

# Standards of Student Conduct

This booklet serves as a reference for Radford University students. It contains the Standards of Student Conduct, Sexual Harassment Policy, information on the Family Educational Rights and Privacy Act and a statement on alcohol and other drugs. Other documents that contain official policies include the Undergraduate Catalog (<http://www.radford.edu/~academic/catalog.html>) and Graduate Catalog (<http://www.radford.edu/~academic/catalog.html>), the Schedule of Classes (<http://www.radford.edu/~registra>), the Information Technology website ([www.radford.edu/~itr](http://www.radford.edu/~itr)), the McConnell Library website (<http://lib.radford.edu>) and the Radford University Parking and Traffic Rules and Regulations brochure (<http://www.radford.edu/~parking/Information/regulations.html>). Students are expected to become familiar with the contents of these publications. Students with additional questions or who need additional information on other university policies should contact the Office of the Dean of Students or other appropriate administrative office.

# Standards of Student Conduct

## Standards of Student Conduct

Radford University is a community of scholars and learners in which the ideals of freedom of inquiry, thought, expression and the individual are sustained. With these ideals comes the responsibility of every student to hold him/herself to the standards of the Radford University community set forth in its policies.

## University and Student Responsibilities

Radford University promotes community standards through education. The university has a duty to protect its educational purpose by setting standards of scholarship and conduct. The guiding principle of university regulations is to promote student responsibility and accountability while protecting the community as a whole. Students have the responsibility to follow all regulations outlined in this policy. Therefore, Radford University has the responsibility to provide an environment during the conduct process that is:

- free from discrimination and harassment on the basis of race, color, sex, sexual orientation, disability, age, veteran status, national origin, religion or political affiliation
- fundamentally fair
- inclusive of the option for a hearing and an appeal as outlined in this policy

## University Jurisdiction

Jurisdiction includes university-owned or operated property and at university-sponsored functions on- or off-campus. The university has jurisdiction over any student or student organization alleged to have violated the Standards of Student Conduct. Off-campus violations can also subject a student to the jurisdiction of the University Conduct System when the university determines the violation is threatening or disruptive to the safety of members of our university community or to the educational process of the university. University jurisdiction also extends to any misrepresentation or fraud related to a student's application for admission or readmission. The term "student" means a person taking or auditing courses at Radford University either on a full or part-time basis, or an individual with a continued intent to pursue an education at Radford University, which includes, but is not limited to the following: between terms or during vacation periods, orientation, summer break, or a period of suspension or withdrawal. A student who is charged with a violation of the Standards of Student Conduct may not use a withdrawal from the University in order to avoid a conduct hearing and due process. The conduct process will continue whether or not a student is enrolled at the time of the hearing as long as they met the definition of a "student" at the time of the alleged violation.

### **Off-campus Behavior**

Off-campus incidents are typically referred to the local police department, but the university reserves the right to investigate and take action when an off-campus offense involves a Radford University student and violates the Standards of Student Conduct. University conduct proceedings may be instituted against a student charged with a violation of a law which is also a violation of policy without regard to pending litigation in court or to criminal arrest or prosecution.

### **Inherent Authority**

The university reserves the right to take necessary and appropriate action to protect the safety and well-being of the campus community and its members.

### **Interim Administrative Action**

The Vice President for Student Affairs, or her/his designee, may defer procedural due process and enforce an interim action if necessary to maintain safety or order. The academic dean of a college, or her/his designee, may defer procedural due process and remove a student from a class to maintain order. Any student that has had interim action taken against him/her will be afforded a case resolution or a conduct hearing as soon as it is practical.

### **Student Contact Information**

All students are responsible for maintaining their current address and phone number with the Registrar's Office. It is also the student's responsibility to frequently monitor campus e-mail and the university web site, as these electronic means of communication have replaced mass mailing as the university's most effective and efficient ways to disseminate important information to the campus community.

### **Modifying the Standards of Student Conduct**

The university reserves the right to amend the Standards of Student Conduct at any time. Communication of any changes will be made to the university community in a timely fashion.

### **Policy Interpretation**

The Office of the Dean of Students is the final authority in defining and interpreting the Standards of Student Conduct and conduct procedures.

# Honor Code

## Honor Pledge:

I shall uphold the values and ideals of Radford University by engaging in responsible behavior and striving always to be accountable for my actions while holding myself and others to the highest moral and ethical standards of academic integrity and good citizenship as defined in the Standards of Student Conduct.

The Radford University Honor Code provides the foundation for a university community in which freedom, trust and respect can prevail. In accepting admission to Radford University, each student makes a commitment to support and uphold the Honor Code without compromise or exception.

All students enrolled at Radford University agree to refrain from:

1. **Lying** – A misrepresentation of the truth which misleads another.
2. **Stealing and/or Possessing Unauthorized Material** – The unauthorized appropriation, possession or use of the property of another.
3. **Cheating** – The possession, receipt, use or solicitation of unauthorized materials, information, notes, study aids or other devices in any academic exercise. This includes unauthorized communication of information before, during and after an academic exercise.
4. **Fabrication and Falsification** – The unauthorized alteration or invention of any information or citation in an academic exercise. Forgery, or the misuse of non-transferable documents or instruments.
5. **Multiple Submission** – The submission of substantial portions of the same academic work (including oral reports) for credit more than once without authorization.
6. **Abuse of Academic Material** – Destroying, stealing or making inaccessible library or other academic resource material.
7. **Complicity in Academic Dishonesty** – Intentionally or knowingly helping or attempting to help another commit an act of academic dishonesty.
8. **Plagiarism** – Presenting the work of another as one's own. All sources of information must be cited according to one of the available style manuals. Please consult your faculty member to determine which style manual should be used.

