



Student Code of Conduct

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<https://www.valdosta.edu/administration/student-affairs/student-conduct-office/>

Preamble

The Valdosta State University Student Code of Conduct contains the University's official statement of the rights and responsibilities of students, both as individuals and as members of the community as a whole. The Valdosta State University Student Code of Conduct is also the official record of conduct policies affecting student organizations and group activities, as well as student conduct oriented administrative policies and procedures.

The Student Code of Conduct represents the expectations of student and organizational behavior at Valdosta State University. When a student or organization becomes a part of the university community, they are agreeing to abide by the Code of Conduct. This code is based on the principles and beliefs that students and or organizations are responsible adult learners, capable of making informed decisions and are accountable for their behavior and the consequences of their decisions. Students and organizations are expected to conduct themselves in accordance with the policies and regulations set forth by Valdosta State University.

As expressed in the Blazer Creed, the primary expectations of Valdosta State University students are integrity, civility, and citizenship. Students at Valdosta State University are expected to read, understand, and follow the Student Code of Conduct. Unfamiliarity with the code is not a valid excuse for infractions of the regulations. Knowledge of these regulations will help the student and or an organization in exercising their rights and avoid infringement on the rights of others.

All students are members of the larger community of the city, state, and nation and, as such, enjoy the rights of citizenship. Valdosta State University cannot, however, assume the role of a supervisor when students are involved in private activities. Student status does not protect a student from arrest and prosecution for violations of local, state or federal laws.

Students accused of violations of local, state, or federal laws that adversely affect the interests of the University, may also be subject to the appropriate Valdosta State University disciplinary process. Pending civil or criminal matters shall not prevent Valdosta State University, at its discretion, from initiating appropriate disciplinary action.

Additional policies and regulations may be developed, under established procedures (Appendix D, Section III), during the academic year as required for the general well-being of Valdosta State University. This statement and any additional policies and regulations are binding on both the student and Valdosta State University administration.

Appendix A

Section I. Academic Integrity Code

Academic integrity is the responsibility of all Valdosta State University employees and students. Faculty members should promote academic integrity by including clear instruction on the components of academic integrity and clearly defining the penalties for cheating and plagiarism in their course syllabi. Students are responsible for knowing and abiding by the Academic Integrity Policy as set forth in this Student Code of Conduct and the faculty members' syllabi. All students are expected to do their own work and to uphold the highest standard of academic integrity.

A. Academic Integrity Violations

Cheating and plagiarism are academic integrity violations. Additional violations may be added as deemed appropriate. The following academic integrity violations are not to be considered all-inclusive:

1. No student shall use or attempt to use unauthorized materials or devices to aid in achieving a better grade on a component of any class.
2. No student shall receive or give or attempt to receive or give assistance not authorized by the instructor in the preparation of an essay, laboratory report, examination, or other assignment included in any academic course.

3. No student shall take or attempt to take, steal, or otherwise procure in an unauthorized manner any material pertaining to the content of a class, including but not limited to tests, examinations, laboratory equipment, and class records.
4. No student shall sell, give, lend, or otherwise furnish to any unauthorized person material which can be shown to contain the questions or answers to any examinations scheduled to be given at any subsequent date in any course of study offered by the University, without authorization from the University.
5. No student shall engage in plagiarism, which is presenting the words or ideas of another person as if they were the student's own. Essays, term papers, laboratory reports, tests, online writing assignments, and other similar requirements must be the work of the student submitting them. Students should also check with instructors before submitting work written for another class or assignment. In some cases, instructors may consider this work unoriginal and therefore subject to academic integrity penalties. Some typical examples of plagiarism are:
 - a. Submitting an assignment as if it were one's own work when, in fact, it is at least partly or entirely the work of another.
 - b. Submitting a work that has been purchased or otherwise obtained from an Internet source or another source.
 - c. Incorporating the words or ideas of an author into one's paper without giving the author due credit, e.g., when direct quotations are used, they must be indicated, and when the ideas of another are incorporated in the paper they must be appropriately acknowledged.

Section II. Resolution of Academic Integrity Misconduct

A. Academic Integrity-Academic Response

Valdosta State University policy is that a violation of Appendix A, Section I Academic Integrity Violation may and should be handled by the course instructor, the student, and possibly the department head or academic dean concerned with the offense. Penalties for an academic integrity violation should be outlined in the course syllabus.

Any faculty member who has documentation and/or suspects that academic dishonesty has occurred shall (1) gather all pertinent information, and (2) meet with the student or students involved, and (3) inform the student or students of the academic response to an alleged violation of academic integrity, and (4) a faculty member should create a Report of Academic Dishonesty (RAD) to document the resolution of the matter. The faculty member should notify his/her department head and/or dean of these decisions and should submit a Report of Academic Dishonesty (RAD) along with all supporting documentation to the Student Conduct Office. An online Academic Integrity Reporting form can also be found at:

https://publicdocs.maxient.com/reportingform.php?ValdostaStateUniv&layout_id=1.

The most severe action that may be administered by any faculty member is a grade of "F" in that particular course. This is an academic response and not a disciplinary recommendation. A student who wishes to appeal an academic response to an alleged violation of academic integrity should follow the grade appeal process (Form available at the Registrar's site under "Forms" <http://www.valdosta.edu/academics/registrar/forms/>). Students should remember that they may not exercise the right to withdraw from a class to avoid academic dishonesty penalties.

B. Academic Integrity-Disciplinary Response

To initiate the disciplinary response process for an academic integrity violation, a faculty member should first submit a Report of Academic Dishonesty (RAD), <http://www.valdosta.edu/academics/academic-affairs/vp-office/forms/academicdishonesty.pdf>, along with all supporting documentation and an online report of Academic Integrity to the Student Conduct Office https://publicdocs.maxient.com/reportingform.php?ValdostaStateUniv&layout_id=1.

This report shall be made part of the student's disciplinary record and shall remain on file with the Student Conduct Office in accordance with Board of Regents record retention policy. A student's file on academic dishonesty is not intended nor designed to allow access by faculty members seeking historical information concerning a particular student. The purpose of the file is for the Vice President of Student Affairs and Dean of Students Office to determine if multiple incidents of academic dishonesty have occurred during a student's academic career at Valdosta State University. If a student is found to have cheated/plagiarized and withdraws from the course prior to the awarding of a grade, the Report of Academic Dishonesty will still be placed on file in the Student Conduct Office.

After a second (or subsequent) Report of Academic Dishonesty has been submitted to the Student Conduct Office, official charges will be drawn and the disciplinary matter may be referred to the Valdosta State University Conduct Committee. The Valdosta State University Conduct Committee will utilize the disciplinary procedures outlined in Appendix B, Sections II.-V. of

the Student Code of Conduct for adjudication. The most severe sanctions such as expulsion or suspension should only result from a Valdosta State University Disciplinary Committee hearing and can be appealed via Appendix B, Section V of the Student Code of Conduct.

Faculty members may request that a particularly serious violation of the Academic Integrity Policy (buying or selling papers, stealing an exam, taking an exam for another student, significant plagiarism at the graduate level, etc.) be referred directly to the Valdosta State University Conduct Committee. The Assistant Dean of Students and the academic dean of the student's major will consult concerning the referral of a particularly serious first offense to the Valdosta State University Conduct Committee.

Appendix B

Section I. Non-Academic Student Conduct Code

Valdosta State University expects the University community including students, faculty, staff and guests to make responsible decisions about the use of alcohol. The illegal use of alcohol by students will not be tolerated at Valdosta State University.

The law serves as the basic guideline for all citizens of the community. VSU encourages all members of the campus community to make informed decisions regarding their personal use of alcohol. Those who legally choose to use alcohol must use it in a responsible manner that will not interfere with the rights of others. Abuse is not a responsible choice.

Valdosta State University provides guidelines and programs to aid members of the University community in making responsible decisions in regards to the use of alcohol. These include appropriate rules and regulations concerning the use of facilities, guidelines for individual conduct both on and off-campus, as well as services designed to inform and support individuals and groups. These services include individual and group counseling and alcohol education programs.

Finally, the University recognizes the right of all members of the University community to be private citizens and to exercise all legal rights and privileges. However, when an individual, publicly identified as a member of the University community, engages in an illegal act involving the misuse of alcohol, the University, as an educational institution concerned with the welfare of its membership, can and will take appropriate disciplinary action. Every member of the University community should know the rules and procedures of the University involving the proper use of alcohol and conscientiously follow them.

University students are expected to assume responsibility for their behavior in regards to alcohol use. Students must understand that being under the influence of drugs and or alcohol does not lessen their accountability nor act as an excuse for behavior. All students in the University community will be held accountable for inappropriate behavior while under the influence of drugs and or alcohol via the appropriate campus and community disciplinary procedure.

Students shall obey all local, state, and federal laws regarding the possession, consumption, manufacture, and sale of alcoholic beverages or controlled substances. The United States Department of Education regulations stipulate that those "who engage in the unlawful manufacture, distribution, dispensation, or use of any controlled substance" may lose their federal financial aid.

Crime Victim: If a victim of a crime is suspected of having used alcohol and/or drugs, amnesty would be extended to the victim and the person seeking assistance and he/she will be exempt from disciplinary sanctioning through the Student Conduct Office for violations of the Student Code of Conduct's Substance Abuse Policy. Prosecution of individuals under local, state or federal laws would be at the discretion of appropriate officials of the applicable jurisdiction.

Any student that believes she/he has been a victim of sexual assault is encouraged to notify the VSU University Police (229-333-7816), the Valdosta City Police (229-242-2606), the VSU Title IX Coordinator (229-333-5463), the VSU Counseling Center (229-333-5940), or The Haven Rape Crisis Center (229-244-4477).

