

APPENDIX A

STUDENT CODE OF CONDUCT

A student's conduct at Virginia State University is expected to reflect that of a person engaged in a serious endeavor—the pursuit of an academic degree. The Student Code of Conduct was designed to promote an environment in accordance with the highest standards of academic excellence, institutional integrity and the free expression of ideas and opinions. The Student Code of Conduct contains rules and regulations governing student conduct and represents a means by which the orderly development of appropriate student conduct is assured.

DISCIPLINARY STANDARDS AND PROCEDURES

By authority of the Board of Visitors, the president is delegated the responsibility and authority for establishing and enforcing regulations governing student life. The president has further delegated these responsibilities and authority to the vice president for student affairs and the University police chief, respectively. The regulations are designed to enable the University to protect itself and its members against the conduct of those who would impair or infringe upon the disciplinary rules and regulations of the University. The regulations and procedures contained herein were formulated through the process of shared governance. This fact in no way abrogates the authority granted by the Board of Visitors to the president and his designee(s) to determine, to manage, and to maintain a system of discipline and safety in the University community. The Board of Visitors and the administration may alter or modify the rules and regulations concerning student conduct and discipline at any time.

The judicial process is authorized to make a determination as to whether the student's conduct is in violation of the Student Code of Conduct. The applicable criterion of review is the preponderance of the evidence standard. Evidence is presented by the parties and/or witnesses called by the parties. Evidence presented may be in the form of, but is not limited to: (a) oral or written testimony from parties or witnesses; (b) affidavits, depositions; (c) police reports and memoranda; (d) properly signed court documents; and (e) other taped or written statements.

VIOLATION OF PUBLIC LAWS BY STUDENTS

The University considers students as citizens of the community and expects them to abide by its laws. While it is not the University's desire to assume the regulatory and police functions of public government, the University is duly authorized to adjudicate cases when a student is charged with a violation of a city, county, state, or federal law that would tend to have a negative effect on the University's standing in the community. The University is neither bound to wait for civil or criminal procedures to be completed nor bound by decisions rendered by the judicial agency. A student offender may be charged by both the University and a county or state law enforcement agency for the same offense. The University reserves the right to bring charges that it deems appropriate, and it will do so whenever the student's continued enrollment is considered a threat to persons or property, and/or it adversely affects established procedures of discipline and decorum. Normally, criminal cases and parking infractions are processed through local, state, and federal courts of law; however, criminal cases may be referred to the Office of Judicial Affairs for administrative action. Appeals of on-campus traffic infractions are handled through the Department of Student Activities. The University may summarily suspend any student, pending a hearing, who has been convicted of a felony that adversely reflects upon his/her character and fitness as a member of the student body or that negatively reflects upon the University's mission.

Felony convictions of any type, including any conviction for illegal use, possession, distribution, or intent to use, possess, or distribute controlled substances (i.e., drugs), shall be cause for expulsion.

The University does not assume liability, directly or indirectly, for personal items belonging to a student. Personal items include, but are not limited to, clothing, books, musical equipment, televisions, radios, watches, rings, automobiles, or any other items that are leased or owned by the student. Students are encouraged to contract for their own insurance coverage.

The University is not a collection agency for private businesses, nor will the University assume this role, directly or indirectly. Any and all bills, cashing of checks, and contracts created or entered into are the sole responsibility of the student and the private business in question.

If a student is arrested, the University is in no way responsible for providing bond, directly or indirectly. However, all students are required to report immediately, or as soon as practical, all infractions of public law with which they are involved or charged to the vice president for student affairs. Failure to do so may result in immediate suspension.

Violation of, or being formally charged with the violation of, a public law in a legal jurisdiction outside the campus of Virginia State University is a violation of the Student Code of Conduct. This does not apply to traffic infractions.

Disciplinary action may be taken when a student is on property other than the University campus where such student's conduct violates federal, state, or local laws, and materially and adversely affects the student's suitability as a member of the University's community and/or adversely affects the University's educational mission.

CHANNELS FOR CHARGES AGAINST A STUDENT

Whenever, in the opinion of any member of the University community, a student's or a student organization's conduct is disorderly or disruptive, it is the responsibility of the person(s) observing the breach of conduct to report the same in writing to the vice president for student affairs, University Police, or the director of student activities.