For more information on the Honor Code including examples of violations and tips on how to avoid violations please visit <http://www.radford.edu/~dos-web/academicintegrity.htm>.

## **Prohibited Conduct**

While the following statements are not inclusive of all prohibited conduct, they constitute the official record of all general conduct rules and regulations at Radford University. Individual students and student organizations are expected to abide by these rules and regulations.

The following is a listing of prohibited conduct:

### **9. Accessory**

Aiding or complicity to any violation of the Standards of Student Conduct.  
Presence at or failure to leave immediately a situation where a violation is occurring.

### **10. Alcohol**

- Possession or use of alcoholic beverages by any student under the age of 21 or in any areas where not permitted.
- Possession of alcohol in any residence hall regardless of age. Alcoholic beverages are only permitted in University-operated apartments whose assigned resident(s) are at least 21 years of age.
- Providing alcohol to anyone under the age of 21;
- Possession of common containers (i.e. kegs) on university property;
- Public intoxication;
- Having an open container of alcohol in an unlicensed public place;
- Transporting unconcealed or open alcohol containers in public on Radford University property;
- Violating local and state alcohol laws;
- Serving alcohol to students on university property and at off-campus university-sponsored events without prior approval from the Vice President for Student Affairs.

### **11. Bicycles, Skateboards, Skates**

Potentially dangerous or damaging use to self, property or others, of skateboards, bicycles, scooters or skates. The use of skateboards is permitted only on sidewalks and parking lots unless otherwise posted. Bicycles must be parked in bike racks and other designated areas.

### **12. Boarding Policy**

Residing in off-campus housing unless the student:

- Lives with relatives or guardians who are 21 years of age or older and are permanent residents within commuting distance of the university;
- Is currently or previously married;
- Has appropriately documented extreme emotional or physical problems;
- Has served at least one year active duty in the military forces;
- Has already completed four full semesters as an on-campus resident prior to the contract period, unless otherwise stated by the President of Radford University;
- Has attended and successfully completed the off-campus living education-

al session. This educational session is not offered to students until their second semester of residency and does not supersede existing housing contracts.

- Has received permission from the Vice President for Student Affairs or appropriate designee.

**13. Damage to Property**

Damaging or destroying university property or the property of others.

**14. Disruptive Conduct**

Disrupting the regular or normal function of the Radford University community (on or off campus), including behavior which breaches the peace, violates the rights of others, or constitutes a public nuisance.

**15. Drugs**

Possession, use, distribution, sharing, manufacturing or sale of any controlled substance or illegal drug, or the possession of paraphernalia in conjunction with drugs or drug residue. Improper use of a substance(s) for intoxicating purposes.

**16. Endangering Conduct**

Any act that imperils or jeopardizes the health or safety of self or others.

**17. Failure to Comply**

Failure to comply with the directions of university officials or those appointed to act on behalf of the university in the performance of their duties.

**18. Failure to Evacuate**

Failure to immediately evacuate any university building during a fire alarm or other emergency.

**19. Failure to Report Violations of a Health or Safety Risk**

Failing to immediately report any serious health or safety risk to the police, the Dean of Students office or other appropriate university personnel.

**20. Fire/Emergency Threat**

Starting a fire or creating a fire hazard, including false alarms by setting off the fire alarm system, making a bomb threat or creating a false emergency of any kind.

**21. Fire Hazards**

Possession and/or use of candles, lanterns, oil lamps, burners, dried vegetation (one dried bouquet of flowers is permitted per room) and other devices or materials which may create a fire hazard if used without authorization or in unauthorized areas.

**22. Fire Safety Equipment**

Tampering with, damaging, disabling or misusing fire safety equipment. In addition, not checking and/or verifying that smoke detectors are fully functioning, in accordance with state regulations and University policies.

**23. Fireworks and Explosives**

Unauthorized use, possession or storage of fireworks or explosives on Radford University property. Unauthorized use, possession or storage of hazardous chemicals that could pose a health risk, either by themselves or in conjunction with other chemicals.

**24. Guest Responsibility**

Failure to inform guests, both student and non-student, of university policies. Radford University students are responsible for their guests' actions while on campus.

**25. Harassment**

Conduct that is directed at a person or group of persons including curses, epithets or slurs which creates a present danger of a violent reaction or breach of the peace; or causes such violent reaction or breach of the peace. Conduct that attempts to interfere with an individual's personal safety or daily pursuits.

**26. Hazing**

Hazing, encouraging, facilitating or allowing hazing by any organization or by any individual on behalf of an organization or group (recognized or not recognized by the university), of an individual, organization, or visitor within the Radford University community. Hazing is any action or situation requiring inappropriate behavior, creating an atmosphere of servitude, or allowing potentially dangerous, demeaning, humiliating, ridiculing or degrading activities regardless of intent or consent of the participant(s), by a group(s) or a member of a group(s) on an individual as a part of membership or as part of initiation.

