



27.002: Student Disciplinary Policies and Procedures

Responsible Executive: Vice President for Student Affairs
Responsible Office: Student Services/Judicial Affairs
Related Policy:
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Policy Statement

All students attending Norfolk State University are required to abide by the laws of the Commonwealth of Virginia and the rules and regulations of this University. A student who violates the following general standards of conduct may be subject to administrative actions or to one or more disciplinary sanctions whether or not civil authorities choose to prosecute. Norfolk State University is governed by its Board of Visitors and supported by the Commonwealth of Virginia. The Board is specifically authorized to regulate student conduct by state statute and chooses to exercise its authority through this policy.

Purpose

The Norfolk State University Judicial System is designated to promote order and discipline inherent in and essential to the educational process of its students. This system is applicable to all students enrolled at the University who violate the Code of Conduct on or off campus.

Procedures

I. Institution of Disciplinary Proceedings

- A. Disciplinary charges brought against a student or a recognized student organization shall be adjudicated in the following manner:
 - 1. Upon written notice of an alleged violation of the Code of Student Conduct, the Associate/Assistant Vice President for Student Affairs shall institute disciplinary proceedings by the issuance of notice of charges.
 - 2. Faculty, staff, or students may initiate the written notice of charges or a campus police summons.

3. The Associate/Assistant Vice President for Student Affairs will promptly schedule a pre-hearing with the accused student. The accused student will be informed of the alleged violation(s) in writing at least two school days before the hearing date. **The Associate/Assistant Vice President may choose to bypass the pre-hearing and forward a case directly to a University Hearing Officer for the Administrative Hearing.** During the pre-hearing, the accused student will have the opportunity to discuss and review all known evidence as well as ask questions about the charges and the options available for resolution. During the pre-hearing the student will be presented with the following alternatives:
 - a. To plead **“in violation”** (guilty) to the charges, waive all rights to a formal hearing and accept the sanction(s) imposed by the Associate/Assistant Vice President for Student Affairs; or
 - b. To request a formal hearing with the right to appeal.
4. Students who fail to attend the pre-hearing will be deemed in violation of the charges and an appropriate sanction will be imposed.

II. Formal Hearing Procedures

- A. The notice of charges and all other written notices shall be delivered by the method deemed most effective by the Associate/Assistant Vice President for Student Affairs to the student’s or organization’s address or e-mail address as it then appears on the official records of the University. If the address is not current, other reasonable attempts will be made to deliver the notice. The notice shall include the portion of the Code of Student Conduct allegedly violated, the reported circumstances of the alleged violation, and a request for the student or organizational representative to appear at a specified time, date and place for a hearing. **Failure to have a current address on record with the University shall not invalidate the notice.** If the notice is for a formal hearing, a copy of all available evidence must accompany the notice, as well as names of potential witnesses. A maximum of three (3) character witnesses will be allowed. The accused student will have the opportunity to review all evidence as well as ask questions about the procedures. A copy of these regulations shall accompany each notice of charges.
- B. If the notice of charges requests that the accused appear at a hearing and he/she fails or refuses to appear, the University Hearing Officer may, after a sufficient investigation, dismiss the charges, take administrative action, or impose a disciplinary penalty. The accused shall be notified in writing

of the action deemed appropriate by the Hearing Officer. Administrative actions/disciplinary sanctions imposed at hearings held in absentia are not subject to appeal.

