenders Registration Act

The Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act (The Wetterling Act) requires that each college or university disclose—in the annual crime reports that are filed with the federal government and made available on the campus—where students can go to find out if individuals who have been convicted of sex offenses are enrolled or have jobs on the campus. Students may access this information at www.state.de.us/dsp/sexoff/index.htm and www.doe.state.de.us.

WEAPONS/FIREARMS/EXPLOSIVES

The use, possession and/or storage of firearms, ammunition, explosives, fireworks or other lethal weapons of any kind in motor vehicles, buildings or elsewhere on University Premises or during University Activities are prohibited. Students who violate this policy will be referred to the Judicial System. The penalty for possession of weapons is expulsion. (For further examples, see Violations under the Student Judicial System).

OTHER SERIOUS CRIMINAL CONDUCT

Other serious crimes that occur on University Premises or during University Activities will also be treated as Zero Tolerance violations. An exhaustive list is not possible, but would include crimes against persons (such as robbery or extortion) and property (vandalism, arson, theft, burglary, identity theft, computer crimes, and forgery). The Dean of Students (or designee) will determine if a crime is of sufficient severity to be handled under the Zero Tolerance policy.

STUDENT CODE OF CONDUCT

As a member of the Delaware State University Community, I am expected to demonstrate integrity, high moral standards and promote good citizenship. I understand that I represent the University at all times and must uphold the University's Code of Conduct and will encourage my fellow Hornets to do the same.

- **I will respect and show appreciation towards the University faculty, administration, staff and other students at all times.**
- **I will not participate in any in any inappropriate behavior such as obscene language, lewd behavior or other University infractions that are outlined in the Delaware State University Student Handbook.**
- **I understand Academic Honesty and Integrity is required at all times.**
- **I will not consume, possess or traffic illegal drugs, alcohol or any other illegal substance.**
- **I understand that possession of any weapon warrants expulsion.**
- **I will not engage in any physical altercation or verbal abuse with any persons on or off campus.**
- **I understand that appropriate dress attire is required at all times and that males are expected to remove head attire when entering a room/building. (Unless worn for religious reasons)**
- **I will not talk or move about during the singing/playing of the National Anthem and the Alma Mater.**

ALCOHOL AND DRUGS

ALCOHOL POLICY

Although the legal drinking age in Delaware is 21, University regulations prohibit any student from possessing or consuming alcohol on University Premises or at University Activities. Any student found in violation of this policy will be subject to University disciplinary and, where applicable, criminal action.

Violations and Possible Sanctions

The following are the violations and minimum sanctions for students under the age of 21:

Violations

- Under age 21 possession and/or consumption
- Open container of alcohol in public
- Hosting a party involving illegal use of alcohol
- Dispensing alcohol to minors
- Intoxication
- Constitution of a public nuisance by being offensive to public order or decency

Possible Sanctions

First Offense

- Disciplinary probation for one year
- Alcohol education
- \$50 fine
- Parental notification

Second Offense

- Deferred suspension from Residence Halls for one year
- Substance abuse referral
- \$100 fine
- Parental notification

Third Offense

- Suspension from Residence Halls for one year. The student will be held responsible for the full cost of the residence hall for the remainder of the academic year
- Suspension from University for one year
- Parental notification

The following are the violations and sanctions for students over the age of 21:

Violations

- Hosting a party involving illegal use of alcohol
- Dispensing alcohol to minors
- Intoxication (See Violations of Criminal Law and/or Zero Tolerance Policy for definition.)
- Constitution of a public nuisance by being offensive to public order or decency

Possible Sanctions

First Offense

- Disciplinary probation for one year
- Alcohol education
- \$50 fine

Second Offense

- Deferred suspension from Residence Halls for one year
- Substance abuse referral
- \$100 fine

Third Offense

- Suspension from Residence Halls for one year

Note: Sanctions may be altered based on the severity of the behavior. Offenses are accumulative throughout matriculation at Delaware State University.

Alcohol Education On-Line Course

In addition to other sanctions, all alcohol violators are required to take the Alcohol Education on-line course required of incoming freshmen. Any student who has taken (or re-taken) the Alcohol Education course as a sanction for a first offense, and is later found to have committed further violations of the Alcohol Policy, may be subject to more severe sanctions.