The Office of Judicial Affairs is authorized to process and facilitate adjudication of all complaints filed against students. The following procedures are to be followed:

1. Complaint is communicated to the Office of Judicial Affairs. Student(s) shall be notified of the charges in writing, unless a more effective form of notification is deemed appropriate. Charges may be presented in person, by placement in a student's residence hall mailbox, by e-mail to the accused student's official University e-mail address, or by mail to the accused student's local or permanent address on file in the Office of the University Registrar. **Students are reminded that their VSU e-mail is the official means of communication between the University and the student.** All students are required to maintain accurate and current local and permanent addresses with the University Registrar. Following notification of charges, students are strongly encouraged to and shall be afforded the opportunity to meet with a University official who can explain the University judicial process and discuss the charge(s). Failure of the accused student to respond to the initiation of charges or schedule a preliminary meeting shall in no way prevent the University from scheduling and conducting a hearing in the absence of the accused student.
2. The Office of Judicial Affairs sends notification to student(s) informing him/her of the charge(s) and requesting his/her appearance at a pre-hearing conference within three (3) three business days, except when pre-hearing is conducted at the scene of the incident.
3. Student is advised of his/her rights at the pre-hearing conference.
4. Student is informed that the case will be heard by the Administrative Judicial Panel or an Administrator's Court as determined by the director of student activities.
5. Student is informed that the hearing cannot occur within three (3) business days of the pre-hearing.
6. Student is advised that he/she is responsible for informing his/her witnesses and/or representative about the hearing.
7. Student appears at his/her hearing. An audio tape is made of each hearing.

8. Student returns to the Office of Judicial Affairs within three (3) to four (4) business day to receive information regarding the decision of the Administrative Judicial Panel or the Administrator's Court. Where warranted, letters will also contain the sanction. In cases which appear before the Executive Judicial Panel (EJP), a decision will be rendered within two (2) business days.
9. If a student wished to appeal, he/she must submit a written letter of appeal within two (2) business days following receipt of the letter containing the findings and/or the sanction(s) for cases heard by the Administrative Judicial Panel. For cases heard by the Executive Judicial Panel, appeals must be received within one (1) business day. Student is not present when a case is reviewed on appeal, unless requested by the appeal authority. Letter is sent to student regarding the appealed case.

IMMEDIATE SUSPENSION

Immediate suspension from the University or the suspension or limitation of privileges may be imposed by the president or the vice president for student affairs or his/her designee(s) pending final disposition of the student's case. Immediate suspension will be imposed for offenses that constitute a clear and present danger to the property and safety of the University and its constituents, or that pose a serious detriment to the established system of discipline and decorum on the campus.

Before suspending a student and/or where possible, the appropriate administrator will confer with the student to hear his/her explanation, give him/her the reasons for the suspension, and advise the student of his/her rights.

If a student is suspended/dismissed from a residential facility for disciplinary or financial reasons, the University relinquishes all obligations relative to the student's room and board. The student agrees to leave the campus within 24 hours of the suspension/dismissal decision. The student further understands that he/she is responsible for his/her own transportation. The University is not liable for personal belongings left in residence facilities.

RIGHTS OF THE ACCUSED

1. At least three (3) business days prior to the hearing by the appropriate judicial court or administrator, the student is entitled to the following:
 - a. Prehearing conference;
 - b. Written notification of the time and place of the hearing;
 - c. A written statement of the charge(s), to enable the student to prepare a defense; and
 - d. The names, if known, of witnesses who may testify at the hearing.
2. The student shall be entitled to appear in person and to present his/her defense to the appropriate judicial court or administrator, and may call witnesses on his/her behalf.
3. The student shall be entitled to decline to answer questions.
4. The student shall be entitled to be accompanied by a representative of his/her choice. The representative may be an attorney, a member of the faculty/staff, student body, or other individual. If the student engages an attorney, written notice must be given to the director of judicial affairs at least forty-eight (48) hours prior to the hearing. The representative shall be permitted to advise and otherwise counsel the accused before, during and after the proceedings, but shall not be permitted to actively and personally examine witnesses or argue the accused's case.
5. The student shall be entitled to an expeditious hearing of his/her case.

6. The student shall be notified of his/her right to appeal the decision of the Administrative Judicial Panel or the Administrator's Court within a period of forty-eight (48) hours. Should the accused appeal, the findings of the Judicial Affairs Panel will remain in effect unless overruled by a higher body.

7. If a student fails to attend the scheduled hearing, he/she can be tried in absentia.

8. **WAIVER/HEARING** – A student may waive his/her right to a hearing. Such a waiver must be executed by the student in writing and communicated to the Office of Judicial Affairs. The decision and, penalty if any, is made/imposed by the vice president for student affairs or his/her designee. The waiver of a hearing also waives any right to appeal.