**27. Invasion of Privacy**

Transmitting, recording or photographing the image or voice of another person without his/her knowledge or consent while in an environment that is considered private or where there is an expectation of privacy, such as a residence or bathroom.

**28. Lewd, Obscene or Indecent Behavior**

Any conduct that is offensive to accepted standards of decency such as public nudity.

**29. Littering**

Littering, including improper disposal of tobacco products.

**30. Meetings and Events**

Publicizing an event before scheduling confirmation has been completed and the proper approval has been received.

**31. Objects Dropped or Thrown**

Causing an object to fall from buildings or other elevated areas.

**32. Pet Policy**

Possession of an animal other than non-poisonous aquatic frogs, aquatic turtles, animals that always live and breathe under water and properly attended assistance animals for individuals with disabilities, in university buildings or on the athletic fields or paths at the Dedmon Center complex. Authorized exceptions will be made regarding animals contained for and involved with academic research. All pets are to be properly leashed and attended to while on campus. All solid waste matter must be disposed of properly.

**33. Physical Abuse**

Any action that causes physical injury or physical discomfort.

**34. Physical Abuse – Threat**

The use of actions or speech to express or suggest intent to physically injure an individual(s), or causing a person to have a reasonable apprehension that harm may occur.

**35. Power Strips**

Possessing multiple-outlet connections unless they are a “temporary” power strip with a built-in circuit breaker that is clearly marked, carry an Underwriter’s Laboratory (U.L.) approval, have a maximum load of 15 amps and are plugged directly into a wall electrical outlet. Possessing an extension cord or configuring cords to function as extension cords.

**36. Registration of Criminal Record**

Failure to report federal or state probation, felony criminal charges or conviction of a felony to the Dean of Students within 15 university business days following registration with Radford University, or the charges being brought or conviction.

**37. Sexual Harassment**

Unwelcome sexual advances, requests for sexual favors or other verbal and physical conduct of a sexual nature when at least one of the following conditions is met:

- Submission to such conduct is made either explicitly or implicitly as a condition of an individual’s employment, membership or education;
- Submission to or rejection of such conduct by an individual is used as the basis for employment, membership or academic decisions affecting the individual;
- Such conduct has the purpose or effect of unreasonably interfering with an

individual's academic or work performance or creating an intimidating, hostile or offensive work, academic or living environment.

**38. Sexual Misconduct**

Sexual conduct without consent or sexual conduct that occurs after consent has been withdrawn, which causes physical or emotional discomfort to the victim. To constitute sexual misconduct, the sexual conduct must meet one of the following criteria:

- the sexual conduct is not consensual;
- the sexual conduct includes force, threat(s) or intimidation;
- the sexual conduct occurs when the victim is mentally or physically helpless, such as when under the influence of alcohol or other drugs or when the victim is a minor.

**39. Smoking**

Smoking in university buildings, designated non-smoking areas on campus or at entrances/locations where smoke can enter university-operated housing.

**40. Solicitation Activities**

Any type of door-to-door sales or solicitation that inconveniences, harasses, or annoys other members of the university community. Solicitation not in accordance with federal, state or local law or without the permission of the Director of Student Activities or the Director of Residential Life. Organizations and/or individuals that are not affiliated with the university may not conduct solicitations on the Radford University campus without permission from the Director of Student Activities.

**41. Student I.D. Cards**

Failure to carry a valid Radford University I.D. card at all times when on university property. Transferring and or duplicating university I.D. cards. I.D. cards must be provided upon request to any individual acting on behalf of the university in the performance of his/her official duties.

**42. Unauthorized Building/Facility Use**

Unauthorized presence on, in or use of University premises, facilities or property.

**43. Vehicles**

Driving motorized vehicles on campus grounds or sidewalks unless authorized by University Police.

**44. Verbal Abuse**

The use of obscene or profane language or the use of abusive verbal conduct directed toward an individual or individuals.

**45. Violations of Law**

Violation of federal, state or local law.

**46. Violations of Other University Regulations**

Violation of any university rule or regulation.

**47. Weapons**

Use, possession or storage of firearms, ammunition, weapons, objects that propel projectiles, sharp tools such as axes and hatchets, or replicas of weapons on Radford University property or disruptive use of these items off-campus. Weapons include any object or substance designed or used to inflict a wound, cause injury or incapacitate.

**Residence Hall Policies**

Where applicable, policies are in effect for all students, those who live in campus housing, as well as those who live off campus. The following is a list of prohibited conduct:

**48. Active Sports**

Participating in active sports in areas that are not designated for that purpose.

**49. Appliance Amperage**

Having a refrigerator or other electrical devices that draw more than two amps. Having a microwave in permitted halls that is rated as more than 700 watts.

**50. Appliances**

Possessing items used to cook food or to heat a room. Possessing items with exposed heated coils/elements or halogen bulbs. Possessing microwaves in non-designated residence halls.

**51. Bed Guidelines**

Not complying with guidelines for loft and non-university beds, as established by the Office of Residential Life.