Mandatory follow-up: All identified individuals present during the referral incident that are known to have consumed alcohol or drugs illegally or to a hazardous level, will undergo substance abuse education through VSU's Office of Alcohol and Other Drug Education. If the referral incident was sponsored by a campus organization, substance abuse education will be mandated for all members of the organization.

Repeated Incidents: If an individual or campus organization is involved in multiple calls for assistance in the same academic year a greater level of intervention will be required, including parental notification for individuals under age 21, (in accordance with the

Parental Notification Policy and made pursuant to the Family Education Rights and Family Act), VSU's Student Life Office would also be informed of campus organization guideline violations.

Tobacco and Smoke-Free Campus Policy

The use of all forms of tobacco products on property owned, leased, rented, in the possession of, or in any way used by the University or its affiliates is expressly prohibited. "Tobacco Products" is defined as cigarettes, cigars, pipes, all forms of smokeless tobacco, clove cigarettes and any other smoking devices that use tobacco such as hookahs or simulate the use of tobacco such as electronic or vapor cigarettes.

Further, this policy prohibits any advertising, sale, or free sampling of tobacco products on University properties. This prohibition includes but is not limited to all areas indoors and outdoors, buildings and parking lots owned, leased, rented or otherwise used by the University or its affiliates. The use of tobacco products is prohibited in all vehicles – private or public vehicles - located on University properties.

This policy applies to all persons who enter the areas described above, including but not limited to students, faculty, staff, contractors and subcontractors, spectators, and visitors. All events hosted by a University entity shall be tobacco-free. All events hosted by outside groups on behalf of the University shall also be tobacco-free.

University Drug Free Communities Policy

Valdosta State University, as a recipient of federal funds, supports and complies with all provisions of the Drug Free Communities Act of 1997. As an employer, Valdosta State University will aggressively promote and strive to maintain a drug free work place for its faculty and staff and a drug free zone for students.

Students of Valdosta State University are expected to adhere to the policies of the institution, observe the basic rules of good conduct and to meet appropriate standards of conduct. This policy, as with the other institutional policies, including state and federal laws, and the Board of Regents' policies shall be observed.

A. Alcohol

1. Possession, consumption, or transporting of alcoholic beverages by persons under the age of 21 is prohibited.
2. If a student is under the age of 21 and determined to be under the influence of alcohol he/she will be referred to the appropriate authorities.
3. A student in a publically intoxicated state will be referred to the appropriate authorities for disposition.
4. The consumption or possession of alcoholic beverage(s) or possession of an open container of an alcoholic beverage on University property is prohibited in public areas. A public area is defined as any area outside of an individual's living quarters.
5. No student shall furnish or cause to be furnished any alcoholic beverage to any person under the legal drinking age of 21.
6. The serving of alcohol to someone visibly intoxicated and/or the facilitating of drinking games involving the consumption of alcohol is prohibited.
7. Common source containers of alcoholic beverages e.g. beer kegs, hunch-punch, etc., may not be present at any registered University organization event.
8. No alcohol may be purchased with student activity fee funds.

B. Drugs

1. The possession, use, manufacture, sale, distribution or delivery of illegal or dangerous drugs on or off campus is prohibited. This also includes prescription medication being used in a manner not consistent with the prescription or by someone other than the person for whom the prescription was written.
2. Possession of drug paraphernalia is also prohibited on campus. This includes any item typically used to facilitate the use, manufacture, sale, distribution or delivery of a controlled substance including marijuana.

C. Damage to Property

1. Littering. No student shall improperly dispose of any form of litter on campus.
2. Damage or destruction of property belonging to the University, or to a member of the University community, or to a visitor to the campus is prohibited.

3. Defacing of University property is prohibited.

D. Disruptive Behavior

The Board of Regents (BOR) Policy Manual Section 12.2 regarding disruptive behavior states: "Any student, faculty member, administrator, or employee, acting individually or in concert with others, who clearly obstructs or disrupts, or attempts to obstruct or disrupt any teaching, research, administrative, disciplinary, or public service activity, or any other activity authorized to be discharged or held at any campus of the University System of Georgia is considered by the Board to have committed an act of gross irresponsibility and shall be subject to disciplinary procedures, possibly resulting in dismissal or termination of employment.

1. No one shall assemble on campus for the purpose of creating a riot, or causing destruction of property, or creating a disorderly diversion, which interferes with the normal operation of the University. This section should not be construed to deny any student the right of peaceful, non-disruptive assembly per the policies set forth in Appendix D Section IV of this code.
2. No student or group of students shall obstruct the free movement of people about the campus, interfere with the use of University facilities, or materially interfere with the normal operation of the University.
3. The abuse or unauthorized use of sound amplification equipment indoors or outdoors during classroom hours is prohibited. (Any use of sound amplification equipment must be cleared through the Event Services Office.)

E. Disorderly Conduct

1. Disorderly conduct or breach of the peace on University property or at any function sponsored or supervised by the University or any registered University organization is prohibited.
2. Pushing, striking, or physically assaulting any University student, faculty, administrator, staff member, or visitor to the campus is prohibited.
3. Conduct on University property or at functions sponsored or supervised by the University or any registered University organizations, which materially interferes with the normal operation of the University is prohibited.
4. No student shall enter or attempt to enter any event registered by the University without proper credentials for admission, e.g., a ticket, an identification card, an invitation, etc., or without fulfilling any reasonable qualifications established for attendance. At such University functions a student must present proper credentials to properly identified University personnel upon request.
5. Engaging in conduct that would violate state or federal laws on obscenity is prohibited.
6. No student shall interfere with, or give false name to, or fail to cooperate with, any properly identified University personnel while in the performance of their duties.
7. Harassment, including intimidation, coercion or threats, that is unwelcome, discriminatory on the basis of a protected status, directed at a specific individual, and is sufficiently severe, pervasive, and objectively offensive that it interferes with or limits an individual's ability to participate in or benefit from an institutional program or activity is prohibited.
8. No student shall deliberately interfere with or disregard a disciplinary summons, oral or written, to report to an administrative official or an authorized disciplinary committee.
9. Failure to comply fully with a disciplinary sanction is prohibited.

F. Falsification of Records

Giving false statements or information on any records or misrepresentation of words or actions is prohibited.

G. Explosives

No student shall possess, furnish, sell or use explosives of any kind on University property or at functions sponsored or supervised by the University or any registered University organization.

1. The possession or use of fireworks on University property or at events sponsored or supervised by the University or any registered University organization is prohibited. Fireworks are defined as any substance prepared for the purpose of producing a visible or audible effect by combustion, explosion, or detonation.

H. Fire Safety

1. No student shall tamper with, damage, or disarm any fire safety equipment.
2. The unlawful possession, sale, furnishing, or use of any incendiary device is prohibited.
3. No student shall set or cause to be set any fire in or on University property.
4. No student shall make, or cause to be made, a false fire alarm or issue a false bomb threat.

5. Remaining in a campus facility during a fire alarm or drill without permission by the appropriate authorities is strictly prohibited.

I. Weapons

The University System of Georgia (USG) prohibits all weapons on property owned or leased by the USG and its institutions, except as specifically provided herein or as provided in federal or state law.

Exceptions:

1. Prohibited weapons do not include sporting equipment possessed for legitimate use in formal or informal athletic or exercises of activities.
2. Law enforcement officers, active military personnel, and other similar personnel may possess weapons as authorized by federal or state law.
3. Any person who is 18 years of age or older or currently enrolled in classes in a USG institution may possess an electroshock weapon on the campus of that institution but may only make use of such electroshock weapon in defense of self or others.
4. Weapons carry license holders may possess weapons while under the license holder's physical control in a motor vehicle, in a locked compartment in a motor vehicle, in a locked container in a motor vehicle, or in a locked firearms rack in a motor vehicle.
5. A weapons carry license holder may carry a handgun in any building or on any real property owned or leased by the USG and its institutions, provided, however, that such exception shall:
 - a. Not apply to buildings or property used for athletic sporting events or student housing, including, but not limited to, fraternity and sorority houses;
 - b. Not apply to any preschool or childcare space located within such buildings or real property;
 - c. Not apply to any room or space being used for classes related to a college and career academy or other specialized school as provided for under Georgia Code Section 20-4-37;
 - d. Not apply to any room or space being used for classes in which high school students are enrolled through a dual enrollment program, including, but not limited to, classes related to the "Move on When Ready Act" as provided for under Georgia Code Section 20-2-161.3;
 - e. Not apply to faculty, staff, or administrative offices or rooms where disciplinary proceedings are conducted;
 - f. Only apply to the carrying of handguns which a licensee is licensed to carry pursuant to subsection (e) of Georgia Code Section 16-11-126 and pursuant to Georgia Code Section 16-11-129; and
 - g. Only apply to the carrying of handguns which are concealed.