ADMINISTRATOR'S COURT

Composition: The Administrator's Court consists of one staff or faculty member, designated by the vice president for student affairs. When selected, he/she will be notified by the vice president for student affairs and given sufficient data and information to adjudicate the case(s).

Jurisdiction: The Administrator's Court adjudicates those disciplinary cases assigned to it by the director of student activities. This Court also hears cases when circumstances prevent the Office of Judicial Affairs from convening the requisite members of the Administrative Judicial Panel. Infractions deemed minor by the AJP may be referred by the director of student activities to be adjudicated by the Administrator's Court.

Powers: The Administrator's Court is authorized to determine whether a violation has occurred. When a decision is reached that the student's conduct violated the Student Code of Conduct, the vice president for student affairs will impose the necessary disciplinary sanction. In some instances, the administrator hearing the case may be asked to recommend a penalty. The sanction to be imposed may be drawn from all sanctions applicable to student conduct.

Appeals: Decisions handed down by the Administrator's Court may be appealed to the Office of the Vice President for Student Affairs. Students appealing a case must submit a written letter of appeal to the Office of the Vice President for Student Affairs within forty-eight (48) hours of the decision.

ADMINISTRATIVE JUDICIAL PANEL

Composition: The Administrative Judicial Panel (AJP) consists of faculty and staff members appointed by the associate vice president for enrollment services or his/her designee, and student members selected from the Student Government Association and the general student body to serve on the panel. All members will serve throughout the school year.

Any three (3) members of the panel constitute the requisite number to adjudicate a case. When the requisite number of members is not available for a hearing, the director of student activities will select substitute members subject to approval by the vice president for student affairs. The composition of the panel may be changed as deemed necessary.

Jurisdiction: The AJP adjudicates cases that are assigned to it by the director of student activities. Normally, cases that may result in a student's separation from the University will be heard by this body. In addition, other types of cases may be heard within the discretion of the director of student activities.

Powers: The AJP is authorized to determine whether the Student Code of Conduct has been violated. When a student is found to be in violation of the Code, the AJP recommends the appropriate disciplinary action(s). The following penalties may be imposed: a warning, probation, community service hours, fines, forfeiture, or suspension of campus privileges, restitution, suspension from residence halls, permanent suspension from on-campus housing, suspension from the University, suspension held in abeyance, or expulsion. All recommended penalties are then referred to the Office of Judicial Affairs. Final approval of all penalties at this juncture rests with the vice president for student affairs.

Appeals: Decisions handed by the AJP may be appealed directly to the vice president for student affairs.

PROCEDURES FOR AJP FORMAL HEARINGS

The hearing begins when the chairperson of the panel calls the meeting to order.

The chairperson states the time and date of the hearing and the applicable charge(s) against the accused.

The chairperson reads the accused's name.

The chairperson reads the names of the members of the panel and all persons present at the hearing, including the director of judicial affairs or his/her designee. The chairperson reads the name(s) of the witness(es) present to testify for the parties (accused and University) and the name(s) of the parties' legal counselor and/or advisor.

The chairperson conducts the hearing as follows:

- a. Administers the oath to all parties and witnesses ("Do you affirm that the testimony that you are about to give is the truth?").
- b. Asks the accused if he/she wishes to challenge any of the members of the AJP.
- c. States the allegation(s) contained in the complaint, which was communicated to the accused at the pre-hearing conference.
- d. Asks the accused whether he/she attended the pre-hearing conference.
- e. Asks the accused whether he/she violated the Code and/or policies of the University.
- f. If the response is, "Yes," the accused is not required to submit additional testimony. The accused may then make a closing statement.
- g. If the response is, "No," the AJP listens to the parties' opening statements, testimony from the accused and the University, and testimony from witnesses for the accused and the University.
- h. Allows the panel members, including the director of judicial affairs, to ask questions.
- i. Allows parties to make closing statements.
- j. Informs the accused that a written decision regarding the charge(s) will be communicated to him/her by a specified date, and that if he/she is found to be in violation of the Code he/she has the right to appeal the decision and the penalty within two (2) business days after receiving written notification of the decision and the penalty. Information regarding the appeal to the Executive Committee on Discipline is obtained from the Office of Judicial Affairs.
- k. Concludes the hearing and states that the AJP will convene without the presence of the parties and/or witnesses to deliberate the decision.
- l. Dismisses the accused from the room.
- m. Allows the members of the AJP to discuss the case against the accused and calls for the decision. A majority of the AJP must support a decision that the Code was violated.
- n. Adjourns the hearing after the AJP members render a decision.