**52. Bed Requirements**

Possessing waterbeds or beds larger than twin-size.

**53. Cords**

Placing electrical cords under an item other than a rubberized cord protector.

**54. Display of Alcohol and Other Drugs**

Possessing alcohol containers in residence halls. Displaying alcohol or drug signs or other related drug memorabilia so they are visible from outside university-operated housing.

- 55. Entering/Exiting Buildings**  
Entering or exiting buildings in any way other than through an authorized doorway.
- 56. Exterior Door Usage**  
Propping or attempting to force open exterior building doors once locked. Entering a side door once it has been locked unless authorized by an appropriate Residential Life staff member.
- 57. Guest Escort Policy**  
Having a guest unescorted by his/her hosts after open visitation hours have ended. Not having a specific host immediately present in the building. Open visitation hours are Sunday - Thursday 8 a.m. - midnight and Friday - Saturday 10 a.m. - 2 a.m.
- 58. Guest Visitation**  
Hosting an unregistered guest or a guest not carrying his/her registration form after open visitation hours have ended. Hosting a guest without permission from the resident's roommate(s) prior to guest's arrival. Guests may stay no more than two consecutive nights and no more than three guests are allowed per room unless otherwise permitted by the Resident Director.
- 59. Incense**  
Possession and/or use of incense within university-operated housing.
- 60. Items Hanging From Ceiling**  
Attaching items to the ceiling of the room or hanging items in such a way as to cover the ceiling.
- 61. Key responsibility**  
Loaning or giving a key or student ID card to another person or using a key or student ID to admit an unescorted, non-resident of a hall.
- 62. Odors**  
Having odors that originate from inside a student room that are detectable outside the room.
- 63. Paths of Egress/Entrance**  
Obstructing the safe and efficient egress or entrance in rooms in any way, including the narrow corridor and windows.
- 64. Quiet Hours**  
Not adhering to minimum mandatory quiet hours in and around residence halls. Quiet hours are Sunday evening - Friday morning, 8 p.m. - 9 a.m., and Friday evening - Sunday morning, midnight - 9 a.m.

- 65. Quiet Hours at Other Mandated Times**  
Not adhering to quiet hours in areas and at times designated by the Office of Residential Life.
- 66. Quiet Hours for Courtesy**  
Not adhering to a courteous level of sound at any time.
- 67. Removal of University Property**  
Removing university property from its Residential Life designated location except with prior approval by the Resident Director.
- 68. Room Assignment**  
Living in or occupying any residence hall or University-operated apartment space other than one's assigned location.
- 69. Room Condition**  
Keeping student rooms and bathrooms in unclean and/or unacceptable condition, including when preparing for University breaks. Not having a room in a condition that is ready to accept a roommate when a vacancy exists in a room or University-owned apartment.
- 70. Room Entry**  
Entering another student's room without the invitation of the room resident at the time of entry.
- 71. Room Responsibility**  
Behaviors which are in violation of the Standards of Student Conduct that occur in a student room or common area.
- 72. Room/Suite Capacities**  
Having more than 10 people present per residence hall room and/or 20 people present per residence hall suite. Having more than 10 guests present in a University-operated apartment.
- 73. Safety Regulations**  
Not complying with school, state, national, etc. safety regulations as communicated by the Office of Residential Life or other university departments.
- 74. Sundecks**  
Entering or utilizing roof areas outside designated sundeck areas or usage times. Leaning or sitting on retaining walls.
- 75. Unattended Appliances**  
Not constantly attending or not turning off appliances.

**76. Wall Coverage**

Placing items capable of burning (such as, but not limited to: paper, posters, pictures, tapestries, wreaths, etc.) on more than 10 percent of walls within student rooms. Placing items capable of burning on student room doors or other areas as restricted by state fire code. One dry-erase board, not more than 12 inches x 16 inches in size, is permitted on each student door that leads to the main hallway.

**77. Window Screens**

Removing a screen from its window casing.

**78. Window Treatments**

Having a curtain or an item that functions as a curtain that does not have a manufacturer's label stating that it is flame-retardant. Having a valance or item that functions as a valance that is longer than eight inches.

## **Conduct Information and Procedures**

Alleged violations of the Standards of Student Conduct should be reported to a faculty or staff member in the area in which the violation occurred or to the Office of the Dean of Students. Reports of alleged violations may be handled in one of three ways:

**Verbal Conduct Warning:** Used when the alleged violation is minor and may result in the following sanctions: an educational task, restitution, prohibiting further contact with designated persons, removal of unauthorized or offensive property or requiring an academic assignment be repeated. An internal record of the verbal warning is kept by the issuing faculty or staff member.

**Written Conduct Warning:** Used when the suspected violation is minor and provides a low-level response while creating an official record. A written warning may result in the following sanctions: an educational task, restitution, prohibiting further contact with designated persons, removal of unauthorized or offensive property or requiring an academic assignment be repeated. A copy of the written warning is filed with the Office of the Dean of Students.