- C. Requests for continuances must be submitted in writing, to the Hearing Officer (two school days prior to the scheduled hearing), who may reschedule the hearing if the request is timely and for good cause. Only one continuance will be allowed after the initial scheduling. Students who wish to have an attorney present must notify the Office of Student Services/Judicial Affairs in writing, with the name of the attorney, at least forty-eight (48) hours in advance of the hearing.
- D. When an accused student or organizational representative appears in response to the notice of charges, the Hearing Officer shall review the facts of the alleged violation(s) and the names of witnesses then known. The student or organizational representative shall be advised that no response is required and that any statement made shall become a part of the official evidence of the case. The accused may advise the Hearing Officer of any witness or evidence supporting the accused's position. The Hearing Officer should advise the accused that if any new evidence is discovered during an investigation subsequent to the hearing, it will be shared with the accused. The accused will have an opportunity to respond to the evidence. In certain cases, an advisor may assist the Hearing Officer.
- E. After the hearing with the student or organizational representative and such further investigation as the Hearing Officer deems necessary, the Hearing Officer shall proceed as follows: 1) if the Hearing Officer determines that the alleged violation is not supported by the evidence, the charge(s) shall be dismissed and the accused student so notified; 2) if the Hearing Officer is satisfied that the violation occurred as alleged, but that no disciplinary sanction is warranted, he/she may determine an appropriate administrative action and notify the student accordingly; and 3) if the Hearing Officer is satisfied that the violation occurred as alleged and that a disciplinary penalty is appropriate, he/she shall notify the student or organizational representative, describing the sanction to be imposed.

III. The Student Court

- A. Upon receipt of a case from the Associate/Assistant Vice President for Student Affairs, the Student Court shall:
 - 1. Schedule a hearing to be held within seven (7) calendar school days of the date the case is referred by the Associate/Assistant Vice President for Student Affairs.

2. Notify the accused, in writing, of (a) the charges against him/her and the University regulations violated; (b) the approximate date and time of the alleged offense(s); (c) the date, time, and place of the hearing; and (d) a statement informing him/her of his/her due process rights and where they may be found in writing. The notice should be given at least four (4) school days before the hearing date. The notice shall be personally delivered on campus, or shall be sent, by certified mail, to the address currently on record with the University Registrar. Failure of the student to have his/her current address on record with the University shall not invalidate the notice. A request for a delay of the hearing shall be made, in writing, to the Chief Justice of the Student Court, who shall have the authority to reschedule the hearing if the request is made for a valid reason, or give notice that the hearing is to continue as scheduled. The Chief Justice may delay the hearing on his/her own motion for good reason. The delay will not exceed fourteen (14) school days.
3. Notify the accuser and all witnesses, in writing, that they must be present at the hearing. The notification letter shall include the name of the accused, the date, time and place of the hearing.
4. Notify Court members of the date, time, and place of the hearing; however, the notice will not disclose the nature of the case(s) to be heard.
5. Ensure that a quorum of five (5) justices is present to hear a case. The Chief Justice for each hearing shall prepare an opening statement. This statement shall be written in advance, and shall be made a permanent part of the record of the case. The statement shall include the following elements:
 - a. Roll call;
 - b. A statement of the charges as received from the Associate/Assistant Vice President for Student Affairs;
 - c. Copies of letters of notification sent to the accused, complainant, and witnesses;
 - d. Pertinent regulations from the Student Handbook;
 - e. Instructions to the accused regarding questioning of witnesses and statement of his/her rights; and

- f. Instructions to the advisor for the accused if one has been requested and is present.
6. Ensure that hearings are closed to the public. The hearing may be opened upon request of the accused provided the rights of others are not violated. Such a request should be made in writing to the Chief Justice at least forty-eight (48) hours prior to the hearing. The Chief Justice will determine the conduct of the hearing proceedings.
 7. Inform the advisor/attorney (if applicable) that his/her presence is limited to advising his/her client. He/she may not examine or speak at the hearing, nor in any way interfere with the proceedings.
 8. Allow the accused student ample opportunity to state his/her position in the case through (1) oral testimony; (2) written affidavits; and/or (3) witnesses. Any regular member of the Court may question the accused.
 9. Maintain control over the proceedings, especially when witnesses are questioned. Under no circumstances should the Chief Justice allow arguments to develop between the accused and witnesses.
 10. Exercise the right to require and/or subpoena the production of records and other exhibits (as needed).
 11. Have made an audio recording of the proceedings. (Deliberations by the Court shall be in private and shall not be recorded.)
 12. Inform the accused and the Associate/Assistant Vice President for Student Affairs of the verdict in writing, within five (5) calendar school days following the hearing.
 13. Make certain that the accused's rights to due process are upheld. No sanction may be imposed on an accused solely on the basis of his/her failure to appear at the hearing. If, after being notified of a hearing, the accused fails to appear, a **“not in violation”** plea will be entered and the hearing will be held in his/her absence. In such a case, the evidence shall be presented and considered before determining a verdict.