Students who fail to complete the Alcohol Education on-line course by the end of the first two (2) weeks of the following semester will be fined \$100.00 as an additional penalty for the violation. If the student does not complete the course by the end of that semester, the fine will be doubled (\$200), and additional sanctions imposed, including suspension from living in the residence hall and a hold placed on the student's registration for the next semester.

FEDERAL AND STATE LAW REGARDING DRUGS AND ALCOHOL

Drug-Free Schools and Communities Act Of 1989

The Drug-Free Schools and Communities Act Amendments of 1989 require an institution of higher education, as a condition of receiving funds or any other form of financial assistance under any federal program, to certify that it has adopted and implemented a program to prevent the unlawful possession, use or distribution of illicit drugs and alcohol by students.

As a part of its substance abuse programs, Delaware State University annually distributes to its students in writing the following information:

- Standards of conduct that clearly prohibit the unlawful possession, use or distribution of illicit drugs and alcohol on school property or as part of any school activities;

- A clear statement of the disciplinary sanctions that the University will impose on students who violate the standards of conduct;
- A description of the applicable legal sanctions under local, state, or Federal law for the unlawful possession or distribution of illicit drugs and alcohol;
- A description of the health risks associated with the use of illicit drugs and the abuse of alcohol;
- A description of any drug or alcohol counseling, treatment, or rehabilitation or re-entry programs that are available to employees or students.

The University conducts a biennial review of its substance abuse program to determine its effectiveness, implement need for changes and ensure that disciplinary sanctions are consistently enforced.

Federal Legal Sanctions

Federal law penalizes the manufacture, distribution, possession with intent to manufacture or distribute and simple possession of drugs (“controlled substances”). Controlled Substances Act, 21 U.S.C. §§ 841, 843(b), 844, 845, 846, 859 (2003). The following is a list of punishments prescribed for each crime/offense:

Crime/Offense	Jail Time	Fine (\$)
1st Degree	10-20 years	Max \$100,000
2nd Degree	10 years	Max \$100,000
3rd Degree	5 years	Max \$7,500
4th Degree	up to 18 months	Max \$7,500
Disorderly Persons (offense)	up to 6 months	Max \$1,000
Petty Disorderly (offense)	up to 30 days	Max \$500

Controlled Substances

Controlled dangerous substances are classified into five different schedules (I-V):

Schedule I includes:

- Opiates (Dimepheptanol, Hydroxypethidine, Normethadone)
- Narcotics (Acetylcodeone, Bensylmorphine, Heroin, Morphine, Nicocodeine)
- Hallucinogenic (LSD, Marijuana, Mescaline, Peytoe, Psilocybin)

- Methamphetamine

Schedule II includes:

- Oxycodone (Percodan)
- Fentanyl (Sublimaze)
- Methadone (Dolophine)
- Meperidine (Demerol)

Schedule III includes:

- Amphetamine (Biphphetamine)
- Phenmetrazine
- Glutethimide (Doriden)
- Phencyclidine

Schedule IV includes:

- Barbitol
- Meprobamate (Equanil, Miltown)
- Chloral hydrate
- Phenobarbital (Donnatal, Bellergal)

Schedule V includes:

- Codeine
- Codeine Phosphate (Robitussin)
- Diphenoxylate (Lomotil)

Summary of State Of Delaware Drug Laws

The sections of the Delaware Criminal Code dealing with drug laws are extensive. The following outline is an effort to provide a general summary of portions of the law. Students with specific questions about the law should contact Public Safety and not rely

on the following summary for complete information. The law divides illegal drugs into five schedules (or categories):

Schedule I – Certain opiates, opium derivatives (including heroin) and hallucinogenic substances, including Phencyclidine (PCP), marijuana, LSD, mescaline, and psilocybin.

Schedule II – Opium and opiates, and derivatives; coca leaves and derivatives; certain central nervous system stimulants, such as amphetamines, phenmetrazines and methamphetamines; and certain central nervous system depressants, including methaqualones and certain barbiturates.

Schedule III – Any stimulant drug; certain barbiturates with short-term effects; and certain narcotic compounds and combinations; all having less potential for abuse than Schedule I and II.

Section IV – Certain barbiturates and other central nervous system depressants having lower potential for abuse than Schedule III. This schedule now includes dextropropoxyphene (Darvon).

Schedule V – Drug substances with a lower potential for abuse than Schedule IV. (These substances may contain narcotic drugs, but certain sufficient quantities of non-narcotic drugs with medicinal qualities must be present.)