**Conduct Charges:** Used in any of the following circumstances:

- Whenever the seriousness of an offense warrants sanctions
- When a person has already received a written conduct warning concerning the same offense
- When a person has received two written conduct warnings for separate offenses

## Procedures for Handling Conduct Charges for Violations of the Standards of Student Conduct

1. Any individual may refer a student to the Office of the Dean of Students for Conduct charges. If the incident occurred in university housing the student should be referred to the appropriate Residential Life staff member. If the incident concerns academic integrity then it should be referred to the faculty member for the course. Conduct Referrals will generally be delivered to the appropriate office within 10 university business days after the student has been identified as the alleged violator.
2. Upon the receipt of a Conduct Referral, the university representative (Conduct Coordinator or Faculty member) will determine if sufficient information is present for charges to be filed against the alleged violator. If charges are filed, then the alleged violator will typically be delivered or mailed the charges within 15 university class days of the alleged violator being identified. Faculty members pursuing charges of academic dishonesty should contact the Academic Dishonesty Case Coordinator in their college prior to the filing of charges.

## Procedures for Resolving Conduct Charges for Violations of the Standards of Student Conduct.

1. **Case Resolution:** The university representative may offer an alleged violator a case resolution. The university representative will meet with the alleged violator to review the charges and the options they have available to them to resolve the matter. The alleged violator can have 48 hours to decide which option he/she would like to utilize to resolve the charges.
  - a. If an alleged violator accepts responsibility for the alleged offense then the university representative will assign the sanction. If the alleged violator does not agree with the sanction(s) he/she may request that the Dean of Students, the Director of Residential Life or their designee review the sanction(s) to determine appropriateness. Requests for review of sanction(s) must be delivered in writing to the appropriate office within 48 hours of being assigned the sanction(s) or by 9:00 a.m. on the next university business day if the deadline falls on a weekend or after 5 p.m. on a weekday. This is the only appeal available through the Case Resolution Process.
  - b. If the alleged violator does not accept responsibility for the alleged offense then the Notice of Conduct Charges, the Case Resolution and any other supporting documentation will be referred back to the Office of the Dean of Students or Office of Residential Life. A Conduct Hearing will then be conducted to determine if the alleged violator is responsible for the charges and if so to determine the sanction(s).
  - c. Any student who fails to attend a scheduled Case Resolution meeting may

have a hold placed on their registration until they have met with the university representative and reached a resolution or until a hearing has been completed.

- **2. Conduct Hearing:** If an alleged violator does not accept responsibility or does not attend the Case Resolution or if the university representative does not feel that a Case Resolution is appropriate, then a Conduct Hearing will be convened. If a Residence Hall Conduct Hearing is appropriate, the Conduct Hearing will be scheduled with Residential Life Staff. Those cases not appropriate for a Residence Hall Conduct Hearing will be conducted by the Campus Conduct Board or an Administrative Hearing Officer. Conduct proceedings may be carried out prior to, simultaneously with, or following legal proceedings.

### **Conduct Hearing Guiding Principles:**

- a. An alleged violator may request a pre-hearing conference prior to his /her Conduct Hearing.
- b. An alleged violator will have at least 48 hours notice of a hearing or the notice will be posted five University business days prior to the hearing.
- c. A complete witness list must be turned into the Case Coordinator two university business days prior to the hearing.
- d. Students may request, in writing, a list of all witnesses and access to all information.
- e. Determination of responsibility will be based upon the standard of “more likely than not” that a violation did occur.
- f. No character witnesses or irrelevant behavior will be considered in a hearing.
- g. An alleged violator may select an adviser to be present at the hearing that may confer and give advice to the student in a quiet, confidential and non-disruptive manner. An adviser must be a full time Radford University student. Any full time student can act as an adviser; however, a list of trained advisers is available in the Office of the Dean of Students.
- h. An actively participating alleged victim may select an adviser to be present at the hearing that may confer and give advice to the student in a quiet, confidential and non-disruptive manner. An adviser must be a full-time Radford University student. Any full-time student can act as an adviser; however, a list of trained advisers is available in the Office of the Dean of Students. If an actively participating alleged victim does not choose a student adviser, he/she may have a licensed counselor, trained victim advocate or psychologist with them through the hearing for support purposes only. The counselor may not act as an adviser.
- i. An alleged violator or actively participating alleged victim may bring to the hearing a maximum of four non-participating observers from the following categories: members of the immediate family, legal guardians, licensed counselors or psychologists, and attorneys. Non-participating observers are not able to speak or participate during the Conduct Hearing.

- j. No recordings or tapes of hearings shall be made by any person other than the Chair of the Hearing. Conduct Board Hearing recordings will be maintained by the Office of the Dean of Students for the appeal process only. If an appeal is not made, the recording will be destroyed 10 university business days after the appeal date is past. If an appeal is made, the recording will be destroyed 10 university business days after the final appeal decision. A student will be given reasonable access to their hearing recording for the purposes of review, with the understanding that no duplication or transcribing of the recording shall be permitted. Requests for access to hearing recordings must be made in writing and provide the Office of the Dean of Students at least 24 hours notice to make the appropriate arrangements.

### 3. Mediation

Students may be given the option of entering into mediation to resolve a dispute. Information on the mediation process, how it works, what it can and cannot do and how to initiate mediation is available through the Office of the Dean of Students or the Office of Residential Life.