EXECUTIVE JUDICIAL PANEL ON DISCIPLINE

If an Executive Judicial Panel (EJP) on Discipline is convened, it consists of: five (5) persons at the vice president/director/department chair level and student affairs personnel, one (1) administrator appointed by the vice

president for student affairs, and one (1) student selected by the president of the Student Government Association. Three (3) members constitute a quorum. When the requisite number of members is not available, the chairperson may select substitutes. The vice president for student affairs and the director of events calendar serve as ex-officio members.

Jurisdiction: The body convenes at the request of the president and/or vice president for student affairs. Its regular function is to review cases on appeal from the Administrative Judicial Panel.

Powers: The role of the Executive Committee on Discipline in the matters of appeals shall be limited to:

1. Accepting or rejecting an appeal, based upon whether the student has properly and sufficiently indicated the basis for an appeal.
2. Reviewing the case to determine if the student's appeal is justified and rendering one of four findings:
 - a. Sustain the findings and the penalty/ies
 - b. Sustain the findings and alter the penalty/ies
 - c. Reverse the findings and, if necessary, impose a penalty/ies
 - d. Order a rehearing

In certain instances, this body may serve as the panel of original jurisdiction when certain complex cases are referred directly by the president or provost or any vice president. In such cases, the Executive Judicial Panel shall render decisions on the matters referred to it.

The decisions of the vice president for student affairs or the Executive Judicial Panel on Discipline are final except in those cases resulting in suspension or expulsion. Students who have been expelled or suspended by the vice president for Student Affairs or the Executive Judicial Panel on Discipline may appeal by submitting a written letter of appeal within two (2) business days after receiving the decision to the vice president for student affairs. After review the vice president for student affairs may affirm the suspension or expulsion, or may impose a different penalty (greater or lesser than the original penalty).

Grounds for Appeal

A decision or judgment of a judicial court may be appealed on the following grounds:

1. Prejudicial error was committed during hearing whereby a fair hearing was not conducted.
2. Noncumulative material and relevant evidence, new or newly discovered, which with reasonable diligence could not have been produced at the hearing.
3. The decision or judgment is not supported or justified by the evidence.
4. The penalty or sanction imposed was excessive.

Granting or Denying Appeals

A written request for an appeal must be submitted by the student to the Office of the Vice President for Student Affairs within two (2) business days after receiving the disciplinary decision. Should the deadline fall during the weekend, the next business day shall be considered the final day to submit an appeal letter. The vice president for student affairs and/or the Executive Judicial Panel have the right to deny an appeal if the body decides that an appeal is not warranted.

Contents of Appeal Letter

Letters of appeal shall contain a statement or statements of the grounds for the appeal, in order to allow a reasonable judgment to be made as to whether to grant the appeal. If an appeal is denied, an appropriate written response will be given to the person making the request.

Action and Appeals

Once an appeal has been accepted and the court reviews the case and evidence, the court may do one of four things:

1. Sustain the findings and the penalty/ies
2. Sustain the findings and alter the penalty/ies
3. Reverse the findings and, if necessary, impose a penalty/ies
4. Order a rehearing

SANCTIONS

Once a finding has been made that the Code has been violated, the vice president for student affairs or his/her designee imposes a penalty/ies. While he/she may receive penalty recommendations from the Administrative Judicial Panel, he/she is not bound by those recommendations.

Virginia State University has a zero tolerance policy for drugs, weapons, and fighting. Students may be expelled for violation of said policy.

Occasionally, where warranted, expulsion may be imposed for offenses that are not explicitly stated herein as major infractions. Hence, it is not solely reserved for major infractions. Circumstances surrounding the student's conduct and/or the cumulative number of offenses committed by the student may warrant expulsion, the most severe sanction. Sanctions may include but are not limited to the following:

1. **Warning:** A letter notifies the student that the next offense of any nature shall necessitate a harsher action, up to and including expulsion from the University.
2. **Probation:** A letter notifies the student that he/she has lost designated privileges for a definite period of time, not to exceed one (1) year. Probation may include loss of such privileges as may be consistent with the offense, and is designed to promote rehabilitation of the student. A student may be placed on probation if involved in any act of misconduct.
3. **Community Service Hours:** The student is notified by letter that he/she will be assigned to perform community service work for a specified period of time, to cover no less than two (2) weeks and no more than three (3) hours per day maximum. All work assignments must be coordinated with the Coordinator of Campus and Community Outreach.
4. **Fines:** The University may impose fines in order to maintain discipline and fairness in the assignment of penalties. Failure to pay an assessed fine will result in a Judicial Hold being placed against the student, not allowing them to register for classes, or graduating. Where evidence exists that imposing a fine upon a student would pose a financial hardship based upon financial aid criteria and/or other factors relative to a student's socioeconomic background, alternative sanctions may be imposed. The University reserves the right to fine a student for any violation it deems appropriate.
5. **Forfeiture or Suspension of Campus Privileges:** A student will be notified by letter that certain campus privileges have been withdrawn or suspended for a specified amount of time. The restriction involved will be clearly identified and may include the following: suspension from all organizations (social, athletic, academic, etc.) on campus as a participating member, and suspension from representing the University in any capacity.