Offenses

Offenses are divided into two basic categories:

- I. Illegal delivery (sale); possession with intent to deliver, manufacture, or intent to manufacture.
- II. Illegal possession, use, or consumption (misdemeanor).

Hypodermic needles or syringes are also controlled under Delaware law. Illegal possession or use is punishable by a fine of not more than \$100, or imprisonment not to exceed one year or both. Illegal delivery or disposal is punishable by a fine of not more than \$3,000, or imprisonment not to exceed ten years, or both.

Penalties

Delaware law prescribes ranges of permissible penalties upon conviction of any of the above offenses. The penalties are more severe for delivery (or possession with intent to deliver) than for possession. A jail sentence may be imposed for any of these offenses. Under Delaware law, the judge, at his or her discretion, may impose any sentence within the range allowed by the law. Some examples are:

Felonies

- I. Illegal manufacture, delivery, or possession with an intent to manufacture or deliver a substance classified in Schedule I or II that is classified as a narcotic drug. Fine: Not less than \$5,000 or more than \$100,000 and, Imprisonment: Up to 30 years.
- II. Illegal manufacture, delivery or possession with intent to manufacture or deliver a substance classified in Schedules I-V that is not a narcotic drug. Fine: Not less than \$1,000 or more than \$10,000, and, Imprisonment: Not more than 10 years.

Misdemeanors

- I. Illegal possession, use, or consumption of any substance in Schedules I or II that is a narcotic drug. Fine: not more than \$3,000 and imprisonment: Not more than 5 years.
- II. Illegal possession, use, or consumption of any substance in Schedule I-V that is not a narcotic drug. Fine: not more than \$500, and imprisonment; not more than 2 years.

There are numerous exceptions and variations in possible penalties, including:

- I. More severe penalties for anyone delivering or attempting to deliver to a person under 18, and more severe penalties for repeat offenders. For second offenders, for delivery or possession with intent to deliver a narcotic drug, a mandatory jail sentence is not subject to probation, parole, or suspension.
- II. Reduced penalties under certain circumstances, the most important of which allows the court, at its discretion, to put a first offender (on a charge of possession) on probation for a period of not less than three (3) years without a finding of guilt. If that person complies with the terms of probation, the charge is dismissed, and no conviction is recorded.

Alcohol Violations

Delaware Code, Title 4, Section 904 makes it unlawful to purchase alcoholic liquor for or to give it to a person under 21 years of age, and also makes it unlawful for persons under 21 years of age to consume alcoholic liquor or to have it in their possession. It is also unlawful to be intoxicated in public.

OTHER INFORMATION ON DRUGS AND ALCOHOL

Health Risks Associated With Alcohol and Drug Use

Drug and alcohol abuse are problems of overwhelming proportions in our society today. While alcoholism may develop in anyone, it tends to first appear between the ages of 20 and 40 and may be more prevalent in persons with a family history of alcoholism.

Generally, drugs and alcohol impair how your brain takes in and sorts information. Users may feel they are at their best when in reality they are performing poorly. Use can also motivate crime to finance the use and can leave a criminal record behind, which impairs future activities.

Alcohol abuse is usually characterized by one of three different patterns: (1) regular daily intoxication, (2) consumption of large amounts of alcohol at specific times (binge drinking), or (3) periods of heavy daily drinking.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations and convulsions. Chronic alcohol abuse can produce irreversible changes, including dementia, sexual impotence, cirrhosis of the liver and heart disease. [Death can occur either as a complication of one of these chronic problems; acutely, as a result of alcohol intoxication by poisoning or aspiration of vomiting; and as the result of an automobile accident while driving intoxicated.]

Counseling and Rehabilitation Programs

Counseling and referral services are available on campus. Please contact the Counseling Center at 857-7381 or Health Services at 857-6393.

For more information on the Drug-Free Schools and Communities Act Amendments of 1989, please contact:

The Office of Student Judicial Affairs
Martin Luther King, Jr. Student Center, Room 129
(302) 857-6470
(302) 857-6472 (Fax)

OTHER POLICIES

The following are some specific policies that are not part of the Zero Tolerance Policy. (Other examples include the Equal Opportunity and Harassment Policies, and the Alcohol Policy). A student who commits one or more of the following offenses is subject to

discipline under the standard procedures of the Student Judicial System. To the extent that any of the following acts directly contribute to the emotional or physical detriment of members of the University Community, or constitute serious criminal conduct under federal or state law, the Vice President for Enrollment and Student Affairs has the discretion to handle them under the Zero Tolerance Policy.