Definitions:

The terms listed below are defined for purposes of this Policy as follows:

1. *Weapon* means and includes any pistol, revolver, or any instrument designed or intended to propel a missile of any kind, or any dirk, bowie knife, switchblade knife, ballistic knife, any other knife having a blade of two or more inches, straight-edge razor, razor blade, spring stick, knuckles, whether made from metal, thermoplastic, wood, or other similar material, blackjack, any bat, club, or other bludgeon-type weapon, or any flailing instrument consisting of two or more rigid parts connected in such a manner as to allow them to swing freely, which may be known as a nun chahka, nun chuck, nunchaku, shuriken, or fighting chain, or any disc, of whatever configuration, having at least two points or pointed blades which is designed to be thrown or propelled and which may be known as a throwing star or oriental dart, or any instrument of like kind, and any stun gun or taser as defined in subsection (a) of Georgia Code Section 16-11-106. This paragraph excludes any of these instruments used for classroom work authorized by the faculty member.
2. *Handgun* means a firearm of any description, loaded or unloaded, from which any shot, bullet, or other missile can be discharged by an action of an explosive where the length of the barrel, not including any revolving, detachable, or magazine breech, does not exceed 12 inches; provided, however, that the term "handgun" shall not include a gun which discharges a single shot of .46 centimeters or less in diameter.
3. *Electroshock weapon* means a stun gun or taser or similar commercially available device that is powered by electrical charging units and designed exclusively to be capable of incapacitating a person by electrical charge.
4. *Concealed* means carried in such a fashion that does not actively solicit the attention of others and is not prominently, openly, and intentionally displayed except for purposes of defense of self or others. Such term shall include, but not be limited to, carrying on one's person while such handgun is substantially, but not necessarily completely, covered by an article of clothing which is worn by such person, carrying within a bag of a nondescript nature which is being carried about by such person, or carrying in any other fashion as to not be clearly discernible by the passive observation of others.
5. *Preschool or childcare space* means any room or continuous collection of rooms or any enclosed outdoor facilities which are separated from other spaces by an electronic mechanism or human-staffed point of controlled access and designated for the provision of preschool or childcare services, including, but not limited to, preschool or childcare services licensed or

regulated under Article 1 of Chapter 1 of Title 20 of the Georgia Code.

J. Hazing

This policy applies to all Valdosta State University students, clubs, and student organizations. Hazing includes, but is not limited to, acts of servitude and or behavior that humiliates, degrades, embarrasses, harasses or ridicules an individual, or is otherwise harmful or potentially harmful to an individual's physical, emotional, or psychological well-being, as an actual or apparent condition for initial or continued affiliation with any group.

A student or organization violates this standard regardless of either the lack of intent to cause harm or the hazed individual's own willingness to participate and regardless of whether the actions took place on or off campus. Unless affirmative steps were taken by the responding student or organization to prevent the hazing behavior, conduct charges may be brought against the group, officers of the group, and members of the group who are deemed to have encouraged the behavior, in addition to any conduct action against persons who engaged in the hazing behavior.

K. Joint Responsibility for Infractions

Students who act together to violate University regulations have both individual and joint responsibility for such violations.

L. Misuse of Student Identification 1Cards or Permits

1. Lending, selling, or otherwise transferring a student 1Card or parking permit is prohibited.
2. Being in possession of or the use of a student 1Card or parking permit by anyone other than its rightful owner is prohibited.
3. Failure to surrender or display a 1Card or parking permit to a properly identified and authorized University official is prohibited.
4. The creation of a fake ID, 1Card or parking permit, as well as the altering of a valid student 1Card or parking permit is prohibited. The replication and or distribution of a 1Card or parking permit is also prohibited.

M. Theft

1. No student shall take, attempt to take, or be in possession of, property belonging to another without proper authorization or purpose.
2. No student shall sell anything that is not his or hers without written permission from the rightful owner.
3. The illegal or unauthorized use of another's personally identifiable information is prohibited. Violations include, but are not limited to knowingly and willfully assuming and using any and all personal identifying information, including photographs, without the consent or authorization of said owner, for the purpose of misrepresenting oneself; using, selling, or transferring that information to obtain any benefits, credit, goods, services or other items of value in the name of said owner, or to otherwise do harm to said owner is a violation of this Code of Conduct.

N. Unauthorized Entry or Use of University or Student Organization related Facilities or Property

1. No student shall make unauthorized entry into any building, office or other facility, nor shall any person remain without authorization in any building after normal closing hours.
2. No student shall make unauthorized use of any University facility.
3. No student shall knowingly use University or student organization owned equipment, supplies, or property without proper authorization.

O. Campus Solicitation-Business Enterprises

1. Valdosta State University does not permit the operation of privately operated business enterprises on campus. All business enterprises operated on campus shall be operated as an auxiliary enterprise and shall be under the direct management, control and supervision of the Vice President of Finance and Administration of Valdosta State University. Questions concerning permission to solicit or operate a business enterprise on campus should be directed to the Vice President of Finance and Administration's Office.
2. The unauthorized posting of flyers, posters, distribution of promotional cards or any other materials for off-campus non-Valdosta State University businesses or events is prohibited.

P. Animals

With the exception of comfort or service animals in accordance with local, state and federal laws, students are prohibited from having animals of all kinds in Valdosta State University facilities or on Valdosta State University property.

Q. Residence Hall Policy

Students determined to be repeated violators of Housing and Residence Life policies or the terms of the Housing contract may be referred to the Student Conduct Office for appropriate disciplinary action.

R. Repeated Violations

Repeated violations of published rules or regulations of the University are prohibited.

S. Violation of Outside Law

Any violation of a local ordinance, a state, or federal law, on or off-campus, constitutes a violation of the Student Code of Conduct. Students accused of violations of local, state, or federal laws that adversely affect the interests of the University, may be subject to the appropriate Valdosta State University disciplinary process. Pending civil or criminal matters shall not prevent Valdosta State University, at its discretion, from initiating appropriate disciplinary action against a student.

T. Appropriate Use of University Computing Equipment, Network, and Facilities

1. A student's use of personal or Valdosta State University computing equipment to damage Valdosta State University's computing infrastructure is prohibited, e.g. intentionally injecting viruses, creating a computer system malfunction, altering or damaging a program(s), etc.
2. Any student logging on or attempting to log on as another user, giving your user name/password to someone else, and/or accessing another user's files without express verifiable permission is prohibited.
3. Any student who intentionally wastes computing resources, running a repetitive program for no reason, excessive simultaneous network connections, misuse of server disk space, excessive size mailings or print jobs, etc. is prohibited.
4. The use of computing systems for making terroristic threats, unsolicited sexual advances, harassment, or obscenity which is blatantly offensive to the prevailing community standards is prohibited.
5. The misappropriation of intellectual property, e.g., software, music, movie, data or copyright piracy is prohibited. Copyrights are granted in order to give the artist an incentive to be able to profit from their work. A copyright gives an artist the sole right to distribute their creative work, and only the copyright holder has the legal right to control the distribution of a copyrighted file. Unauthorized sharing of copyrighted materials is a violation of Valdosta State's Acceptable Use Policy, which may be found on line at the following address: <http://www.valdosta.edu/vsu/policies/>.
6. Unauthorized sharing of copyrighted materials is a violation of the Board of Regents Acceptable Usage Policies, which may be found at the following address: http://www.usg.edu/infosec/policies_and_standards/USG_Appropriate_Use_Policy_AUP.pdf. The invasion of a user's privacy by the altering of a user's computerized registration files, passwords, programs, or other related files, or the review and dissemination of confidential student record information is prohibited.
7. The use of Valdosta State University computing facilities for illegal purposes as defined by the "Georgia Computer Systems Protection Act of 1991" or for personal or commercial gain is prohibited.
8. Engaging in conduct which would violate state or federal laws or Board of Regents University System policies regarding computer use is prohibited. Such alleged violations will initially be handled by the Valdosta State University's Division of Information Technology and could result in immediate temporary suspension of computing privileges.

The internet provides many opportunities for accessing and storing various types of information. Personal, financial and social data are just a few examples of the types of data stored electronically. Information transmitted on the internet can often be tracked to the sender even if a website claims anonymity. Internet users should take precautions to protect their devices and information. Protection efforts include but are not limited to strong passwords, updated anti-virus software and the use of secured websites and networks.

Corrective Action Policy Regarding Copyright Violations

1. Valdosta State University receives notifications of copyright infringement under the Digital Millennium Copyright Act (DMCA) originating from computers on Valdosta State University's network. Valdosta State University is required to investigate each complaint. Valdosta State University has the ability to identify the computer and user responsible for the alleged infringement. If an infraction is found, Valdosta State University is required to remove the illegal material.

2. First violation results in a temporary usage suspension from HallNet (and Internet) usage and also a notification from the Office of Technology (OIT) regarding the inappropriate activity. Once the user contacts (OIT) and agrees to comply with university policies the HallNet usage is immediately restored.
3. Second violation results in another (OIT) notice being provided to the student and a one (1) hour suspension of HallNet access is enforced.
4. Third violation results in another (OIT) notice and a to be determined period of HallNet usage suspension is applied.
5. Fourth violation results in in another (OIT) notice, suspension of HallNet access, and requires the user to meet with Student Conduct Office in the Division of Student Affairs before the HallNet access maybe restored. Student Conduct Office meets with student and follows their process and a recommendation to the Division of Information Technology is given.

For informational purposes P2P violations includes:

- a. Using or running a P2P client such as LimeWire, Ares, FrostWire, Bit Torrent, uTorrent or similar software (running also includes running the process in the background) or any other such software.
- b. Downloading music, movies, software or other data using a P2P client
- c. Uploading music, movies, software or other data using a P2P client

File sharing has the potential of consuming Valdosta State's Internet bandwidth, and to prevent an abuse of limited bandwidth, the University uses automated tools to limit the impact of P2P traffic upon the legitimate educational uses of Peachnet and the Internet. Valdosta State may employ other tools to monitor for violations, and if the University receives proper legal demand to identify a particular user for a copyright offense, the University will comply and provide the copyright owner with the required information. If you are identified, you could be subject to legal action from the copyright holder, which could result in fines or a costly legal case.

Section II. Reporting Student Misconduct

The following apply to reports relating to student misconduct, except those relating to academic integrity, which are covered under separate sections of this Code.