6. Restitution: A letter notifies the student that he/she is required to make restitution for an injury to a person or damage or misappropriation of property. This may take the form of service, monetary reimbursement, or other compensation.
7. Suspension from Residence Halls: A letter notifies the student that he/she will not be allowed to reside in any residence hall for a specified period. All residence halls and living areas are “off limits” to the student for this period of time.
8. Permanent Suspension from On-Campus Housing: The student is notified by letter that he/she will not be allowed to live in housing on campus for the duration of his/her matriculation at the University.
9. Suspension from the University: A student is terminated from the University for a specified period of time. During the term of the student’s suspension, the facilities and environs of the University are “off limits” to him/her.
10. Suspension Held in Abeyance: The student or student organization is informed that suspension from the University will be imposed should another violation equal to or greater than the offense in question occur.
11. Expulsion from the University: The student is not eligible for readmission. The facilities and environs of the University are “off limits” to him/her.
12. Participation in the University’s Substance Abuse Prevention Program: Virginia State University offers OCTAA (On Campus Talking About Alcohol), a primary alcohol abuse prevention program for college-aged students.

UNIVERSITY TELECOMMUNICATIONS INFRACTIONS

Fraudulent Telephone Use

Unauthorized use of any authorization/PIN code to place long distance calls constitutes theft of services. This is in violation of University policy, along with state and federal laws. Anyone violating this procedure will be subject to the following:

1. An appearance before the University’s Administrative Judicial Panel
2. Payment of charges for all calls, regardless of amount. A 10% fee will be applied along with an investigative fee of \$25.00. University residents using the UTS card should report any lost, stolen, or misused card to the University Telecommunications Office immediately. Any unknown calls on an account should be reported to the University Telecommunications Office within ten (10) days of the billing date. After ten (10) days, no adjustments will be made.
3. Payment of any court costs and appearances.
4. Deactivation of University Telecommunication services.
5. University probation, suspension, or expulsion.
6. A University “HOLD” on refunds. Refunds will be applied to any outstanding University balances.

Fraudulent Information Technology Use

All members of the University community are expected to use the University’s electronic resources and IT systems in a professional manner that demonstrates respect for individuals, confidentiality of data, and intellectual property rights. All uses of electronic resources and systems must be for their intended use and such use must comply with

applicable local, state, and federal laws, copyright laws and University policies. Users of the University's electronic resources and systems also accept personal responsibility for any actions that constitute a violation of this policy, or any other policy, regulation, law, or guideline as set forth by local, state, or federal law. Users should not:

1. Install personal software on the University's computers (including laptops, personal computers, or workstations) or make or use illegal copies of copyrighted materials or software, store such copies on University systems, or transmit them over the University network.
2. Download or transmit fraudulent, threatening, obscene, intimidating, defamatory, harassing, discriminatory, or otherwise unlawful messages or images.
3. Send e-mail using another's identity, an assumed name, or anonymously.
4. Engage in any activity that might be purposefully harmful to systems, or to any information thereon, such as creating or propagating viruses, disrupting services, or damaging files or making unauthorized modification to University data.

VIOLATIONS AND PENALTIES

A STUDENT OFFENDER MAY BE CHARGED BY BOTH THE UNIVERSITY AND A COUNTY OR STATE LAW ENFORCEMENT AGENCY FOR THE SAME OFFENSE.

Any student found to have committed or to have attempted to commit the following misconduct is subject to disciplinary sanctions including, but not limited to warning, probation, loss of privileges, fines, restitution, residence hall suspension, residence hall expulsion, Virginia State University suspension, and Virginia State University expulsion.

More than one of the sanctions listed above may be imposed for any single violation.

VIOLATIONS

Section 1 – Alcoholic Beverages Policies

Virginia State University expects all students to exhibit behavior compatible with membership in a community of scholars. Students shall conduct themselves in a civil and mature manner, respecting the rights and property of others.

