

DORM RIGHTS

- You do not have to answer your door.
- Police do not have the right to enter your dorm room without your consent (There are exceptions including a search warrant, hot pursuit of a suspect or an emergency is occurring in your room.)
- In order to perform a search without your consent, the officer **MUST** release you or detain you and attempt to obtain a warrant. The fact that you refused consent does not give the officer grounds to obtain a warrant.
- If you don't want an officer to enter your room, exit your dorm room and shut the door behind you. Speak politely and do not re-enter your room until the officer has left.
- Do not obstruct an officer from entering your room. Speak your rights politely and firmly.

Note: You are ultimately accountable to the University Administration for your actions in the dorms. Recreational

drugs, such as marijuana are illegal. Fans and wet towels under your door are not a solution to this problem. If caught you will be punished accordingly.

RENTAL RIGHTS AND DORM RIGHTS CONTINUED

- The landlord (or public safety, residence life) is responsible for giving 24 hours notice before entering the apartment and may not enter otherwise unless it is an emergency.
- The landlord (or residence life) must provide for 'essential services' such as heat, running/hot water, electricity, or gas and respond to repairs in a timely manner. (Tenant should provide written notice of repairs)
- The landlord (or residence life) must notify tenants of violations **IN WRITING**.
- The landlord must provide information on your security deposit within 30 days of vacating your apartment and may not charge you for 'normal wear and tear' which **USUALLY** includes fading

paint, worn carpet, worn hinges, or broken plumbing unless caused by improper use. **FOR MORE INFORMATION CONTACT THE OFF-CAMPUS RENTER CENTER (406) 243-2017.**

IF YOU ARE STOPPED BY THE POLICE

- **REMAIN SILENT.** You do not have to answer incriminating questions but you are required to give them your name.
- You do not have to consent to a search.
- **DO NOT PHYSICALLY RESIST A SEARCH.** Repeat that you do not consent to a search. If the search is unlawful, it can be suppressed even if they find contraband.
- **DO NOT RESIST AN ARREST.** Remain calm and **SILENT.** Never physically resist a police officer. Request an attorney.
- **IF YOU ARE ASKED TO TAKE A BREATHALYZER YOU MAY REFUSE** even if underage.

Be polite and respectful. Anything you say can be used against you. Do not build a case against yourself.

IF YOU ARE STOPPED BY THE POLICE WHILE DRIVING

- Upon an officer's request, you must display your driver's license, registration, and insurance.
- You must provide your name and address (and the name and address of the automobile's owner) upon an officer's request; however, you **DO NOT** have to answer any incriminating questions.
- If the officer believes you have consumed alcohol, you may choose not to submit to a breathalyzer but your license will be revoked for up to 90 days.
- You do not have to take 'sobriety tests' (i.e. singing the alphabet), exit the vehicle (unless being arrested) or any other action that will build the officer's case against you.

CAMPUS AND THE FIRST AMENDMENT

- Use of the Library Mall, Oval, Washington Park and other outdoor areas is on a first-come, first-served basis,

and subject to time, place, and manner restrictions specific for each area.

- The area between the Mansfield library and the University Center is designated as the “Free Speech Zone” and may only be limited in the amount of speaking time and volume.
- The Oval may be used for other speech purposes upon approval of the President. Request to use the oval is done through UC Event Planning Office and the speaker may not interfere with the University’s educational mission by being too loud and disrupting classroom activities.
- Distribution of printed materials is allowed without permission in the Oval, Centennial Circle (Grizzly statue), brick walkway from Arthur to main hall, and the “Free Speech Zone”. Distribution is also allowed, at least 40 feet from any entrance, at the stadium, Montana theatre, Adams Center, and Gallagher Business building.

STUDENT CONDUCT CODE

Right to Confidentiality- All disciplinary proceedings are closed to the public.

Right to Due Process – A student accused of violating the Student Conduct Code has certain rights:

- The right to be advised that a complaint is being investigated and the right to be advised of the potential charges.
- The right to review the evidence.
- The right to decline to make statements.
- The right to submit a written account relating to the alleged charges.
- The right to know of the identity of individuals who will be present at an administrative conference or a Court hearing.
- The right to have a person of choice, including legal counsel, present throughout any and all proceedings provided for in this Code.
- The right to a period of time to prepare for a hearing and the right to request a delay of the hearing for exigent circumstances.

- The right to hear and question witnesses and the accuser.
- The right to present relevant evidence and witnesses.
- The right to timely adjudication of charges as provided in this Code.

MORE INFORMATION

What you say: “I do not consent to a search of my persons, belongings, dorm room, or vehicle. I retain my Fourth Amendment rights and all other rights under the U. S. constitution. I will say nothing until my attorney is present.”

American Civil Liberties Union (ACLU)
Hotline 1-877-6-PROFILE

Office of Public Safety

ASUM Legal Services: (406) 243-6213
Offers low-cost legal advice and representation to students including wills, living wills, divorce, custody, adoptions, misdemeanor criminal cases, and property damages.

KNOW YOUR RIGHTS CARD

This is a guide to your rights and responsibilities as a student. Use this quick reference and always remember to EDUCATE yourself as much as possible.



Office of Public Safety