IV. Rights of the Accused

- A. The accused is entitled to:
 - 1. Attend the hearing and listen to all testimony presented. If the accused has been properly notified but fails to appear at the scheduled date, time, and place for the hearing, the Committee may hear the case and make its findings in the accused's absence;
 - 2. Question witnesses in accordance with the rules;
 - 3. Present evidence according to the rules;
 - 4. Know that hearings are closed to the public;
 - 5. Consult with counsel of choice (including an attorney who may advise, but not speak at the hearing);
 - 6. Appeal sanction(s) rendered by the Faculty Student Grievance Committee (see Faculty Student Grievance Policy); and
 - 7. Receive a decision by the hearing body that is based solely on a preponderance of the evidence presented during the hearing.

V. Rules of Procedure

- A. In cases involving more than one student, the Hearing Officer may consolidate the cases for hearing, but shall make separate findings for each accused student.
- B. The accused/accuser may have an advisor of the student's choice present during the hearing. Generally, the advisor shall be present for consultation purposes only and shall not be permitted to speak on the student's behalf.
- C. Rules of common courtesy and decency shall be observed.
- D. The questioning of any person appearing before the Hearing Officer by any individual participating in a hearing shall not be in a badgering, unduly repetitious, or irrelevant manner. It shall be at the discretion of the Hearing Officer to curtail a participant's further opportunity for questioning if such behavior occurs.
- E. Any person who interferes with or obstructs the hearing, or who fails to abide by the rulings of the Hearing Officer, may be dismissed from the hearing.

- F. The Hearing Officer shall have the right to call additional witnesses, request the presentation of additional evidence, and require further investigation.
- G. A taped or stenographic record of each hearing shall be maintained. The notice, exhibits, taped or stenographic record shall become the record of the case and shall be filed with the Office of Student Services/Judicial Affairs. The hearing record shall be retained for a period of no more than five (5) years.
- H. Hearings will be closed to the public.

VI. Appeal Procedures

- A. Only those accused who personally appear at a hearing have the right to appeal the decision of the Hearing Officer, Student Court, or Faculty Student Grievance Committee. In the case of a student who has appealed the decision of a Hearing Officer, the student may remain in class pending the outcome of the appeal. (An exception to this would be if a student were determined to pose an eminent threat to the health, safety and welfare of the campus community.) **However, if the decision of the Hearing Officer is upheld, the sanction(s) will become effective from the original date of imposition unless the Vice President for Student Affairs modifies (the original sanction(s)) and/or imposes additional sanctions.**
- B. An accused student or organization appealing the decision of the Hearing Officer should file a notice of appeal to the Vice President for Student Affairs. Appeal forms can be obtained from the Office of Student Services/Judicial Affairs Room 325, Mills E. Godwin Center. Such an appeal must be physically received in the Vice President's office within five (5) business days from the date of the letter rendering the findings in the case. The appeal must include the specific grounds for reconsideration and must be signed by the student or an organizational officer. The notice of appeal shall contain, at a minimum, a statement of grounds for appeal and a summary statement of the facts supporting such grounds. Grounds for appeal include:
 - 1. A claim that the decision was not made in accordance with prescribed procedures resulting in the denial of rudimentary due process to the student, and identification of the procedures that were not followed;
 - 2. A claim that the sanction(s) imposed was inappropriate or overly harsh;

3. A claim that the decision was erroneous; or
4. New evidence, not available in a previous hearing, which could exonerate the accused student.