Complaints or reports of student misconduct should be reported to the Student Conduct Office by way of the online student conduct incident report form (<https://publicdocs.maxient.com/incidentreport.php?ValdostaStateUniv>), by phone or in person to University Police (229-333-7816), or in person to any housing and residence life staff person. Where appropriate, complainants may file a law enforcement report along with an institutional report, but are not required to file both.

Complaints or reports should include as much information as possible – such as: (1) the type of misconduct alleged; (2) the name and contact information of the persons involved; (3) the date(s), time(s), and place(s) of the misconduct; (4) the name(s) and contact information of any individual(s) with knowledge of the incident; (5) whether any tangible evidence has been preserved; and (6) whether a criminal complaint has been made.

Information from complaints may be shared as necessary to investigate and to resolve the alleged misconduct. Complaints will be investigated and resolved as outlined below. The need to issue a broader warning to the community in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”) shall be assessed in compliance with federal law.

1. **Confidentiality:** Where a complainant or alleged victim requests that his or her identity be withheld or the allegation(s) not be investigated, the University will consider whether or not such request(s) can be honored while still providing a safe and nondiscriminatory environment for the University community. The University will inform the requesting party that generally confidentiality cannot be guaranteed. Further, honoring the request may limit the University’s ability to respond fully to the incident and may limit the ability to discipline the student.
2. **Retaliation:** Anyone who, in good faith, reports what she or he believes to be student misconduct, participates or cooperates in, or is otherwise associated with any investigation, shall not be subjected to retaliation. Anyone who believes he or she has been the target of retaliation for reporting, participating or cooperating in, or otherwise being associated with an investigation should immediately contact the Student Conduct Office or University Police. Any person found to have engaged in retaliation in violation of the student code of conduct shall be subject to disciplinary action.
3. **False Complaints/Statements:** Individuals are prohibited from intentionally giving false statements to an institution official. Any person found to have intentionally submitted false complaints, accusations, or statements, including during a hearing, in violation of this Policy shall be subject to appropriate disciplinary action (up to and including suspension or expulsion) and adjudicated under the student conduct policy.
4. **Amnesty:** Students are encouraged to come forward and report violations of the law and/or student code of conduct notwithstanding their own improper use of alcohol or drugs. Any student(s) who voluntarily and in good faith reports information to college or university faculty or staff prior to any investigation concerning use of drugs or alcohol will not

be voluntarily reported to law enforcement; nor will information that the individual provides be used against the individual for purposes of conduct violations. Nevertheless, these students may be required to meet with staff members in regard to the incident and may be required to participate in appropriate educational program(s). The required participation in an educational program under this amnesty procedure will not be considered a sanction. Nothing in this amnesty procedure shall prevent a university staff member who is otherwise obligated by law (the Clery Act) to report information or statistical data as required.

Not all matters covered under this policy will necessarily involve alleged victims; however, where they are involved, it should be noted that a complainant will not always be the alleged victim but instead may be a third-party witness. The University may also respond to issues raised by third-party complaints (such as referrals by police) or discovered by staff or through its own investigations.

Section III. Process for Investigating and Resolving Disputed Reports of Student Misconduct

A. Authority

Section 4.1.1 of the BOR policies, authorizes Valdosta State University to develop appropriate policies and procedures to discipline students and organizations for the violation of University policies or the student code of conduct. In accordance with this responsibility, disciplinary sanctions shall be applied only after due process, fairness, and reasonableness have been met. The aim of any disciplinary action is to redirect student behavior toward the achievement of academic goals.

The application of student discipline is delegated to the Assistant Dean of Students, who addresses the day-to-day disciplinary process with the aid of various disciplinary committees. The use of the "peer-review" process in student disciplinary matters is consistent with Valdosta State University's educational goals, as well as its practice of student participation in institutional governance.

B. Jurisdiction

The University will take necessary and appropriate action to protect the safety and well-being of its community. Accordingly, student misconduct will be addressed when such acts occur on University property or at University-sponsored or affiliated events, or otherwise violate the VSU Student Code of Conduct at non-University sponsored events.

Students accused of violations of local, state, or federal laws may also be subject to the appropriate Valdosta State University disciplinary process for these violations. Pending civil or criminal matters shall not prevent Valdosta State University at its discretion from initiating appropriate disciplinary action.

Each student shall be responsible for his/her conduct from the time of application for admission through the actual awarding of a degree, even though misconduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment. Should a student withdraw from the University with disciplinary charges pending, the student's academic record and/or the ability to register for classes may be encumbered.

Graduate or professional programs within the University may initiate charges against students for alleged violations of professional standards or ethics as a separate issue or as an extension of alleged acts of academic dishonesty or other violations of this Code of Conduct.

C. Access to Advisors

The respondent and alleged victim (where applicable), as parties to these proceedings, shall have the right to have an advisor (who may or may not be an attorney) of his or her choosing, and at his or her own expense, for the express purpose of providing advice and counsel. The advisor may be present during meetings and proceedings during the investigatory and/or resolution process at which his or her advisee is present. The advisor may advise his or her advisee in any manner, including providing questions, suggestions, and guidance on responses to any questions posed to the advisee, but shall not participate directly during the investigation or hearing process. The institution shall not prohibit family members of a party from attending the hearing if the party requests such attendance, but may limit each participant to having two family members present.

D. Initial Review of Student Misconduct Reports

Regardless of how the University becomes aware of student misconduct, it shall ensure a prompt, fair, and impartial review and resolution of alleged student misconduct. When a report of student misconduct is received by the Student Conduct Office, the report will be reviewed to determine whether the allegation(s) describes conduct in violation of VSU policies and/or code of conduct. If the reported conduct would not be a violation of VSU policies and/or code of conduct then the report will be dismissed. Otherwise, a prompt, thorough, and impartial investigation and review will be conducted into each report received to determine whether charges against the student should be brought.

Where a report of student misconduct alleges sexual misconduct or other forms of harassment and/or discrimination, the report will be referred to and the investigation will be conducted through or as directed by the Title IX Coordinator in the Office of Social Equity.

Any report that involves allegation(s) of conduct that could lead to the suspension or expulsion of the respondent(s) in an initial violation must be promptly reported to the System Director by the institution. The System Director will work with the institution to determine whether any interim measure(s) are necessary, to assign an investigator and will collaboratively supervise the investigation with the appropriate institution professional (e.g., the Title IX Coordinator, Student Conduct). If an allegation is not initially identified as one that could lead to suspension or expulsion of the respondent(s), but facts arise during the course of the investigation that would require oversight from the System Director, then the institution shall report that case to the System Director or her designee prior to proceeding.

E. Interim Measures

Interim measures, including interim suspension, may be imposed when a student and/or organization is accused of a serious violation of a Valdosta State University regulation or of a local, state, or federal law or regulation, when it is necessary to maintain safety, and when the accused student poses a serious and immediate danger or threat to persons or property.

Interim suspensions, that is, suspensions while the investigation and adjudication process are proceeding, should only occur when necessary to maintain safety and should be limited to those situations where the respondent poses a serious and immediate danger or threat to persons or property. In making such an assessment, the institution will consider the existence of a significant risk to the health or safety of the campus community; the nature, duration, and severity of the risk; the probability of potential injury; and whether less restrictive means can be used to significantly mitigate the risk.

To the extent interim measures are imposed, they should minimize the burden on both the alleged victim and the respondent, where feasible. Interim measures may include, but are not limited to:

1. Change of housing assignment;
2. Issuance of a “no contact” directive;
3. Restrictions or bars to entering certain institution property;
4. Changes to academic or employment arrangements, schedules, or supervision;
5. Interim suspension; and
6. Other measures designed to promote the safety and well-being of the parties and the institution’s community.

Before an interim suspension is issued, all reasonable efforts to give the accused student the opportunity to be heard on whether his or her presence on campus poses a danger. If an interim suspension is issued, the terms of the suspension shall take effect immediately. Upon request, the respondent will have an opportunity to be heard by the respective conduct officer, Title IX Coordinator, or System Director, as appropriate, within three business days in order to determine whether the interim suspension should continue.

F. Investigations of Student Misconduct

Throughout any investigation and resolution proceedings, a party shall receive written notice of the alleged misconduct, shall be provided an opportunity to respond, and shall be allowed to remain silent or otherwise not participate in or during the investigation and resolution process without an adverse inference resulting. If a party chooses to remain silent or otherwise not participate in an investigation, the investigation may still proceed and policy charges may still result and be resolved. Additionally, in any investigation involving allegations of sexual misconduct, timely notice of meetings shall be provided to each party of any meeting at which the complainant, respondent or alleged victim may be present. Timely and equal access to information that will be used during the investigation will be provided to the complainant, respondent and alleged victim where applicable.

Where the potential sanctions for the alleged misconduct may involve a suspension or expulsion (even if such sanctions were to be held “in abeyance,” such as probationary suspension or expulsion) the institution’s investigation and resolution procedures must provide the additional minimal safeguards outlined below.

1. The alleged respondent shall be provided with written notice of the complaint/allegations, pending investigation, possible charges, potential sanctions, and available support services. The notice will also include the identity of any investigator(s) involved. Notice will be provided via VSU email to the address on file. Where applicable, a copy shall also be provided to the alleged victim via the same means.
2. Upon receipt of the written notice, the respondent shall have at least three (3) business days to respond in writing. In that response, the respondent shall have the right to admit or to deny the allegations, and to set forth a defense with facts, witnesses, and supporting materials. A non-response will be considered a general denial of the alleged

misconduct. Any alleged victim shall also be provided three (3) business days to respond to or to supplement the notice.