## Conduct Sanctions

A sanction is a consequence placed upon a student for violating the Standards of Student Conduct. The purposes of imposing sanctions are two fold: to protect the university community from behavior which is detrimental to the educational mission of the university and/or the university community; and to assist students in identifying acceptable parameters and understanding the consequences of future behavior.

All students that are sanctioned will be treated with equal consideration and dignity. All circumstances involved in an incident will be considered in sanctioning, as each individual case is unique.

A student charged with 'accessory' may be subject to the same sanction(s) as a perpetrator of the actual violation.

Sanctions which may be assigned individually or in combination include the following:

- **Written Warning** – Official record that a student has been warned about behavior.
- **Removal of Property** – Required removal of property.
- **Restitution** – Reimbursement by the student to cover the cost of repair or replacement of damaged or misappropriated property.

- **Fees** – Monetary requirements based on the resolution of a case.
- **Restriction of Activities or Privileges** – Restriction of active status or participation in any and/or all organized university activities other than required academic endeavors for a designated period of time.
- **Educational Task** – Completion of a task which benefits the individual, campus or community.
- **Conduct Probation** – A period of self reflection which can last up to 32 weeks, during which a student is on official warning that subsequent violations of university rules, regulations or policies are likely to result in a more severe sanction including suspension or dismissal from the university.
- **Additional Stipulations** – Stipulations added to sanctions indicating additional actions that a student must complete and/or follow.
- **Academic Grade Penalty** – Recommendation to a faculty member for a grade reduction on an assignment or in a class that is a result of an academic integrity violation. Once a student has received notice that he/she has been charged with an academic integrity offense, the student will not be permitted to withdraw from the course with a “W” unless the procedures for handling the violation result in no grade penalty.
- **University Housing Relocation** – Required movement to another room, hall or quad with the Director of Residential Life or his/her designee having final approval. Once assigned this sanction, students must relocate in no more than 24 hours, after which the relocated student cannot enter the building he/she was removed from throughout his/her term of probation without permission from the Director of Residential Life or designee.
- **Removal from University Housing** – Required removal from university housing with the Director of Residential Life or his/her designee having final approval. This action occurs without the refund of room fees. Once assigned this sanction, students must move within the designated time required, after which the removed student cannot enter university housing without permission from the Director of Residential Life or designee.
- **Administrative Removal from an Academic Course** – Required removal from an academic course with the college dean or his/her designee having final approval. A student given this sanction will be given a “W” or “F” in the course as is consistent with the Radford University withdrawal policy.
- **Conduct Suspension** – Temporarily canceling a student’s enrollment at Radford University with the Dean of Students or his/her designee having final approval. A student cannot graduate while suspended. Once assigned this sanction, students are immediately removed from their classes and banned from uni-

versity property. A student cannot enter university property during his/her term of suspension without prior permission from the Dean of Students or designee. Any classes taken at another institution during this period of suspension cannot be transferred to Radford University.

- **Dismissal**—Permanently canceling a student's enrollment at Radford University with the Dean of Students or his/her designee having final approval. A dismissed student cannot re-enroll or graduate from Radford University. Once assigned this sanction, students are immediately removed from their classes and banned from university property. A student cannot enter University property once dismissed without prior permission from the Dean of Students or designee.
- **Revocation of Degree** – The university reserves the right to revoke the degree of a graduate on the basis of a violation of the Standards of Student Conduct that occurred while the student was enrolled, given that the violation(s) would have resulted in dismissal.

### **Hearing Appeal Procedures:**

A student found responsible for a violation of university policy during a Conduct Hearing may request an appeal for one of the following reasons:

- Insufficient information that a policy was violated;
- A serious procedural error in resolving the case;
- Sanction inappropriate for the circumstances for the violation;

An appeal to the Dean of Students or designee (or to the Director of Residential Life or designee if originally heard in Residential Life) must be made in writing within 72 hours, of receipt of the original written decision, or by 9:00 a.m. on the next university business day if the deadline falls on a weekend or after 5:00 p.m. on a weekday. Typically a decision will be rendered within five to 10 University business days, unless the sanction includes suspension or dismissal. After review, the Dean of Students, Director of Residential Life or designee may:

- Affirm the finding(s) of the original hearing authority;
- Reverse finding(s) of the original hearing authority;
- Alter the sanction(s) of the original hearing authority. (If altered, sanctions can be made more or less severe);
- Refer the case to an appeal hearing.

A subsequent appeal, which is permitted only in cases where suspension or dismissal is assigned in a Conduct Hearing, must be submitted to the Vice President for Student Affairs or designee within 48 hours of the alleged violator receiving the previous appeal decision in writing, or by 9:00 a.m. on the next university business day if the deadline falls on a weekend or after 5:00 p.m. on a weekday. The Vice President for Student Affairs or designee may either:

- Affirm the finding(s) of the original hearing authority;
- Reverse finding(s) of the original hearing authority;
- Alter the sanction(s) of the original hearing authority. (If altered, sanctions can

- be made more or less severe);
- Uphold the appeal decision made by the Dean of Students or designee;
- Refer the case to an appeal hearing.