VII. Code of Student Conduct

- A. Academic dishonesty, including but not limited to plagiarism and all forms of academic cheating, and failure to report known violations of the honor pledge (See Additional Procedures on Academic Dishonesty);
- B. Forgery, alteration, or misuse of University or other official documents, records, or identification;
- C. Knowingly furnishing false information to the University;
- D. Obstruction or disruption of University operations, which includes teaching, research, administrative activities, disciplinary proceedings, or other institutional activities;
- E. Obstruction or disruption of University-authorized activities which includes blocking doorways and passageways, occupying buildings, or violating the rights of students, faculty, staff and others;
- F. Physical abuse, violent verbal abuse, or profanity by any student on property owned or controlled by the University, or at functions sponsored or supervised by the University;
- G. Conduct that threatens or endangers the health or safety of any person, including oneself, on property owned or controlled by the University or at functions sponsored or supervised by the University;
- H. Theft of property of the University, a member of the University community, or a guest/visitor to the University;
- I. Vandalism or intentional damage to private property on premises owned or controlled by the University;
- J. Unauthorized entry of University facilities or property;
- K. Unauthorized access, use, or misuse of University property including, but not limited to: attempting to leave the library with library materials which have not been properly borrowed; unauthorized use or misuse of computer equipment, computer accounts, computer software and hardware; or misuse of University telephones;

- L. Violation of University regulations or campus policies approved by either the Board of Visitors or the President and described in official University publications;
- M. Use or possession of alcohol, marijuana, narcotics, illicit drugs, or drug paraphernalia on property owned or controlled by the University;
- N. The sale or distribution of marijuana, narcotics, or dangerous drugs on property owned or controlled by the University or at functions sponsored or supervised by the University;
- O. Violation of University Residential Hall Policies. It is recognized that living in groups requires a certain amount of tolerance and conformity by all concerned. Rules controlling conduct within housing owned or controlled by the University are promulgated by the Office of Residential Life to enhance the freedom and comfort of everyone living in the residence halls. These rules are published in the Residence Hall Handbook available from the Office of Residential Life/Housing. The Norfolk State University Code of Student Conduct and disciplinary procedures apply to all students, including those who live in the residence halls. Alleged violations of the Code by residence hall students will be forwarded to the Associate/Assistant Vice President for Student Affairs.
- P. Lewd, indecent, or obscene displays or conduct on property owned or controlled by the University or at functions sponsored or supervised by the University or University-related organizations;
- Q. Drunken or disorderly behavior on property owned or controlled by the University or at functions sponsored or supervised by the University or University-related organizations;
- R. Inappropriate intimidating behavior directed toward any student, faculty member, staff member, or administrator;
- S. Failure to comply with the directions of a University official acting in the performance of his or her duties;
- T. Violation of the University's firearms, weapons, and explosives policy. These items include, but are not limited to a knife, razor, broken bottle, brass knuckles, air/gas pistols/rifles, BB gun, gun, firecrackers, or any other object used to exact or threaten injury to another;
- U. Circulating a report or warning that property under University control or supervision may be subject to a bombing, fire, crime, emergency, or other catastrophe, knowing that the report or warning is false;