3. If the respondent admits responsibility, the process may proceed to the sanctioning phase or may be informally resolved, if appropriate.
4. If at any point the investigator determines there is insufficient evidence to support a charge or to warrant further consideration of discipline, then the complaint should be dismissed.
5. An investigator shall conduct a thorough investigation and should retain written notes and/or obtain written or recorded statements from each interview. The investigator shall also keep a record of any party's proffered witnesses not interviewed, along with a brief, written explanation of why the witnesses were not interviewed.
6. The initial investigation report shall be provided to the respondent and the alleged victim (where applicable). This report should clearly indicate any resulting charges (or alternatively, a determination of no charges), as well as the facts and evidence in support thereof, witness statements, and possible sanctions. For purposes of this Policy, a charge is not a finding of responsibility, but indicates that there is sufficient evidence to warrant further consideration and adjudication.
7. The final investigation report should be provided to the misconduct panel or hearing officer for consideration in adjudicating the charges brought against the respondent. A copy shall also be provided to the respondent and alleged victim (where applicable) before any hearing. The investigator may testify as a witness regarding the investigation and findings, but shall otherwise have no part in the hearing process and shall not attempt to otherwise influence the proceedings outside of providing testimony during the hearing.

Section IV. Disciplinary Hearing Procedures for Student Misconduct

Disciplinary hearings at Valdosta State University are hearings to arrive at corrective recommendations regarding alleged student misconduct. These recommendations affect the student or organization's relationship with the University. The administration of discipline is viewed as an educational process NOT a criminal or civil trial proceeding. As such, the disciplinary procedures used are determined and administered by educators. Such procedures will give cognizance to the test of fairness, truth, and due process.

In no case shall a hearing to resolve charge(s) of student misconduct take place before the investigative report has been finalized or before the respondent has had an opportunity to respond in writing, unless the respondent has chosen to go through an informal process or otherwise provided a written waiver of rights to these procedures. Further, unrelated charges and/or cases shall be heard separately unless the respondent voluntarily consents to the charges/cases being heard jointly.

Where the respondent indicates that he or she contests the charges, and once the investigative report has been finalized and copies provided to the respondent and alleged victim, the case shall be set for hearing. However, the alleged victim (where applicable) and respondent may have the option of selecting informal resolution as a possible resolution in certain student misconduct cases where they mutually agree or except where deemed inappropriate by the Vice President for Student Affairs, or his/her designee or the System Director.

Where a case is not resolved through informal resolution or informal resolution is not available due to the nature of the charges, the respondent shall have the option of having the charges heard by either an administrative hearing officer or a hearing panel. If an administrative hearing is requested, the conduct officer shall use his or her discretion to determine whether a hearing panel should hear the case. However, all cases involving charges of sexual misconduct that go to a hearing shall be heard by a panel of staff and/or faculty. Sexual misconduct panel members shall receive appropriate annual training as directed by the System Director or Title IX Coordinator as required by the Clery Act. Additionally, the following standards will apply to hearings by any panel.

A. Standards for Disciplinary Hearings for Student Misconduct

1. Notice of the date, time, and location of the hearing shall be provided to the respondent, complainant, and alleged victim (where applicable) at least five business days prior to the hearing. Notice shall be provided via institution email where applicable. After proper notification is given, if the respondent, complainant, or alleged victim student do not appear at the hearing, the hearing can proceed in their absence.
2. All disciplinary hearings involving the responding student and the appropriate disciplinary committee are open meetings, but will be conducted in a manner consistent with the Family Educational Rights and Privacy Act (FERPA) and applicable law.
3. Disciplinary hearings are presided over a hearing officer. The hearing officer may exclude any person from the disciplinary hearing who materially interferes with the disciplinary hearing proceedings. Any disruptions of a disciplinary hearing can result in disciplinary action being taken against the student and or organization involved in the disruption. The hearing officer makes such a determination with input of the conduct officer, and when that determination is made those causing the disruption will be asked to leave the hearing and its premises immediately. If they do not voluntarily leave, the University Police will be contacted to escort them off the premises.

4. The respondent and alleged victim (where applicable), as parties to these proceedings, shall have the right to use an advisor (including an attorney) of his or her choosing, and at his or her own expense, for the express purpose of providing advice and counsel. The advisor may be present during meetings and proceedings during the investigatory and/or resolution process at which his or her advisee is present. The advisor may advise his or her advisee in any manner, including providing questions, suggestions, and guidance on responses to any questions of the advisee, but shall not participate directly in the hearing. The University shall not prohibit family members of a party from attending if the party requests such attendance, but may limit each participant to two family members.
5. The respondent shall have the right to present witnesses and evidence to the hearing officer or panel. Witness testimony, if provided, shall pertain to knowledge and facts directly associated with the case being heard. Both parties shall have the right to question any witnesses, including the other party, by submitting written questions to the hearing officer for consideration. Advisors may actively assist in drafting questions. The Panel shall ask the questions as written and will limit questions only if they are unrelated to determining the veracity of the charge leveled against the respondent(s). In any event, the Panel shall err on the side of asking all submitted questions and must document the reason for not asking any particular questions.
6. Where the hearing officer or panel determines that a party or witness is unavailable and unable to be present due to extenuating circumstances, the hearing officer or panel may establish special procedures for providing testimony from a separate location. In doing so, the hearing officer or panel must determine whether there is a valid basis for the unavailability, ensure proper sequestration in a manner that ensures testimony has not been tainted, and make a determination that such an arrangement will not unfairly disadvantage any party. Should it be reasonably believed that a party or witness who is not physically present has presented tainted testimony, the hearing officer or panel will disregard or discount the testimony. In sexual misconduct cases, the hearing officer reserves the right to allow a party to testify in a separate room, so long as no party is unfairly disadvantaged by this procedure. A party must still give testimony in the presence of the Panel, and the opposing party must have the opportunity to view the testimony remotely and to submit follow-up questions.
7. Formal civil rules of evidence do not apply to the investigatory or resolution process. The standard of review shall be a preponderance of the evidence; the disciplinary committee will determine based on the evidence presented at the hearing, whether it is more likely than not that the violation in question did occur. However, any decision to suspend or to expel a student must also be supported by substantial evidence at the hearing.
8. Documentation of the proceedings, which may include written findings of fact, transcripts, audio recordings and/or video recordings, will be on file in the Student Conduct Office in accordance with USG records retention policy (Appendix C. Section III).
9. Following a hearing, both the respondent and alleged victim (where applicable) shall be simultaneously provided a written decision via VSU email of the outcome and any resulting sanctions. The decision should include details on how to appeal. Additionally, the written decision must summarize the evidence in support of the sanction. The same information will be provided, regardless of whether the student opts for a hearing panel or an administrative hearing.

B. Disciplinary Hearing Committees

- The Student Judicial Council
- The Valdosta State University Conduct Committee
- The Sexual Misconduct Hearing Panel

The composition of each disciplinary committee is as follows:

1. The Student Judicial Council shall be composed of 9-11 enrolled students representing a cross-section of the Valdosta State University student body. All members of the Council shall have a minimum 2.5 cumulative grade point average the semester of their appointment, and must maintain this average during their tenure. If a member does not maintain a 2.5 cumulative average, has two or more unexcused absences to scheduled meetings or hearings, or is found responsible for a violation of the Student Code of Conduct, then he/she will automatically forfeit his or her position on the Student Judicial Council. The SJC will be led by a Chief Justice who shall be elected from and by the members of the Council, and shall preside over the Council at hearings serving as the hearing officer and shall also lead deliberations.
2. The Valdosta State University Conduct Committee shall be composed of three faculty or staff and two student members. The Assistant Dean of Students will make the appointments. One of the three faculty or staff members will serve as the hearing officer, and the two students will be from the Student Judicial Council.
3. The Sexual Misconduct Hearing Panel will consist of three staff and/or faculty. Sexual misconduct panel members will receive appropriate annual training as directed by the System Director or Title IX Coordinator as required by the Clery Act.

C. Procedures for Disciplinary Hearings

1. An oath is administered to all parties.
2. Presentation of the alleged violation(s) to respondent.

3. A call for a response from the respondent to each violation of either not responsible or responsible is requested by the hearing officer.
4. Presentation of witnesses and documentation supporting the alleged violation(s) is made.
5. Presentation of the comments and documentation supporting the respondent's position.
6. Examination and questioning by the committee and the respondent follows witness comments and information supporting the alleged violations and respondent's position.
7. Presentation of the closing comments by both parties, first the conduct officer and then the respondent.
8. Committee deliberations then occur, and they are closed to everyone but committee members. The committee will hear only that information pertinent to the charge(s). The Committee may request assistance from the conduct officer in clarifying an issue in deliberations, or they may recall witnesses.
9. The disciplinary committee has three charges.
 - a) Determine the facts.
 - b) Determine responsibility for any or all violations.
 - c) If there is a finding of responsibility for any or all violations, they are to develop a suitable disciplinary recommendation(s).
10. The disciplinary committee reconvenes after deliberations and will advise the respondent of its findings and recommendation(s). The recommendation(s) of the committee are also communicated to the respondent in writing, following the verbal notification at the disciplinary hearing.
11. The responding student and/or organization are also informed both verbally and in writing of the right to an appeal and are informed of how to pursue the appeal process.
12. Hearing is adjourned.

Section V. Disciplinary Sanctions for Student Misconduct

The following are possible disciplinary measures that may be imposed upon a student or organization for a finding of responsibility for violations of the Student Code of Conduct. In determining the severity of sanctions or corrective actions the following will be considered: the frequency, severity, and/or nature of the offense, history of past conduct, the respondent's willingness to accept responsibility, previous response to similar conduct, and the university's interests. The disciplinary committee or hearing officer will determine sanctions and issue notice of the same, as outlined above. The responsibility for implementation of the recommendation(s) will reside with the Assistant Dean of Students.