- 1.01 Possession or consumption of alcoholic beverages in public (on campus) or in the residence halls is prohibited. This includes moving or parked vehicles.
- 1.02 The sale/distribution of alcoholic beverages on campus is prohibited.
- 1.03 Students are not allowed to store or display alcoholic beverage containers.
- 1.04 Students are not allowed to use of alcoholic beverages for qualifying for membership in any organization.
- 1.05 Public intoxication, drunkenness, or activities related to the consumption or possession of alcoholic beverages that infringe on the rights of others are prohibited.
- 1.06 Students/organizations that give, sell, or buy alcoholic beverages for underage students (under 21 years of age) shall be considered contributing to the delinquency of a minor.

Section 2 – Climbing on Campus Buildings

- 2.01 Climbing, rappelling, or related activity is prohibited on campus buildings or structures.

Section 3 – Coeducational Visitation Policy/Trespassing

- 3.01 Visitation or allowing visitation to the room, hallway, lobby, or stairwell of a student of the opposite sex is permitted at designated times.
- 3.02 Guests who remain in another student's room while illegal visitation is occurring shall be considered a participant and in violation.
- 3.03 Students who entertain family members of the opposite sex without permission of the Area Coordinators shall be considered in violation. All guests are to be entertained in the lobby.
- 3.04 Sexual activity in the residence hall is prohibited.
- 3.05 Students will be responsible for informing their guests, students and nonstudents, of University policies and will be held accountable if their guests violates University policy.
- 3.06 Students shall not enter or remain in a private room, office, or restricted area under control of another student, faculty member, or University official except by permission or invitation of the resident student. Any unauthorized individual entering a University building or room that has been locked or by other means is restricted.

Section 4 – Dining Hall Regulations

- 4.01 The removal of trays, tableware, and food from the dining area is prohibited unless authorized to do so.
- 4.02 Students improperly attired (i.e., lacking shirt and shoes) will not be permitted in the dining area for health and safety reasons. Male students are required to remove their hats upon entering the building. No sagging pants or pants worn in such a way that underwear is revealed.
- 4.03 All students participating in the meal plan must present a valid VSU ID card before entering the dining area.
- 4.04 Food fighting is prohibited. Any student identified as taking part will be in violation of the policy and subject to EXPULSION. Food fighting includes, but is not limited to, the use of food and/or food items in any manner other than consumption, i.e., where food or food items are directed at another person and/or those areas surrounding another person. Food fighting is viewed as a major infraction by the University.
- 4.05 All dining patrons must bus their dishes upon completion of their meal.

Section 5 – Disorderly Conduct

Students whose behavior disrupts the regular or normal functions of the University, including behavior that breaches the peace or violates the rights of others, are guilty of disorderly conduct.

- 5.01 Students shall not intentionally provide or give false information to a faculty member or to a University staff member acting in the performance of his/her duties.
- 5.02 Students shall comply with reasonable and lawful requests or directives by residence hall staff members or other employees acting in the performance of their official duties. This includes presenting a student ID card or being requested to leave an area designated as off limits.
- 5.03 Smoking, obscene language or any behavior that is deemed by the instructor to be disruptive is prohibited in classrooms and in other University buildings. This also refers to graphic pictures on students' clothing, gang paraphernalia, and drug paraphernalia. Smoking is allowed in designated areas only.
- 5.04 Students shall not engage in lewd, obscene conduct or expression on University property or in University-owned or -operated buildings
- 5.05 Students shall not throw or cause to be projected from any point on University property any object or substance that has the potential for defacing or damaging University or private property or causing personal injury or disruption.
- 5.06 The possession or use of firearms, guns, or weapons of any kind is prohibited at all times. These prohibited items shall include, but are not limited to, firearms, crafted weapons (baseball bats,

- pool cues), bowie knives, switchblade knives, daggers, nunchucks, and metallic knuckles. Possession or storage of weapons by students is prohibited on any property owned or controlled by the University, including University certified housing units.
- 5.07 Snowball throwing on campus is prohibited in all areas except Rogers Stadium.
- 5.08 Students shall not litter or throw debris on University property at anytime. Citations for littering are issued by University police officers. Unauthorized assembly, demonstrations, or acts of picketing of any kind are not permitted. All assemblies, demonstrations, and similar acts must have prior approval and register with the Department of Student Activities or the Office of the Vice President for Student Affairs.

Section 6 – Drugs

The University seeks to inform all students about drugs and their effects. To this end, it is the policy of this campus to provide education programs and counseling to drug users and those affected by the drug use of others, to discourage illicit drug use, to eliminate dealing in or providing of illegal drugs, and to uphold the law in these matters.