- V. Tampering with safety equipment (i.e. fire extinguishers) or the inappropriate use or possession of safety equipment on property owned or controlled by the University;
- W. Giving false testimony or evidence at any official University hearing or to any University official;
- X. Conduct deemed unlawful by the criminal statutes of the Commonwealth of Virginia or the United States of America and conduct that endangers or threatens the security of the University community;
- Y. Violations of the conditions of a sanction imposed through University disciplinary procedures;
- Z. Violation of the University's sexual assault policy. This includes, but is not limited to sexual penetration with an inanimate object; fondling or touching of an unwilling person's intimate parts (genitalia, groin, breast or buttocks, covered or uncovered); or forcing an unwilling person to touch another's intimate parts. Included in the offense of any of these acts are persons known to the victim as well as persons unknown to the victim. The offending acts can be committed through the use of force, the threat of force by intimidation, or not forcibly or against the person's will where the victim is incapable of giving consent due to the substantiated use of alcohol or drugs or for other verified reasons.
 1. Students who believe they have been sexually assaulted, but are uncertain as to whether a complaint is justified or whether they wish to initiate a formal complaint, may find it helpful to discuss their concerns confidentially or informally with a counselor in the University Counseling Center, an administrator in Student Affairs, or an administrator in Student Services/Judicial Affairs. Sexual assault of any student, which occurs on or off campus, perpetrated by another student, will be adjudicated by using the disciplinary process appropriate to the alleged accused. Disciplinary action may be initiated in addition to, and separate from, any criminal charges which may be pending for the same alleged offense. It is a violation of University policy to make an intentionally false accusation of sexual assault.
 2. Following is a list of various incidents of sexual assault which can/should be reported to any University Official, Campus Police, or the Office of Student Services/Judicial Affairs.
 - a. Rape: Sexual intercourse with an accuser against that person's will by force, threat or intimidation, or because of the mental incapacity or physical helplessness of the accuser, where penetration occurs.

- b. Attempted Rape: An attempt to commit the acts defined as rape.
 - c. Forcible Sodomy: Engaging in cunnilingus, fellatio, anilingus, or anal intercourse with an accuser against his/her will by force, threat or intimidation, or due to the mental incapacity or physical helplessness of the complainant, where penetration occurs.
- 3. Attempted Forcible Sodomy: An attempt to commit the acts defined for forcible sodomy.
 - 4. Sexual Battery: Sexually abusing an accuser against his/her will by touching or uncovering intimate parts of his/her body or clothing through the use of force or intimidation, threats or by exploiting the accuser's mental incapacity or physical helplessness. Sexual battery can also involve forcing an accuser to touch intimate parts of the body or clothing of the accused for the purpose of sexual molestation, arousal or gratification.
 - 5. Attempted Sexual Battery: An attempt to commit the acts defined for sexual battery.
 - 6. Sexual Harassment: The University prohibits the practice of sexual harassment and requires that its employees and students refrain from conduct that gives rise to allegations of sexual harassment. The use of position or rank to intimidate an employee or student is considered sexual harassment and will not be tolerated. Sexual harassment is defined as any unwelcome sexual advance; request for sexual favors; sexual discrimination; or verbal, nonverbal, or physical conduct of a sexual nature when:
 - a. Such conduct has the purpose or effect of creating an intimidating, hostile, or offensive educational or working environment, or substantially interferes with a student's academic performance, emotional well-being, and/or the attainment of career goals; or
 - b. Such conduct interferes with an employee's work performance, causing the employee distress and the inability to function effectively in the performance of his/her academic or job requirement; or
 - c. Such conduct is used as the basis for decisions about academic evaluation, employment, promotion, transfer, selection for training or performance evaluation.

7. Students who believe they have been sexually harassed, but are uncertain as to whether a complaint is justified or whether they wish to initiate a formal complaint, may find it helpful to discuss their concerns confidentially or informally with a counselor in the University Counseling Center, an administrator in Student Affairs, or an administrator in Student Services/Judicial Affairs.
8. If an individual has a complaint of sexual harassment, he/she should contact the University Compliance Officer/Ombudsperson located in **Room 241, Harrison B. Wilson Hall**. Additional information regarding the sexual harassment policy can be obtained from this office and from the Office of Student Services/Judicial Affairs, Room 325 Mills E. Godwin Student Center.
 - AA. The unreasonable use of complimentary materials and/or supplies provided for the benefit of or consumption by the University community;
 - AB. Retaliation; to return like for like, especially for the purpose of revenge.
 - AC. Gambling for money, in any form, is prohibited on campus. This does not include bingo or other games held during University approved fund-raising activities;
 - AD. **HAZING** includes actions by fraternity/sorority individuals or organizations that mistreat individual(s) in such a way as to cause or may cause bodily harm. Hazing activities that jeopardize the health of students are subject to criminal prosecution in Virginia and University disciplinary action even though the action is not severe enough to warrant criminal prosecution. Hazing is not permitted on or off campus. **The sanction(s) is issued by the presiding official of the University and can only be appealed to the President of the University;**
 - AE. Violation of parking regulations, as written in the Norfolk State University Parking Brochure.