The decision of the Vice President for Student Affairs on all hearing appeals resulting in suspension or dismissal is the final decision for the university. The decision of the Dean of Students or designee on all other appeals is the final decision for the university.

## **Student Conduct Records**

**Retention** – Student Conduct Records will be maintained for seven years from the date of the last case resolution or two years post graduation, whichever comes later. Any student record with an outstanding sanction, suspension or dismissal will be kept indefinitely.

### **External Release of Student Conduct Records**

External release of records will occur in accordance with Federal law. Records will be released outside of the university system with the students written consent unless the incident was resolved prior to the start of the Fall 2003 academic year in which case records will be released when the following conditions are met and the student has provided written consent:

- A student has been dismissed from the university for conduct reasons;
- A student has been suspended from the university for conduct reasons;
- A student has not completed serving his/her term of 20 or more weeks of conduct probation.

### **Student Expression**

Students, both individually and collectively, are encouraged to express their views through the normal channels of communication. Students are also free to express their views by demonstrating peacefully and constructively for concepts and beliefs they wish to make known. The university is obligated to protect the rights and freedoms of those students who choose not to participate in a demonstration, as well as being obligated to protect property and prohibit interference with scheduled activities of students, faculty, staff and any person who may be a guest on campus. Heth Plaza and the Hurlburt Student Center Plaza have been designated as the primary Demonstration Areas at Radford University for demonstrations or peaceful assemblies. Standard reservation procedures must be followed if a demonstration is to be held on campus; this includes registering the event with the Information Planning Office in the Hurlburt Student Center. Exceptions can be made for alternative sites on campus, as needed, by the Director of Student Activities. Outdoor on-campus activities involving the use of amplified sound must be approved by the Director of Student Activities. Persons who are unsure about the applicability of the policy should contact the Director of Student Activities or the Dean of Students prior to the activity. Persons who are not members of the Radford University community are free to express their opinions at demonstrations provid-

ing they are sponsored by a recognized campus student organization.

### **Sexual Harassment Policy**

Radford University is committed to creating and maintaining a work, academic and living environment which is free of conduct and communication of a sexual nature that interferes with an individual's work or academic performance or creates an intimidating, hostile, or offensive work, academic or living environment. Sexual harassment may result in criminal and/or civil legal action. It is also a serious violation of Radford University's values and expectations. Thus, it may also be addressed through the university conduct process and/or personnel policies. The Radford University Sexual Harassment policy and assistance in addressing policy violations may be obtained from the Office of the Dean of Students, the Office of Substance Abuse and Sexual Assault Education or the Social Equity Office in Human Resources. Specific information concerning what constitutes sexual harassment may be found in section 37 of the Standards of Student Conduct.

### **Statement on Sexual Misconduct**

Radford University is committed to raising the awareness of students, staff and faculty regarding the issue of sexual misconduct. The university strives to maintain a safe campus learning environment, to provide prompt and compassionate support services for victims of sexual misconduct and to strictly enforce its sexual misconduct policy. Allegations of sexual misconduct, including acquaintance rape, may result in conduct charges under the Radford University Standards of Student Conduct and criminal and/or civil legal action. Sexual misconduct is a serious violation of Radford University's values and expectations. Specific information concerning what constitutes sexual misconduct may be found in section 38 of the Standards of Student Conduct.

### **Sanctions for Sexual Offenses**

Violations of these policies are very serious. Students found in violation of these policies may face conduct probation, suspension or dismissal from Radford University depending upon the circumstances and severity of the incident.

## **Sexual Offenses**

**Recommendations/Options** – A victim of a sexual offense has a number of options to consider. Radford University strongly recommends that a victim pursue these options. A victim may:

- **Seek medical attention, if appropriate.** It is important to seek medical attention to be examined for the possibility of injury or sexually transmitted infections. It is also important to preserve physical evidence in the event the victim should decide to prosecute.
- **Obtain counseling.** Counseling resources, which are available at no cost to students, are listed at the end of this section.
- **Refer the student for conduct charges.** If the individual is a Radford University

student, the victim may initiate university action through the Office of the Dean of Students, Residential Life, or University Police. If the individual is a Radford University faculty or staff member, the victim may initiate university action through the Office of the Dean of Students, the Radford University Department of Human Resources, the Office of Substance Abuse and Sexual Assault Education or University Police. A victim of a sexual offense who uses the campus conduct system has the right to be made aware of the outcome of the conduct charges.

- **File criminal charges through the Commonwealth of Virginia.** Depending on the location of the incident, charges may be filed through either the city or university police.
- **Change the academic/on-campus living situation.** The victim is entitled to request, and the university will reasonably attempt to accommodate, a change in on-campus living arrangements, class schedules and other accommodations deemed necessary as a result of the incident. Consult with the Dean of Students Office and/or the Office of Residential Life regarding these arrangements.

## Resources

The following resources are available to a victim of a sexual offense.