This broad range of sanctions is not exhaustive and may be expanded or modified as needed.

- A. Expulsion: permanent severance of the student's or organization's relationship with the University.
- B. Disciplinary Suspension: a temporary severance of the student's or organization's relationship with the University for a specified period of time, and or the loss of campus facilities access and access to all Valdosta State University events.
- C. Disciplinary Probation: notice to the student and or organization that any further disciplinary violation will result in more severe sanctions, which could include suspension or expulsion from the University. Disciplinary probation might also include one or more of the following: the setting of certain restrictions, the issuing of a reprimand, referral to an educational program, or restitution for damages.
- D. Reprimand: oral reprimand (an oral disapproval issued to the student and or organization) or a letter of reprimand (a written statement of disapproval to the student and or organization).
- E. Restrictions: loss of University privileges, change in class, residence hall, no contact orders, exclusion from participation in campus organization leadership / membership, involvement in campus social, recreational and sporting, or recruitment activities, residence hall visitation or access, the use of campus facilities, identification card privileges, limitation of mobility on campus; delays in obtaining administrative services and benefits such as holding transcripts, delaying registration, graduation, with additional sanctions for violating.
- F. Restitution: reimbursement or replacement of property; this may take the form of appropriate service or other compensation.
- G. University Initiated Withdrawal: from the academic course within which an offense occurred, without credit for the course; or in the case of suspension, withdrawal from all courses.
- H. Change in Grade: for the course in which the offense occurred.
- I. Referral or Professional Assessment: The referral to the University Counseling Center, the Office of Alcohol and Other Drug Education, Office of Social Equity.
- J. Community Service: Assigned service with on or off campus agencies with prior approval from said organizations.
- K. Educational Programs: Required participation in alcohol or other drug education or abuse programs, anger management or conflict resolution or mediation programs, sexual or relationship sensitivity awareness or education programs, etc.
- L. Academic Requirements: Scholarly work or research on related topic.
- M. Parental and/or Guardian Notification Policy The Family Educational Rights and Privacy Act (20 USCS § 1232g (i)(1) provides in pertinent part that institutions of higher education are not prohibited "...from disclosing, to a parent or legal

guardian of a student, information regarding any violation of any federal, state, or local law, or of any rule or policy of the institution, governing the use of possession of alcohol or a controlled substance, regardless of whether that information is contained in the student's education records, if - (A) the student is under the age of 21; and (B) the institution determines that the student had committed a disciplinary violation with respect to such use or possession."

Section VI. Appeals Procedure for Student Misconduct

Appeals may be made in any case where sanctions are issued, even when such sanctions are held "in abeyance," such as probationary suspension or expulsion. The appeal must be made in writing, and must set forth one or more of the bases outlined below, and must be submitted within five business days of the date of the final written decision. The appeal should be made to the Vice President for Student Affairs or his/her designee by way of the Student Misconduct Appeals Form, which can be found here: https://cm.maxient.com/reportingform.php?ValdostaStateUniv&layout_id=6

Where the sanction(s) imposed includes a suspension or expulsion (even for one held in abeyance), the following appellate procedures must be provided. The alleged offender (and in cases involving sexual misconduct or other forms of discrimination and/or harassment, the alleged victim) shall have the right to appeal the outcome on any of the following grounds:

- (1) to consider new information, sufficient to alter the decision, or other relevant facts not brought out in the original hearing, because such information was not known or knowable to the person appealing during the time of the hearing;
- (2) to allege a procedural error within the hearing process that may have substantially impacted the fairness of the hearing, including but not limited to whether any hearing questions were improperly excluded or whether the decision was tainted by bias; or
- (3) to allege that the finding was inconsistent with the weight of the information.

The appeal shall be a review of the record only, and no new meeting with the respondent or any alleged victim is required. The Vice President for Student Affairs, or his or her designee, may affirm the original finding and sanction, affirm the original finding but issue a new sanction of lesser severity, remand the case back to the decision-maker to correct a procedural or factual defect, or reverse or dismiss the case if there was a procedural or factual defect that cannot be remedied by remand. The Vice President or his or her designee shall then issue a decision in writing to the respondent within a reasonable time period.

The decision of the Vice President of Student Affairs or his or her designee may be appealed in writing within five business days (as determined by the date of the decision letter) to the President of the institution solely on the three grounds set forth above. The President may affirm the original finding and sanction, affirm the original finding but issue a new sanction of greater or lesser severity, remand the case back to the decision maker to correct a procedural or factual defect, or reverse or dismiss the case if there was a procedural or factual defect that cannot be remedied by remand. The President's decision shall be simultaneously issued in writing to the complainant, the respondent and the alleged victim (where applicable) within a reasonable time period. The President's decision shall be the final decision of the institution.

Should the respondent or alleged victim (where applicable) wish to appeal the President's decision, he or she may request review by the Board of Regents in accordance with the Board of Regents' Policy 8.6 on Discretionary Review.

Section VII. Recusal/Challenge for Bias

Any party may challenge the participation of any University official, employee or student panel member in the disciplinary process on the grounds of personal bias by submitting a written statement to the Vice President of Student Affairs and Dean of Students or his/her designee, setting forth the basis for the challenge. The designee may not be the same individual responsible for investigating or adjudicating the conduct allegation. The written challenge should be submitted within a reasonable time after the individual reasonably should have known of the existence of the bias. The University designee will determine whether to sustain or deny the challenge, and if sustained, the replacement to be appointed.

Appendix C

Section I. Student Sexual Misconduct Code

In accordance with Title IX of the Education Amendments of 1972 (Title IX), the University System of Georgia (USG) and Valdosta State University (VSU) do not discriminate on the basis of sex in any of its education programs or activities or in employment. The USG and VSU are committed to ensuring a safe learning and working environment for all members of the campus community. To that end, this policy prohibits sexual misconduct as defined herein.

In order to reduce incidents of sexual misconduct, USG institutions, including VSU, are required to provide prevention tools and to conduct ongoing awareness and prevention programming and training for the campus community. Such programs will promote positive and healthy behaviors and educate the campus community on consent, nonconsensual sexual misconduct, alcohol use, dating violence, domestic violence, stalking, bystander intervention, and reporting.

When sexual misconduct does occur, all members of the VSU community are strongly encouraged to report the incident promptly through the procedures outlined in this policy. The purpose of this policy is to ensure uniformity in reporting and addressing sexual misconduct.

Definitions and Prohibited Sexual Misconduct

- A. **Community:** Students, faculty and staff, as well as contractors, vendors, visitors, and guests.
- B. **Complainant:** An individual lodging a complaint. The complainant may not always be the alleged victim.
- C. **Confidential Employee:** University employees who have been designated by the Title IX Coordinator to talk with an alleged victim in confidence. Confidential employees must only report that the incident occurred and provide date, time, location, and name of alleged respondent (if known) without revealing any information that would personally identify the alleged victim. This minimal reporting must be submitted in compliance with Title IX and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act). Confidential Employees may be required to fully disclose details of an incident in or to ensure campus safety.
- D. **Consent:** Words or actions that show a knowing and voluntary willingness to engage in mutually agreed-upon sexual activity. Consent cannot be gained by force, intimidation or coercion, by ignoring or acting in spite of objections of another, or by taking advantage of the incapacitation of another, where the respondent knows or reasonably should have known of such incapacitation. Consent is also absent when the activity in question exceeds the scope of consent previously given. Past consent does not imply present or future consent. Silence or an absence of resistance does not imply consent. Minors under the age of 16 cannot legally consent under Georgia law. Either party can withdraw consent at any time by using clear words or actions.
- E. **Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the alleged victim. Dating violence includes, but is not limited to sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.
- F. **Domestic Violence:** Violence committed by a current or former spouse or intimate partner of the alleged victim; by a person with whom the alleged victim shares a child in common; by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; or, by a person similarly situated to a spouse of the alleged victim.
- G. **Incapacitation:** The physical and/or mental inability to make informed, rational judgments, and can result from mental disability, sleep, involuntary physical restraint, or from intentional or unintentional taking of alcohol and/or other drugs. Whether someone is incapacitated is to be judged from the perspective of an objectively reasonable person.
- H. **Nonconsensual Sexual Contact:** Any physical contact with another person of a sexual nature without the person's consent. Sexual contact includes but is not limited to, touching (or penetrating) of a person's intimate parts (such as breasts, buttocks, groin, or genitals); touching (or penetrating) another person with one's own intimate body parts; or forcing a person to touch his or her own or another person's intimate body parts.
- I. **Privileged Employees:** Individuals employed by the institution to whom a complainant or alleged victim may talk in confidence, as provided by law. Disclosure to these employees will not automatically trigger an investigation against the complainant's or alleged victim's wishes. Privileged Employees include those providing counseling, advocacy, health, mental health, or sexual assault related services (*e.g.*, sexual assault resource centers, campus health centers, pastoral counselors, and campus mental health centers) or as otherwise provided by law. Exceptions to confidentiality exist where the conduct involves suspected abuse of a minor (in Georgia, under the age of 18) or otherwise provided by law, such as imminent threat of serious harm.
- J. **Respondent:** Individual who is alleged to have engaged in conduct that violates this policy.
- K. **Responsible Employees:** Those employees who must promptly and fully report complaints of or information regarding sexual misconduct to the Title IX Coordinator. Responsible Employees include any administrator, supervisor, faculty member, or other person in a position of authority who is not a Confidential Employee or Privileged Employee. Student employees who serve in a supervisory, advisory, or managerial role are in a position of authority for purposes of this policy (*e.g.*, teaching assistants, residential assistants, student managers, orientation leaders). Responsible Employees are not required to report information disclosed at public awareness events (*e.g.*, "Take Back the Night," candlelight

vigils, protests, “survivor speak-outs” or other public forums in which students may disclose incidents of prohibited conduct).