VIII. Sanctions

A. Restitution

Restitution may include payment for damage to University property or facilities, payment for damage to the property or person of a member of the University community, guests of the University, and/or other

appropriate third parties, and repayment of misappropriated or misused University funds.

B. Disciplinary Probation

Disciplinary probation may be imposed for a period of fixed duration during which the appropriateness of a student to continue at the University is evaluated. Disciplinary probation serves as a warning to the student that future violations of the Code of Student Conduct may result in more serious sanctions including suspension or dismissal. Disciplinary probation may include such sanctions as:

1. Exclusion from privileged or extracurricular activities at the University not to exceed one year;
2. Suspension of residence privileges in property owned or controlled by the University;
3. Mandatory participation in classes, and/or other lawful activities deemed appropriate, as a means of rehabilitating the student found in violation of the Code of Student Conduct;
4. A fine of an amount specified by the Hearing Officer or Student Court and approved by the Vice President for Student Affairs; or
5. Mandatory alcohol or drug education in cases where misconduct results from the abuse of alcohol or other drugs.

C. Disciplinary Suspension

Disciplinary suspension is the temporary separation of a student from the University not to exceed one academic year. The presence of suspended students on campus is prohibited and subject to further proceedings, unless authorized by the Vice President for Student Affairs or his/her designee.

Note: A student will be administratively withdrawn from the University within ten (10) days from the date of suspension. This allows for the appeal process.

D. Expulsion

Expulsion is the permanent separation of a student from the University.

E. Summary Expulsion

Summary expulsion is the immediate separation of a student from the University and is authorized by the Vice President or a designated representative when the continued presence of the student at the University constitutes a danger to the health, safety, or welfare of the University community. At the time a student is summarily expelled, the student shall be informed of his or her right to a hearing in accordance with the procedures outlined under the heading, “Institution of Disciplinary Proceedings.” Such hearing shall be held without undue delay and the student shall remain dismissed until the hearing determines the student’s status.

F. Minimum Sanctions for Alcohol Violations

First Offense: Probation for one year, \$25.00 fine, mandatory workshop, parental notification for underage offenses.

Second Offense: Probation for an additional year, \$50.00 fine, additional workshop and individual counseling, parental notification.

Third Offense: Suspension for one semester, parental notification.

G. Minimum Sanctions for Illegal Drug Violations

First Offense: Dismissal from University Housing, if applicable, and disciplinary probation for one year; \$50.00 fine, mandatory workshop and parental notification.

Second Offense: Disciplinary suspension from the University for a designated period of time.

Persons found to be involved in the sale of illegal drugs will be subject to expulsion from the University.

H. Community Service

The assignment of community services will be made on a case-by-case basis.

I. Warning

An oral or written notification may be granted, apprising the offender that further misconduct within a specified period of time may result in more severe disciplinary sanctions.

J. Mediation

Students seeking to file charges against another student that have arisen out of personal or group conflict may choose mediation instead of formal disciplinary proceedings. All parties to the conflict must agree in writing to have their dispute mediated.

The Associate/Assistant Vice President for Student Affairs may assist the student in determining if the concern should be mediated or handled through the student judicial system.

Mediation is confidential and mediation agreements will be binding. Violation of such agreements may be referred to the student judicial process. The Associate/Assistant Vice President for Student Affairs, using trained mediators, will schedule mediation sessions.

Sanctions of suspension, dismissal and any sanction resulting from an act of academic dishonesty will be recorded on the student's official University transcript.