- Carilion New River Valley Medical Center, Emergency Room, 2900 Tyler Rd., (540) 731-2000
- Women’s Resource Center Sexual Assault Crises Hotline, (540) 639-1123 (24 hours)
- Office of Substance Abuse and Sexual Assault Education, Heth 207, (540) 831-6275
- Center for Counseling and Student Development, Tyler Hall, lower level, (540) 831-5226
- Office of the Dean of Students, Heth Hall, (540) 831-5321
- Office of Residential Life, Heth Hall, (540) 831-5375
- Student Health Center, Moffett Hall, lower level, (540) 831-5111
- University Police, Allen Building, (540) 831-5500
- Commonwealth Attorney, (540) 731-3690
- Radford City Health Department, 212 Third Ave., (540) 831-5774
- Radford City Police Department, 601 First St., 911 or (540) 731-3627
- Radford University Department of Human Resources, 704 Clement St., (540) 831-5421

## Educational Programs

Information about educational programs focusing on the awareness and prevention of sexual misconduct and sexual harassment is available through the Office of Substance Abuse and Sexual Assault Education, Heth 207, (540) 831-6275.

## Campus Security

Students wishing to gain access to information concerning campus security and crimes that occurred on campus should contact the Radford University Police Department located in the Allen Building or visit them on the web at <http://www.radford.edu/~police>.

## **Family Educational Rights and Privacy Act**

Radford University student record policies and practices are in full compliance with state and federal laws (FERPA).

Upon request, the university will grant students who are or have been in attendance, access to their educational records except those excluded by law, and will provide an opportunity for a hearing to challenge such records.

The university will not release information about a student from records, except directory information, to people other than a specified list of exceptions without obtaining the written consent of the student.

A full statement of the Family Educational Rights and Privacy Act and information explaining how students may exercise the rights accorded them by this policy are available from the Registrar's Office and the Office of the Dean of Students.

University and federal laws permit the university to release information it has identified as directory information with respect to each student unless the student informs the University that any and all information designated should not be released without the student's prior consent. Requests for the restricted release of directory information should be filed at the Registrar's Office.

The university has identified the following as directory information.

- Student's name, local and home address, phone listing, e-mail address
- Major field of study
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Dates of attendance
- Degrees and awards received
- Classification

If a student has a complaint about the university's compliance with state or federal laws concerning student records, the student is encouraged to register that complaint with a university official. While most concerns can and will be addressed promptly by the university, students may file complaints with the U.S. Department of Education concerning alleged failures by the university to comply with the requirements of the Family Educational Rights and Privacy Act.

Students should report any change of name, address, or marital status to the Registrar's Office so their university records can be corrected. Address changes can be submitted online at: <http://www.radford.edu/~registra>.

The university policy concerning the external release of student conduct records may be found in the conduct procedures section of the Standards of Student Conduct.

## **Statement on Alcohol and Other Drugs**

The university takes violations of the alcohol policy (Section 10 of Standards of Student Conduct) and drug policy (Section 15 of Standards of Student Conduct) very seriously. Offenders face campus conduct charges and may also be subject to arrest. Violations of the Standards of Student Conduct related to illegal substance use will result in strict sanctioning. The University operates under a “three strikes” system in terms of alcohol violations. A third violation of any alcohol policy will result in a student’s suspension from Radford University. Unlicensed selling of alcohol will result in suspension from the university. Students are permitted to have controlled substances that are appropriately prescribed and consumed, in accordance with federal and state laws. Drug violations typically result in suspension. Sanctioning related to any alcohol or drug related incident can be more stringent based upon the severity of the incident. Parents of students who are under 21 at the time of an incident will be notified if a student is found to be responsible for an alcohol or drug violation. The privacy of students seeking medical treatment at either the Student Health Center or at local hospitals is protected under the Health Insurance Portability and Accountability Act of 1996 (HIPAA). Neither the Student Health Center nor the local hospitals can report any information about students or their treatment to the University. Therefore students who may be under the influence of alcohol or drugs should never hesitate to seek medical treatment at any of these facilities.

We encourage students who may have questions about their or others’ alcohol or other drug use to take advantage of the services available on and off campus. The following resources are available:

- Student Counseling Services, Tyler Hall, lower level, 540-831-5226
- Office of Substance Abuse and Sexual Assault Education, Heth 207, (540) 831-6275
- Student Health Center, Moffett Hall, 540-831-5111
- Carilion New River Valley Medical Center, 2900 Tyler Rd., 540-731-2000
- Substance Abuse Services of the New River Valley, 540-382-5050
- ACCESS, 540-382-1738
- National Institute of Drug Abuse Hotline, 1-800-622-HELP

## **Educational Programs**

Information about educational programs focusing on the awareness and prevention of alcohol and other drug abuse is available through the Office of Substance Abuse and Sexual Assault Education, Heth 207, 540-831-6275.

## **Health Risks**

For information concerning health risks associated with alcohol and other drug use and abuse visit the website of the Office of Substance Abuse and Sexual Assault Education at <http://www.radford.edu/~sasae>. The office also offers a variety of educational brochures and handouts, which can be obtained by visiting the office in Heth 207. Call 540-831-6275 for more information.

The Standards of Student Conduct are reviewed each academic year. To receive a current copy of this document please contact the Office of the Dean of Students or go to <http://www.radford.edu/~dos-web/studentconduct.htm>.

Individuals who have questions concerning policies contained in this booklet or policies not contained in this booklet should contact the Office of the Dean of Students at (540) 831-5321 or the appropriate administrative office.