- L. **Sexual Exploitation:** Sexual exploitation occurs when an individual takes nonconsensual or abusive sexual advantage of another for his or her own advantage or benefit, or to the benefit or advantage of anyone other than the one being exploited. Examples of sexual exploitation may include, but are not limited to, the following:
 1. Invasion of sexual privacy.
 2. Prostituting another individual.
 3. Nonconsensual photos, video or audio of sexual activity.
 4. Nonconsensual distribution of photos, video or audio of sexual activity, even if the sexual activity was consensual.
 5. Intentional observation of nonconsenting individuals who are partially undressed, naked, or engaged in sexual acts.
 6. Knowingly transmitting an STD or HIV to another individual through sexual activity.
 7. Intentionally and inappropriately exposing one’s breasts, buttocks, groin, or genitals in nonconsensual circumstances.
 8. Sexually-based bullying.
- M. **Sexual Harassment:** Unwelcome verbal, nonverbal, or physical conduct, based on sex or gender stereotypes, that is implicitly or explicitly a term or condition of employment or status in a course, program or activity; is a basis for employment or educational decisions; or is sufficiently severe, persistent, or pervasive to interfere with one’s work or educational performance creating an intimidating, hostile, or offensive working or learning environment or limiting one's ability to participate in or benefit from an educational program or activity.
- N. **Sexual Misconduct:** Includes, but is not limited to, such unwanted behavior as dating violence, domestic violence, nonconsensual sexual contact, sexual exploitation, sexual harassment, and stalking.
- O. **Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or to suffer substantial emotional distress. Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Section II. Reporting Sexual Misconduct

A complainant of sexual misconduct may, but need not, file a criminal complaint with law enforcement officials, file a misconduct report with a Responsible Employee or the Title IX Coordinator, or both. A report may be filed anonymously, although anonymous reports may make it difficult for the university to address the complaint. Any individual who believes that he or she is a victim of sexual misconduct is encouraged to report allegations of sexual misconduct promptly.

All reports of sexual misconduct alleged to have been committed by a student must be handled consistently with requirements set forth in Appendix B. Section III. Process for Investigating and Resolving Reports of Student Misconduct.

All reports of sexual misconduct alleged to have been committed by a non-student member of the VSU community will be addressed and or resolved through the VSU and Board of Regents’ applicable policies for discipline of non-students.

A. Institutional Reports

Complainants of sexual misconduct who wish to file a report with the University should notify a Responsible Employee or the Title IX Coordinator, Dr. Maggie Viverette, in the Office of Social Equity (229) 333-5463 or email titleix@valdosta.edu. Responsible Employees informed about sexual misconduct allegations involving any student should not attempt to resolve the situation, must notify and report all relevant information to the Title IX Coordinator as soon as practicable. Confidential Employees are not bound by this requirement but may, consistent with their ethical and legal obligations, be required to report limited information about incidents without revealing the identities of the individuals involved to the Title IX Coordinator. All members of the VSU community are encouraged to report incidents of sexual misconduct promptly.

VSU has Deputy Title IX Coordinators to whom reports may be made, as well. Complainants are encouraged to report their complaints in writing, though oral complaints will also be accepted, taken seriously, and investigated, to the extent possible. While complaints should be made as quickly as possible following an alleged incident of sexual misconduct, all reports will be accepted regardless of when reported.

The Title IX Coordinator shall refer to the System Director any allegation(s) of sexual misconduct that could, standing alone as reported, lead to the suspension or expulsion of the respondent(s). The System Director will work with the institution to determine whether any interim measure(s) are necessary and to assign an investigator who will work under the direction of the System Director or designee, if directed by System Director. If an allegation is not initially identified as one that would lead to the suspension or expulsion of the respondent(s), but facts arise during the course of the investigation that would require transfer to the System Director, the Title IX Coordinator shall transfer oversight to the System Director or designee. The System Director shall have the discretion to retain oversight or transfer oversight to the institution.

B. Law Enforcement Reports

Because sexual misconduct may constitute criminal activity, a complainant also has the option, should he or she so choose, of filing a report with campus or local police, for his or her own protection and that of the surrounding community. The institution may assist the complainant in reporting the incident to law enforcement officials.

Complainants considering filing a report of sexual misconduct with law enforcement should preserve any evidence of sexual misconduct, including, but not limited to, the following:

1. Clothing worn during the incident including undergarments;
2. Sheets, bedding, and condoms, if used;
3. Lists of witnesses with contact information;
4. Text messages, call history, social media posts;
5. Pictures of injuries;
6. Videos.

C. Anonymous Reports

Reports of sexual misconduct can be reported anonymously to University Police (229) 333-7816, or the UPD website at <https://www.valdosta.edu/administration/finance-admin/police/forms/vsu-police-department-silent-watch-form.php>.

Anonymous reports can also be made via the Student Conduct Incident Report Form located at <https://publicdocs.maxient.com/incidentreport.php?ValdostaStateUniv> or by contacting the Dean of Students Office at (229) 333-5941, or by contacting the Title IX Coordinator at (229) 333-5463 or titleix@valdosta.edu.

D. Retaliation

Anyone who, in good faith, reports what he or she believes to be misconduct under this policy, or who participates or cooperates in, or is otherwise associated with any investigation, shall not be subjected to retaliation. Anyone who believes that he or she has been the target of retaliation for reporting, participating, cooperating in, or otherwise being associated with an investigation should immediately contact the VSU Title IX Coordinator. Any person found to have engaged in retaliation in violation of this policy shall be subject to disciplinary action.

E. False Complaints

Individuals are prohibited from intentionally giving false statements to a system or institution official. Any person found to have intentionally submitted false complaints, accusations, or statements, including during a hearing, in violation of this Policy shall be subject to appropriate disciplinary action (up to and including suspension or expulsion) and adjudicated under the student conduct policy.

F. Amnesty

Individuals should be encouraged to come forward and to report sexual misconduct notwithstanding their choice to consume alcohol or to use drugs. Information reported by an individual during an investigation concerning use of drugs or alcohol will not be used against the particular individual in a disciplinary proceeding or voluntarily reported to law enforcement; however, individuals may be provided with resources on drug and alcohol counseling and/or education, as appropriate.

Section III. Addressing Reports of Student Sexual Misconduct

A. Support Services

Once an individual makes a complaint, receives notice that a complaint has been made against him or her, or the Title IX Coordinator otherwise learns of a complaint of sexual misconduct, the complainant, respondent and alleged victim (where applicable) will receive written information about support services, such as counseling, advocacy, housing assistance, academic support, disability services, health and mental health services, and legal services that are available on campus. Students can receive confidential counseling services on-campus through the VSU Counseling Center at no charge. In addition, the VSU Counseling Center can provide direct referrals to community based organizations that provide additional services and support.

Information about support services will be provided regardless as to whether an individual elects to go forward with filing a formal complaint of sexual misconduct or with notifying law enforcement. Information on support services will also be provided to students and employees regardless of where the alleged misconduct occurs.

B. Interim Measures

Interim measures may be taken at any point after the institution becomes aware of an allegation of sexual misconduct and should be designed to protect the alleged victim and the community. Before an interim suspension is issued, the institution must make all reasonable efforts to give the respondent the opportunity to be heard consistent with the provisions in Appendix B. Section III. H. of the Student Code of Conduct.

C. Jurisdiction

Valdosta State University will take necessary and appropriate action to protect the safety and well-being of its community. Accordingly, sexual misconduct allegedly committed by a student will be addressed when such misconduct occurs on University property or at University-sponsored or affiliated events, or off-campus when the misconduct otherwise violates the VSU Student Code of Conduct.

D. Advisors

Both the alleged victim and respondent, as parties to the matter, shall have the opportunity to use an advisor (who may or may not be an attorney) of the party's choosing at the party's own expense for the expressed purpose of providing advice and counsel, pursuant to the provisions of Appendix B. Section IV. A.3 of the Student Code of Conduct.

E. Informal Resolutions

Allegations of sexual misconduct may be resolved informally, without a determination of misconduct, if **all** of the following are met:

- 1) When complainant(s) and respondent agree to an informal resolution.
- 2) When the initial allegation could not result in expulsion.
- 3) When the complainant(s) and respondent(s) agree to the terms of the informal resolution.
- 4) When the investigator concludes that informal resolution is in the best interest of the parties and the institution's community.

The alleged victim(s) and respondent(s) have the option to end informal resolution discussions and request a formal process at any time before the terms of an informal resolution are reached. However, matters resolved informally shall not be appealable.

Section IV. Investigations of Institutional Reports of Student Sexual Misconduct

A. Investigations

All sexual misconduct investigations involving a student respondent, whether overseen by the institution's Title IX Coordinator or the System Director, shall follow the investigation process set forth in Appendix B. Section III. G. and Section IV. of the Student Code of Conduct.

B. Timeframe

Efforts will be made to complete the investigation within a reasonable timeframe, which will be determined based upon the allegations, availability of witnesses and/or evidence in a particular case. When the timeframe will extend past the reasonable timeframe, the parties will be informed of the delay and the reason for the delay. The investigator shall keep the parties informed of the status of the investigation.