IX. Definitions

- A. Vice President for Student Affairs: The University official who has primary responsibility for the administration of all student discipline. He/she serves as the appeals officer for cases that have been heard by the Student Court, University Judicial Council and Administrative Hearing Officer. The Vice President may delegate all or part of this responsibility to such other persons as he/she deems appropriate (such as the Associate/Assistant Vice President for Student Affairs).
- B. Code of Student Conduct: The statement of rules and regulations governing student conduct as established by the Board of Visitors, printed in Section VIII herein;
- C. Chief Justice: The head of the Student Court and presiding officer at Student Court Hearings; an Associate Justice shall assume the duties of the Chief Justice when the Chief Justice is unavailable.
- D. Student: A person who has been admitted to or has enrolled at the University, and has not completed a program of study for which she/he has enrolled, or has completed a program of study and has satisfied all academic requirements for the program but has not been awarded a degree at the time of the offense. Student status subsists regardless of whether the University is in session.

- E. Faculty Student Grievance Committee: A faculty/student judicial body authorized to hear and adjudicate alleged violations of the Code of Student Conduct/University Policies.
- F. Student Court: Students who have the duty to conduct hearings, develop findings, and impose sanctions on cases referred through informal disposition.
- G. Plagiarism: A reproduction of someone else's work without acknowledging its source, or citing a source that has not been used. Examples of plagiarism include: submitting a research paper obtained from a commercial research service, the Internet, or from another student as if it were original work; making simple changes to borrowed materials while leaving the organization, content, or phraseology intact; or copying material from a source and supplying proper documentation, but omitting quotation marks. Plagiarism can also occur in a group project when one or more members does none of the group's work and participates in none of the group's activities, but attempts to take credit for the work of the group.
- H. Administrative Action: The issuance of an oral or written warning, admonition, reprimand, and/or use of counseling procedures.
- I. University Hearing Officer: The University official or officials assigned by the Vice President for Student Affairs to conduct disciplinary proceedings and administrative actions.
- J. Disciplinary Proceedings: Those proceedings initiated by a notice of charges and governed by the provisions under "Institution of Disciplinary Proceedings."
- K. Accuser: An individual who is bringing forth the charge against a student for violating the Code of Student Conduct/University Policies.
- L. Accused: An individual who is charged with violating the Code of Student Conduct/University Policies.
- M. Hazing: The actions by fraternity/sorority individuals or organizations that mistreat individuals in such a way as to cause or potentially cause bodily harm. Hazing activities that jeopardize the health of students are subject to criminal prosecution in Virginia and University disciplinary action even though the action may not be severe enough to warrant criminal prosecution. Hazing is also defined as any act that causes or is likely to cause serious physical or mental harm, or which serves to actually injure, frighten, demean, or disgrace any person. Included are such acts as annoying a student by playing abusive or ridiculous tricks

upon him/her, endangering his/her life, frightening, scolding, beating, or harassing him/her, or subjecting him/her to personal indignity.

- N. Sexual assault: The acts of rape, attempted rape, forcible sodomy, attempted forcible sodomy, sexual battery, attempted sexual battery, and sexual harassment.
- O. Mediation: The process of intervention between conflicting parties to effect reconciliation or compromise.

X. Additional Procedures in Academic Dishonesty Cases

- A. In keeping with its mission, the University seeks to prepare its students to be knowledgeable, forthright, and honest. It expects and requires academic integrity from all members of the University community. Academic honesty includes adherence to guidelines established by the University for the use of its libraries, computers, and other facilities.
 - 1. Faculty members should clearly identify course specific standards that interpret University, college, and departmental policies related to academic integrity. These explanations should appear in course syllabi and in all other explanations of course requirements. Faculty should include the Academic Honesty Policy on all academic work submitted for grading. “Academic or academically related misconduct” includes, but is not limited to: unauthorized collaboration or use of external information during examinations; plagiarizing or representing another’s ideas as one’s own; furnishing false academic information to the University; falsely obtaining, distributing, using, or receiving test materials; obtaining or gaining unauthorized access to examinations or academic research materials; soliciting or offering unauthorized access to examinations or academic research materials; soliciting or offering unauthorized academic information or materials; improperly altering or inducing another to alter improperly any academic record; or engaging in any conduct which is intended or reasonably likely to confer upon one’s self or another an unfair advantage or unfair benefit respecting an academic matter.
 - 2. Faculty members who discover evidence of academic dishonesty may arrange to meet with the student(s) suspected of the alleged infraction or forward the case to the Associate/Assistant Vice President for Student Affairs.
 - 3. If the student(s) acknowledges the act of academic dishonesty, and the faculty member is satisfied that the incident can be effectively resolved with a grade sanction:

- a. The faculty member will assign either an F in the course, or an F for the assignment or exam during which the cheating occurred; and
 - b. The faculty member will forward a written summary of the incident to a University Hearing Officer.
 - c. The Hearing Officer will contact the student to arrange a conference to review the Standards of Conduct related to academic dishonesty.
 - d. The student will be placed on disciplinary probation for one calendar year.
 - e. Disciplinary proceedings will be instituted to determine appropriate disciplinary sanctions for students currently on disciplinary probation, or for students who have previously acknowledged an act of academic dishonesty and received a grade sanction as a result. Such sanctions may include suspension or dismissal from the University.
 - f. All official disciplinary sanctions, including grade sanctions, which are assigned to a student as a result of an act of academic dishonesty, will be recorded on the student's official University transcript.
4. If the student denies the allegation of academic dishonesty, or if the faculty member believes the severity of the incident may warrant a sanction more severe than disciplinary probation:
- a. The faculty member will forward a written summary of the incident to the Associate/Assistant Vice President for Student Affairs. The summary must contain copies of all known evidence including the names of any known witnesses to the alleged act of academic dishonesty.

The Associate/Assistant Vice President for Student Affairs will refer the matter to the Chair of the Faculty Student Grievance Committee.

- b. The instructor should not assign a grade penalty until the case is resolved, including the processes of hearing the student's appeal, if any. If the charges cannot be resolved prior to the end of the semester, a grade of "I" should be assigned by the instructor pending final disposition of the case against the student.

- c. The faculty member will be notified of the final outcome in order that the appropriate grade may be assigned.
- d. Students may file a grade appeal if a grade penalty for an alleged academic dishonesty violation occurs without proper adherence to the above procedures, which results in a denial of rudimentary due process.

XI. Additional Procedures in Cases of Sexual Assault

- A. Upon notification of an alleged violation, the accused shall not initiate any contact, directly or indirectly, with the accuser. Retaliation against the accuser or against any witness involved in the case by the accused or others acting on behalf of the accused shall be considered a violation of the Code of Student Conduct.
- B. During a hearing, no evidence may be presented which pertains to the past sexual history of the accuser or of any witness.
- C. During a hearing, unrelated past sexual history of the accused may not be discussed, nor entered as evidence.
- D. The accused and accuser will be notified in writing, of the outcome of Disciplinary Proceedings, of any sanctions imposed, and of the final action taken by the Vice President on any appeal.
- E. In cases where a sanction of disciplinary suspension or dismissal is imposed, a notation of the sanction will be recorded on the student's official University transcript.
- F. The accuser shall have the right to have an accompanying advisor throughout a hearing.
- G. The accuser shall be informed of all witnesses to be called, to the extent known, during a hearing.
- H. Hearings involving charges of sexual assault shall be closed to the public.
- I. All proceedings in cases involving sexual assault will be treated confidentially, to the extent provided by law, and the identities of any involved party will not be disclosed to anyone not directly involved with the University's disciplinary process.

XII. Copy of Judicial Proceedings

If an accused/accuser wishes to obtain an audio copy of the record of proceedings, a fee of **\$5.00** will be charged. Forms may be obtained from the Office of Student Services/Judicial Affairs, located in Room 325 of the Mills E. Godwin Student Center. Cash is **not** accepted. Money orders are to be made payable to **Norfolk State University**. Upon advance receipt of the fee, a copy of the proceeding will be produced and made available within three to five working days.