Drugs include controlled substances, alcohol, and substances that may be detrimental to health, even though not subject to state and federal laws.

Students shall not distribute, use or possess an illegal drug as defined by the Drug Control Act of the Commonwealth of Virginia. Use or possession is prohibited in any building or on any property owned or operated by the University. This includes the use, possession, and sale of marijuana. Any infraction of this provision may subject the student to expulsion from the University.

- 6.01 Use, possession, manufacture or distribution of illegal drugs, or drug-related paraphernalia or the misuse of legal pharmaceutical drugs is prohibited.
- 6.02 Reasonable suspicion of possession or use of narcotics or drugs.

Section 7 – False Alarms, Bomb Threats, Explosives, Weapons, and Misuse of Fire Extinguishers

(ALL VIOLATIONS OF SECTION 7 MAY RESULT IN IMMEDIATE SUSPENSION FROM THE RESIDENCE HALL.)

- 7.01 Persons who knowingly give or turn in a false alarm of fire by ringing fire bells or giving any other common or recognized alarm of fire are guilty of endangering the lives of other people, which may cause damage to the persons and/or equipment responding to such false alarm.
- 7.02 In accordance with the Code of Virginia, any student found guilty of sounding a false alarm or making a bomb threat shall be guilty of a Class 5 felony and subject to 10 years in prison.
- 7.03 Students shall not, without authorization, operate or tamper with any firefighting equipment, except for the purpose of extinguishing a fire.
- 7.04 Inappropriate or dangerous activities involving fires, open flames, candles, matches, or other flammable materials are prohibited in all residence halls, or in any buildings owned or operated by the University.
- 7.05 The use of dangerous chemicals or explosive materials such as fireworks, firecrackers, gunpowder, etc. is prohibited.
- 7.06 Blocking or in any way preventing the use of fire exit doors, residence hall room doors and building hallways is prohibited.
- 7.07 Improper use of electrical appliances or wiring that creates a fire hazard is prohibited. Cooking appliances are not allowed in certain residence halls.
- 7.08 It is prohibited to carry or possess firearms, ammunition, gun powder, air rifles, air pistols, paintball guns, guns of any kind, knives, replicas or other weapons, dangerous chemicals, or explosive materials, except as authorized in supervised academic programs, on campus, or at group-sponsored events off campus.

Section 8 – Fighting, Assault, Threats of Physical Abuse, and Verbal Abuse

- 8.01 Students shall not injure, harass, threaten, offend, or degrade a member of the University community.
- 8.02 Students shall not engage in or attempt to engage in any form of violence directed toward another person or group of persons on University property.
- 8.03 Verbal abuse, the use of obscene, profane, or derogatory language that abuses or defames another, is prohibited.
- 8.04 Physical abuse, any action that physically injures or inflicts physical discomfort on another individual, is prohibited.

Note: In instances where self defense is claimed, the determination of self defense will rest solely with the appropriate judicial board.

Section 9 – Forgery, Fraud, Theft, Gambling, and Misrepresentation

Any student who, for purposes of fraud or misrepresentation, falsifies, forges, defaces, alters, or mutilates in any manner any document or representation thereof may be subject to discipline when this action substantially affects the University community's interest. Some examples of documents covered by this regulation include identification cards, program requests, change slips, receipts, transcripts of credits, library documents, petitions for reclassification of residency status, etc.

- 9.01 Students shall not engage in: willful falsification of information on University records, to University officials, or to local government officials; provide false information for the purpose of obtaining services; unauthorized presentation of oneself and one's organization as a representative of the University for the purpose of gaining or attempting to gain privilege, convenience, goods or services; possession, manufacture or distribution of false or altered instruments of identification; or initiating or causing to be initiated any false report, warning or threat.
- 9.02 Students shall not steal or attempt to steal any money, property, or item of value belonging to the University or member of the University community or a campus visitor. 9.03 Students shall not illegally use or appropriate any property belonging to the University.
- 9.04 Students shall not, in any manner, defraud or fail to pay a debt that is legally owed to the University or a member of the University community. This subsection also includes theft, misuse, abuse, or fraudulent use of a telephone or telephone PIN number of another student or University official.
- 9.05 Students shall not remove, exchange or alter arrangements of any University property without permission from the appropriate authority.
- 9.06 Students shall not misrepresent other students.