Section V. Disciplinary Hearings, Sanctions and Appeals for Student Sexual Misconduct

All sexual misconduct hearings, sanctions, and appeals involving a student respondent, whether overseen by the institution's Title IX Coordinator or the System Director, shall follow the process set forth in Appendix B. Section V. and Section VI. of the Student Code of Conduct.

All sexual misconduct adjudication involving an employee respondent will be addressed utilizing the institution's employment policies and procedures.

Appendix D

Section I. Family Educational Rights & Privacy Act (FERPA) Privacy of Student Records

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S.

Department of Education. FERPA rights are provided only to University applicants upon actual acceptance to and subsequent enrollment for classes at the University. Under FERPA, students attending an institution of postsecondary education may:

- A. Consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that such disclosure are authorized without consent;
- B. Choose to suppress (i.e., keep from being disclosed) their directory information per the process identified;
- C. Inspect and review their education records;
- D. Seek amendment of those education records believed to be inaccurate, misleading or otherwise in violation of their privacy rights; and
- E. File complaints with the Department of Education about alleged failures by the University to comply with the requirements of FERPA.

Valdosta State University may disclose information without consent to school officials with legitimate educational interests. A school official is a person employed by the University in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the University has contracted (such as an attorney, auditor, or collection agent); a person, including a student, serving on an official committee, such as disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

With no attempt to make this list exhaustive, other types of disclosures which do not require prior consent of the student include these:

- Upon request, to officials of another school in which the student seeks or intends to enroll,
- To parents of dependent students, as defined in section 152 of the Internal Revenue Code of 1986,
- In case of a health or safety emergency,
- Results in disciplinary hearings to an alleged victim of a crime of violence,
- Directory information.

In accordance with FERPA regulations, and as a result of VSU's concern for the health and development of our students, the Valdosta State University Substance Abuse Task Force recommended the following parental notification policy for drug and or alcohol related conduct code violations.

"In recognition that Valdosta State University students under the age of 21 are striving to become more responsible young adults, it is the recommendation of the Substance Abuse Task Force that the university adopt a policy of notifying parents or guardians of students found responsible for violating established alcohol or drug policies. Notification would take place after a second or subsequent infraction. The task Force concluded that repeated offenses may be indicative of a greater problem, and that it is in the student's best interest if a joint intervention approach is employed, including parent or guardian involvement. It is further recommended that notification be made through the Student Conduct Office.

In keeping with this policy, the Assistant Dean of Students will generate a notification letter or schedule a conference call to the parents or guardians of a student ONLY after he/she has been found responsible for a second or subsequent alcohol or drug code violation. The letter will be mailed or the call made, one week after the disciplinary recommendation is enacted, and all appeals have been finalized. This allows the student an opportunity to discuss the incident with the parent or guardian first. Valdosta State University's hope is the delay will facilitate a follow up discussion between the Student Conduct Office and the parent or guardian(s).

The full text of Valdosta State University's Procedure on Student Records/Family Educational Rights and Privacy Act may be found at the Registrar Office's "Rights Under FERPA" at <http://www.valdosta.edu/registrar/>, or the Valdosta State University Policies website at <http://www.valdosta.edu/vsu/policies/>

Section II. Disciplinary Records Retention Policy

All student disciplinary records are retained in accordance with the Board of Regents Policy as stated in Student Records Category K (64) Student Conduct Records/ disciplinary action records explanation: This series documents academic dishonesty and conduct violations among students. Records may include but are not limited to: incidents reports; final reports; evidence; notification of allegation; timely notice forms; conduct-pending, conduct-restitution, and Suspension Lists; Semester Security reports; disciplinary reports; informal discussion notes; formal hearing notes; final summary statements; decision statements; appeals documentation; and related documentation and correspondence. Retention: 5 years after graduation or date of last attendance.

Section III. Disciplinary Policy Review

The University will review this policy as needed but not less than on an annual basis to determine its effectiveness and to ensure that disciplinary sanctions are consistently enforced. The principal reviewers may include the following:

- The Assistant Dean of Students
The Dean of Students
- The University Attorney
- Other appropriate university personnel

This Student Code of Conduct was last reviewed and revised January of 2019.

Section IV. Free Expression and Assembly Policy

As stated in the Blazer Creed, Valdosta State University (VSU) is a learning environment based on trust and mutual respect in which open dialogue, vigorous debate, and the free exchange of ideas are welcome. The University is equally dedicated to the core values of community, including a commitment to practice civility, integrity, and citizenship. VSU is committed to protecting the rights of freedom of speech, expression, petition, religion, and peaceful assembly as guaranteed by the First Amendment in the U. S. Constitution and set forth in the Board of Regents' Policy 6.5.

While VSU may enact policies to promote campus safety, to protect and preserve university property, and to promote the proper functioning of the academic environment, these policies will not unduly burden the free expression rights of students, faculty and staff (members of the University Community). This policy in no way prohibits members of the University Community from engaging in expression in open outdoor areas of campus between the hours of 8:30am and 10:00pm, Monday through Sunday, and does not apply to University-sponsored activity or classroom instruction or participation, but rather establishes a designated Public Forum Venue at VSU, and sets forth requirements for forum reservations in the following limited circumstances: (1) members of the University Community who plan an event or expression with 30 or more persons; and, (2) individuals or groups who are not members of the University Community but wish to express themselves on VSU's campus. Any content-neutral time, place, and manner parameters on expression implemented by VSU will be enforced in accordance with applicable law. By placing reasonable limitations on the time, place, and manner of expression, VSU does not take a position on the content or viewpoint of the expression, but rather allows for a diversity of viewpoints to be expressed in an academic setting.

All free expression and assembly on the VSU campus shall be conducted in accordance with the following guidelines:

1. No activity will be permitted that:
 - a) blocks access to university buildings, streets, sidewalks, or parking facilities;
 - b) defaces or damages University property;
 - c) endangers the safety of persons or property;
 - d) unreasonably interferes with regular or authorized University activities or functions;
 - e) disrupts the free flow of pedestrian or vehicular traffic;
 - f) incites others to engage in violence or commit illegal acts;
 - g) violates federal, state, or local law, or Board of Regents', USG, or VSU policy or regulations.
2. Private business or commercial solicitations, campus sales, or campus fund-raising activities that are not sponsored by or authorized by the University are not permitted. A facility reservation request should be made for this type of activity.
3. The sponsoring individual, organization or department must assume the costs of any security, clean-up or other special services needed for the expressive activity necessitated by the representative's speaker or group, not including costs associated with the activities of others not associated with the sponsor.
4. Sound amplification, including but not limited to microphones or bullhorns, is not permitted.
5. Any party distributing written materials is responsible for cleaning up any discarded paper and restoring the area to its previous condition, but is not responsible for clean-up associated with the activities of others who are not associated with the party.
6. Use of campus land or property is on a temporary basis for the time reserved.

Designation of Public Forum Venues

To better facilitate the free exchange of ideas, VSU has designated the following highly visible area as the public forum on the VSU campus: Palms Quadrangle and Stage, (the "Public Forum Venue"). The Public Forum Venue is generally available for expressive activities from 8:30am until 5:00pm Monday through Thursday and 8:30am until 2:30 pm on Friday provided that the area has not been previously reserved. This policy does not apply to the reservation of indoor facilities, which is governed by procedures set forth in the Facilities Rental and Use Policy.

Section V. Involuntary Withdraw

Under the guidelines of Title II of the Americans with Disabilities Act, Valdosta State University has initiated the following Involuntary Withdrawal Procedure. Before a student may be involuntarily withdrawn, the following factors will be considered.

1. The student displays behavioral indicators determined by a mental health professional to be a significant risk to the health or safety of others.
2. When a mental health professional recommends that a student needs to be withdrawn from Valdosta State University because of a direct risk to the health and safety of others, an informal hearing will be held to determine whether or not the student should be withdrawn.
3. During this informal hearing, conducted by the Vice President for Student Affairs and Dean of Students Office, the student or his/her representative may present any pertinent information that he/she believes may have bearing on the particular case.

This procedure is to allow the University to remove a student whom it feels, based on professional evaluation, may present a danger to the health or safety of others.

Other policies relating to withdrawals in general as well as medical or hardship withdrawals, may be found on the Vice President for Student Affairs and Dean of Students website at <http://www.valdosta.edu/studentaffairs/dean/>

Section VI. Equal Opportunity Statement

Valdosta State University is committed to maintaining a fair and respectful environment for living, working and studying. To that end, and in accordance with federal and state law, Board of Regents' policy, and University policy, the University prohibits any member of the faculty, staff, administration, or student body from discriminating against any other member of the University community because of that person's race, gender, sexual orientation, ethnic or national origin, religion, age, disabled status, or status as a disabled veteran.

Section VII. Student Grievance Procedure

While it is expected that students with complaints of an academic nature will file such complaints through the normal channels (faculty member, department head, dean, vice president for academic affairs and Provost, president), if, during the course of enrollment in or employment by the institution, a student feels that he or she has been discriminated against or harassed in violation of the University's affirmative action and/or sexual harassment policies, the following action should be taken:

1. A conference should be immediately scheduled with the Title IX Coordinator, located in the Office of Social Equity, (229) 333-5463, and the appropriate individual will advise the student of his/her rights with respect to the nature of the complaint.
2. A determination will be made as to whether the complaint warrants a formal investigation which requires filing an official complaint by the student. A record of the findings will be retained by the Title IX Coordinator in the Office of Social Equity in accordance with VSU records retention policy
3. In the case of a student employee, the procedure outlined in the regular staff handbook will be followed. The Title IX Coordinator located in the Office of Social Equity will make this information available to the student.