

Student Code of Conduct

Director of Student Conduct & Title IX: Selenseia Holmes

Location: Student Health Center

Second Floor

Phone: 229-333-5409

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

<https://www.valdosta.edu/administration/student-affairs/title-ix/>

Preamble

The Valdosta State University Student Code of Conduct contains the University's official state Health Center (1)47(t)-29(h)-37()19(C)-24(e)

This report shall be made part of the student's disciplinary record and shall remain on file with the Office of Student Conduct & Title IX in accordance with the 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 Office of Student Conduct & Title IX 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 Office of Student Conduct & Title IX.

After a second (or subsequent) Report of Academic Dishonesty has been submitted to the Office of Student Conduct & Title IX, 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 Office of Student Conduct & Title IX designee 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 -51()96(t)-29(h)-37(h)-37(e)-()19(17(s7(n)

Medical Amnesty Guideline

Medical amnesty is offered to students who become aware of a medical emergency involving suspected alcohol or drug over-dose and seek emergency assistance on behalf of another student. The student(s) making the notification of a medical emergency and the victim(s) will be exempt from

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 creates a 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 7(r)25(v)-392 reW*3(u)-37(s)4(e)-17(a)-93(t)-29s()2143 Tm0 g0 Ge made, a f5W*3(u)-37(s)4(e)-17(a)-93(t)-29s()

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

M. Theft

1. No

T.

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.

U. Social Media Use Guidelines

Valdosta State University recognizes that social media behavior is entitled to extensive protections under the First Amendment. The University guarantees and protects the free expression rights of students, and this guidance has been drafted with those protections in mind. Valdosta State University also recognizes and embraces the positive benefits and opportunities that social media can offer, including increased engagement in the campus community, increased sense of social connection, keeping up to date with important developments, and promoting healthy academic debate about controversial subjects and areas of research. Some of the risks associated with the misuse of social media, including but not limited to cyber/bullying, privacy, future employment, and current well-being.

The intent of this guidance is to make individual students aware of the impact that misuse of social media can have on themselves, faculty, staff, fellow students, and the, and to promote and support habits of communication and character that will help VSU students be successful both in their progress toward completing their educational program and in their future lives.

Valdosta State University does not monitor the language and/or actions of student platforms including Facebook, LinkedIn, Twitter, Snapchat, Instagram, TikTok, etc. However, comments students make on Valdosta State University official social media accounts may be viewed by University Communications. The University will not monitor student activity on these platforms. Student activity may be reported by other students, faculty, staff or public complaints and the Office of Student Conduct will review reports to determine if violations of the Student Code of Conduct apply. All determinations of whether a violation of the Student Code of Conduct has occurred will be made in a content-and viewpoint-neutral manner.

Section II. Reporting Student Misconduct

Complaints or reports of student misconduct should be reported to the Office of Student Conduct & Title IX 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.

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 or reports may be shared as necessary to investigate and to resolve the alleged misconduct. The need to issue a broader warning to the community in compliance with the Clery Act shall be assessed in compliance with federal law.

F. Convening Disciplinary Hearings

1. The accused student and or organization shall be notified in writing by VSU email of the specific charge(s) made against them and of the date, time, and place where a hearing will be held.
2. The notification will inform the accused student and or organization that an advisor of their choosing may accompany them. The advisor is not there to represent the student and or organization before the disciplinary committee. The advisor is only there to advise the student and or organization in their response to the committee.
3. The charge letter notifying the student and or organization of the disciplinary hearing shall be sent no less than (5) class days prior to the date designated for the disciplinary hearing.
4. The accused student and or organization shall be permitted to pose questions at the hearing and question then respond.)
5. An audio recording of the hearing will be made. A copy of the recording will be kept on file in the Office of Student Conduct & Title IX in accordance with the USG records retention policy (Appendix D, Section II).
6. The hearing shall be conducted in accordance with the policy set forth in Disciplinary Hearing Procedures for Disciplinary Committees at Valdosta State University (Appendix B, Section IV).
7. After proper notification is given, (note items 1-3 above) and if the accused student and or organization does not appear at the hearing, then the hearing can proceed in their absence.

G. Investigations of Student Misconduct

If the Office of Student Conduct & Title IX determines that the potential sanctions for the alleged misconduct may involve a

the investigation and resolution procedures will provide these additional precautions:

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A. Procedures for Disciplinary Committee Hearings for Student Misconduct

1. 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.
2. Disciplinary hearings are presided over by the chairperson of the committee. The disciplinary committee chair 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 chairperson of the committee makes such a determination with input of the Office of Student Conduct & Title IX designee, 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. A disciplinary committee quorum is one more than 50% of its membership present. A hearing may proceed with less than a quorum if the accused elects to proceed.
3. 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. 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.
4. The respondent shall have the right to present witnesses and evidence to the hearing officer or panel, as well as to ask questions to any witnesses. This questioning will take place through the submission of written questions to the panel or hearing officer. The hearing officer or 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 hearing officer or panel shall err on the side of asking all submitted questions, and must document the reason for not asking any particular questions.
5. 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 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 during the hearing.
6. 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.
7. 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 & Title IX designee in accordance with USG records retention policy (Appendix C. Section III).
8. Following a hearing, both the respondent and alleged victim (where applicable) shall be 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 student panel or an administrative hearing.