DISRUPTIVE BEHAVIOR POLICY

Any student engaged in conduct that interferes with or prevents the accomplishment of any University Activity, program, function or process, including classroom teaching, is subject to disciplinary action. Students must turn off cell phones, pagers and other electronic devices (with or without headphones) during classroom sessions, convocations, lectures, and any other university programs.

FALSIFICATION OF UNIVERSITY RECORDS POLICY

All students are expected to complete all University forms, applications and records, including any written information submitted to University officials or instructors accurately. Falsification of any University record, including forgery, or omission of material facts with the purpose or effect of deceiving others, is grounds for disciplinary action.

FIRE DRILLS AND FIRE POLICY

All students are required to respond to fire drills whenever they occur. Posted fire regulations require strict compliance. Any violations may result in disciplinary action. In the case of a fire alarm, students are to immediately vacate the building which they occupy and follow directions from the Public Safety Department or the Residence Life Staff. Tampering with fire safety equipment is also a violation of University policy and is subject to disciplinary action.

GAMBLING POLICY

Gambling in any form is not permitted on University Premises. This shall exclude bingo and raffles when approved in advance by the Assistant Vice President for Student Affairs.

HONESTY POLICY

Integrity must be practiced in all endeavors and relationships. All acts of dishonesty including, but not limited to, cheating on tests and examinations, plagiarism, unauthorized collaboration, alteration or misuse of college documents, records or identification cards, forgery, misrepresentation, unauthorized use of another's property, lying, theft, or receiving stolen goods will be considered serious misconduct. Any student violating this policy is subject to dismissal from the University.

INDIVIDUAL OR GROUP PROTEST ACTION POLICY

Students are free to support causes by orderly means that do not disrupt the regular and essential operation of the University.

1. All students who wish to organize a group protest, whether or not they are members of a recognized student organization, must follow the same procedures as student organizations to request access to facilities or a location on University Premises, using the Student Event Form (located in the Offices of the Dean of Students) The University reserves the right to set limits on the appropriate time, place and manner of the protest.
2. Students may be subject to disciplinary action if they:
 - initiate or participate in a demonstration or any form of protest on campus without following these procedures; or
 - participate in any activity during an authorized demonstration that obstructs the academic process, interferes with the rights of others on campus, or results in physical violence or property damage.

ILLEGAL POSSESSION OR UNAUTHORIZED USE OF KEYS POLICY

Students are permitted to obtain keys to rooms of buildings on the campus through official channels only. Illegal possession or unauthorized use of keys to University buildings, offices, or facilities by any student will result in serious disciplinary action.

SEARCH AND SEIZURE POLICY

Delaware State University, as a state-related institution of higher education, recognizes that there must be a balance between its responsibility to maintain and protect an orderly educational environment and the privacy rights of members of the University Community. The purpose of this policy is to address the rules for searches and seizures that are needed to protect the safety and operation of the University and enforcement of University policies and procedures. Searches conducted primarily for law enforcement purposes will be subject to different procedures.

Public Events

The University has the discretion to conduct mandatory bag checks and/or pat down checks of persons entering any University Activities, such as football games or concerts. Prohibited items will be confiscated, and those individuals may be referred for

discipline. Individuals refusing to allow such searches will be prohibited from entering the event, and no refunds will be provided.

Reasonable Suspicion and Administrative Search Warrants

Searches can be conducted of persons, (such as same gender pat down searches) property, (automobiles, backpacks, purses, briefcases) and locations (University Housing and any other location on campus) with either an Administrative Search Warrant or Reasonable Suspicion.