Section 10 – Judicial Infractions

- 10.01 Students shall not fail to comply with reasonable and lawful requests made by the director of judicial affairs acting in the performance of his/her official duties. Failure to comply with such requests, i.e., attending conferences and/or prehearing conferences, may result in an additional charge against the student.
- 10.02 Students shall not fail to comply with any disciplinary sanction imposed upon them by a judicial body or administrative officer in a hearing.
- 10.03 Students shall not engage in any activity that disrupts, unfairly influences, or obstructs the judicial process of Virginia State University.
- 10.04 Giving false information to a judicial body or hearing officer is prohibited. It is a serious offense and may lead to a charge of perjury.
- 10.05 Attempting to influence, intimidate, or threaten any witness, panel member, or other participants in a judicial proceeding is prohibited. Such action may lead to criminal charges.

Section 11 – Parole or Probation Status of Student

- 11.01 Any student who is placed on probation or parole by any court must report the same in person to the director of events calendar or the director of judicial affairs within 10 days of the court order.

Section 12 – Moral Turpitude

Sexual harassment is defined by law and includes requests for sexual favors, sexual advances or other sexual conduct when (a) submission is either explicitly or implicitly a condition affecting academic or employment decisions; or (b) the behavior is sufficiently severe or pervasive as to create an intimidating, hostile, or repugnant environment; or (c) the behavior persists despite objection by the person to whom the conduct is directed. The University considers such behavior, whether physical or verbal, to be a breach of its standards of conduct. It will seek to prevent such incidents and will investigate and take corrective actions for violations of this policy.

- 12.01 Students shall not sexually harass any member of the University community or campus visitor.
12.02 Sexual acts between consenting or nonconsenting persons on University property is forbidden at all times. University property includes the buildings, grounds, and parked automobiles.
12.03 A student shall not rape, attempt to rape or molest another person on or off campus. Charges will be filed through the State Code.
12.04 A student or student organization will not engage in sexual misconduct, which includes, but is not limited to, sexual activity forced on another person against his or her will, either by physical or psychological force, sexual harassment, obscene phone calls, and indecent exposure.

Section 13 – Pet Policy: No pets other than fish and properly attended guide dogs are permitted in University buildings and on campus grounds.

- 13.01 Dogs, cats, snakes, and other animals are NOT permitted on campus grounds. Any animal found unattended or tied to a tree, pole, or any other object on campus is subject to being impounded by the Bureau of Animal Control. All fees and costs associated with impounding will be borne by the owner of the animal. Policy does not apply to guide dogs.

Section 14 – Vandalism

- 14.01 Students or student organizations shall not willfully or carelessly destroy, deface, or tamper with University property or the property of others.

Section 15 – Violations of Other University Regulations

- 15.01 Violation of University regulations contained in official University publications is prohibited.

Section 16 – Hazing

Hazing is an intentional action toward another student, on or off campus, by a student organization or any of its members to produce humiliation, physical discomfort, bodily injury, or ridicule. Hazing under Virginia law is defined as activities for initiation or induction into an organization that includes calisthenics or other strenuous physical activity; exposure to inclement weather; consumption of any food, liquid, beverage, drug or other substance; or confinement in any room or compartment. The

definition also includes spraying, painting, or pelting with any substance; burying in any substance; burning, branding, or tattooing; or any other activity that may result in physical injury or endangerment to the health or life of the individual being hazed.

16.01 Hazing by an individual is prohibited.

16.02 Hazing by an organization is prohibited.

Section 17 – Improper Use of University Computers and Computer Networks or Systems

17.01 Students shall not abuse or misuse University computer equipment, materials, or systems or networks by: accessing, sending, or displaying offensive messages, pictures, or profane or abusive language; damaging computer equipment, networks or systems; violating copyright laws; using false and unauthorized identification or password, or trespassing into another student's work; or using University equipment, supplies, systems or networks for any illegal activities as defined by Virginia statute or federal law.

Section 18 – Miscellaneous Policies

18.01 Unreasonably Loud Music

Students shall not play unreasonably loud music on the campus grounds or in the residence halls, classrooms, or buildings. According to the Chesterfield County Code, it shall be unlawful to create any unreasonably loud or disturbing noise in the county. Noise of such character, intensity, and duration as to be detrimental to the life or health of any person or to unreasonably disturb or annoy the quiet, comfort, or repose of any person is hereby prohibited.

18.02 Emergency Call Boxes

Students shall not misuse, damage, or tamper with any emergency phones. Emergency phones can only be used in emergency situations to report criminal activity or to call for assistance.

18.03 Students improperly attired (lacking shirt and shoes), male students with hats on (in buildings) and sagging pants are prohibited.