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

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

Appeals, only for cases that include suspension or expulsion, will be to the Vice President of Enrollment & Student Affairs and must be solely on the above three guidelines. The appeal will be a review of the record only, and no new meeting with the respondent or any alleged victim is required. All appeals must be submitted in writing to the Office of Student Conduct & Title IX within five (5) business days as determined by the date of the decision of the previous appeal. The Vice President of Enrollment & Student Affairs 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 Office of Student Conduct & Title IX designee will issue a decision in writing to the respondent and victim (where applicable) within ten (10) business days.

The decision of the Vice President of Enrollment & Student Affairs may be appealed to the President of the University within five (5) business days as determined by the date of the decision of the Vice President, solely on the above three guidelines. 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 c issued in writing to the complainant, the respondent and the alleged victim (where applicable) within a reasonable time period.

ion of the institution. Should the respondent or alleged victim (where applicable) wish to appeal the decision of the University President, they 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 Office of Student Conduct & Title IX 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

Initial Review of Sexual Misconduct Reports:

formal investigation, informal resolution, or dismissal would be appropriate. In making this determination, the Coordinator will assess whether the allegation(s), if true, would rise to the level of prohibited conduct, whether a Formal Complaint must be filed, whether an investigation is appropriate in light of the circumstances, whether the parties prefer an informal resolution,

False Complaints/Statements:

Individuals are prohibited from knowingly making false statements or knowingly submitting false information to a system or institution official. Any person found to have knowingly submitted false complaints, accusations, or statements, including during a hearing, shall be subject to appropriate disciplinary action (up to and including suspension or expulsion) under the appropriate institutional process.

Amnesty:

Students should be encouraged to come forward and to report Sexual Misconduct notwithstanding their choice to consume alcohol or to use drugs. Information reported by a student during the Sexual Misconduct process concerning the consumption of drugs or alcohol will not be used against the particular student in a disciplinary proceeding or voluntarily reported to law enforcement; however, students may be provided with resources on drug and alcohol counseling and/or education, as appropriate. Nevertheless, these students may be required to meet with staff members regarding 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 provision shall prevent an institution staff member who is otherwise obligated by law (the Clery Act) to report information or statistical data as required.

Jurisdiction:

Each institution shall take necessary and appropriate action to promote the safety and well-being of its community.

An interim suspension should only occur where necessary to promote 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 should consider the existence of a significant risk to the health or safety of the Complainant or 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.

Before an interim suspension is issued, the institution must make reasonable efforts to give the Respondent the opportunity to be heard on whether interim suspension take effect immediately. The Respondent shall receive notice of the interim suspension and the opportunity to respond to the interim suspension.

Within three business days of receiving a challenge the institution will determine whether the interim suspension should continue.

Definitions and Prohibited Sexual Misconduct

A. **Community:** Students, faculty and staff, as well as contractors, vendors, visitors, and guests.

B. **Complainant:** An individual who is alleged to have experienced conduct that violates this Policy.

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C. ~~Convict~~ **37)19/E2.9.5 Tf1 0ua**

1. 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,
2. 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 the student 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
-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, Selenseia Holmes, in the Office of Student Conduct & Title IX (229) 333-5409 or email saholmes@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.

Title IX at (229) 333-5409, or by contacting the Title IX Coordinator at (229) 333-5463 or

1. The parties shall be provided with written notice of the: report/allegations with sufficient details, pending investigation, possible charges, possible sanctions, available support services and interim measures, and other rights

and location of the hearing as well as the selected hearing panel members shall be provided to the Complainant and the Respondent at least 10 calendar days prior to the hearing. Notice shall be provided via institution email to the email. Parties may attend the hearing with their advisor.

Hearings shall be conducted in-person or via video conferencing technology. Where the institution determines that a party or witness is unable to be present in person due to extenuating circumstances, the institution may establish special procedures to

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2. The parties shall have the right to confront any witnesses, including the other party, by submitting written questions to the Hearing Officer for consideration. Advisors may actively assist in drafting questions. The Hearing Officer shall ask the questions as

- Results in disciplinary hearings to an alleged victim of a crime of violence,
- Directory information.

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

While Valdosta State University will enact policies to promote campus safety, to ensure the proper functioning of the academic environment and other important institutional objectives, these policies will not unduly burden the free expression rights of students, faculty and staff. Any parameters placed on time, place, and manner of expression will not be based on the content of the expression. To better facilitate the free exchange of ideas, Valdosta State University provides the stage on the Palms Quadrangle on main campus, which is located next to the primary student dining facility and several student residence halls as a public forum. Valdosta State University may designate alternative area (s) to accommodate large crowds or other special requests.

This Public Forum Venue is generally available from 8:00am until 5:00pm, Monday through Friday, provided that the area has not previously been reserved. To avoid conflicts in

1. A conference should be immediately scheduled with the Title IX Coordinator, located in the Office of Student Conduct & Title IX, (229) 333-