1. The Assistant Provost through an Administrative Search Warrant must approve all searches, except those conducted by University Police Officers, in advance.
2. In circumstances where any University Police Officer (or other sworn law enforcement officer) has reasonable suspicion to believe that a person on University Premises or during University Activities is in possession of objects in violation of federal state or local law or University policy, and there are exigent circumstances that make it infeasible to secure an Administrative Search Warrant, that or authorized person Officer has authority to conduct a search of persons or property. Exigent circumstances include any situation in which the person poses a risk to members of the University Community, or where delay would likely cause damage to or loss of the property of members of the University Community. In such cases, the Officer shall promptly notify the Dean of Students; who shall make a preliminary determination whether the search was appropriate.
3. “Reasonable suspicion” is defined as facts and/or circumstances or information sufficiently strong to warrant a reasonable person to believe, that the person, property or location contains materials in violation of law or school policy. Examples of situations that would justify issuance of an Administrative Search Warrant or a warrant less search, include Possession of drugs or alcohol; possession of weapons; possession of stolen property (including documents); or possession of evidence of a crime or of a violation of University policies (e.g. on a laptop computer or briefcase).
4. When an employee of the University (including University Police Officers) believes reasonable suspicion exists, a search authorization form must be completed specifying the name of the applicant(s), date, person or location(s) to be searched, facts and circumstances constituting reasonable suspicion, material to be seized, and name of the staff member(s) who will accompany the University Police Officer conducting the search. This information will then be presented to the Dean of Students for approval or disapproval.
5. If the Dean of Students determines that reasonable suspicion does exist, an Administrative Search warrant will be issued. The University Police

Department will carry out all room searches and at least one professional member of the Student Affairs staff will serve as a witness to the procedures followed.

6. In conducting a search, the individual (if present) should be:
 - a. Informed that any material found may be used as evidence in a University judicial hearing;
 - b. Presented a copy of the administrative search warrant; and
 - c. Given the reason for the search and materials to be seized. If the occupants are not present, the search may still be conducted. Copies of the administrative search warrant and signed inventory of items confiscated or observed should be provided to the individual as soon as practicable.
7. In the event that an item of personal property is locked and cannot be searched, it may be confiscated and held until the item is opened for inspection.
8. Should the search for specified material uncover other material indicating a violation of University regulations, it may also be seized.
9. When the search is completed, the University Police Officer(s), or staff member(s) should complete an after search form specifying the place searched, name of occupants, present staff member(s), University Police Officers conducting the search, and a detailed explanation of material seized and possible ownership. These forms should be given to the Dean of Students. The appropriate officers will document the material confiscated.
10. Any member of the University Community who wishes to challenge the appropriateness of a search or seizure of their person or property must do so by filing a challenge with the Dean of Students within ten (10) days after the search is conducted or, if not present at the search, within ten (10) days of receiving notice of the search. The matter will then be referred to the Vice President for Human Resources who shall determine whether the search was appropriate. Searches or seizures that the Dean of Students determines have been made in violation of this policy may not be used in any University disciplinary proceeding. (Contraband and property not properly belonging to the student will not be returned).

Other Searches of University Premises

The University reserves the right to enter and search any office, locker or room on University Premises, including but not limited to any office for which a student, employee or student organization has been given a key. All property within such premises is subject to search, including locked drawers or cabinets. These offices are University property, and no person has a reasonable expectation of privacy in the contents of those offices.

Searches of University Housing

In addition to other types of searches, the University reserves the right to enter and search University housing on University Premises at any time, without prior notice or a reasonable suspicion that an occupant of a particular room is engaged in violation of federal, state or local law or University policy. Such searches must be authorized in advance by the Assistant Provost

The University will not conduct random searches of University housing without cause. However, there may be situations in which there is reasonable suspicion that there are weapons or other objects pose a significant risk of danger to the University Community, but there is insufficient evidence to determine the precise rooms to be searched. In such cases the Dean of Students in consultation with the University Counsel, may authorize a search of all or a portion of the facility, using the Administrative Search Warrant form. Such searches shall, to the extent feasible, follow the procedures outlined above for reasonable suspicion searches. An attempt will be made to notify students in advance of the search when this is feasible and would not pose a substantial risk to the health or safety of members of the University Community.

SOLICITATION AND SALES POLICY

Soliciting and selling are not allowed on the University campus except by administrative approval, which may be obtained by completing the appropriate forms at the Office of Student Activities.

Only student organizations in residence halls may solicit within the residence halls. A Student Event Form should be obtained from the Office of Student Activities. The completed form must be returned to the Resident Manager for approval. The approval form must then be returned to both the Director of Residence Life and the Office of Student Affairs for final approval and signatures. All residence hall solicitation activities must be approved at least one week in advance of any requested sales date.

TRESPASSING POLICY

No students or visitors are permitted in any University Premises during school closures or holidays without official authorization. This includes all Campus Housing. Unauthorized persons (students and visitors who have not registered or signed in at the

front desk of the residential building) will be treated as trespassers and may be banned from all University Premises. Students who have unauthorized persons in their rooms are subject to disciplinary sanctions, up to and including expulsion from Campus Housing.