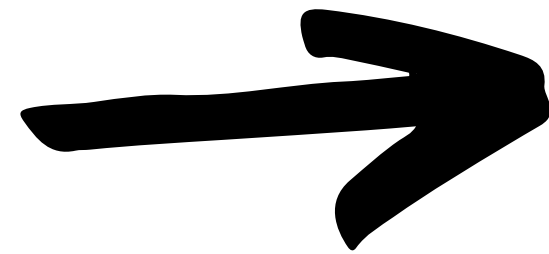




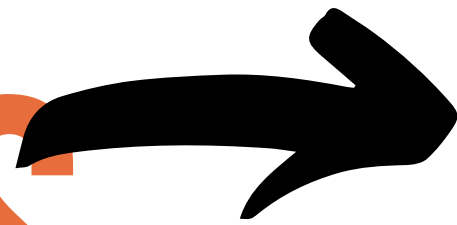
THE DEPARTMENT OF
STUDENT CONDUCT



TITLE IX
ADVISOR
TRAINING



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WHY IS THIS PROGRAM BEING ESTABLISHED?

New Title IX regulations require that institutions retain an advisor to represent both the complainant and respondent student during the hearing process . In addition, all questioning in the live hearing process is to be done through advisors, who may be attorneys.

Colleges must train all personnel involved in the Title IX process and publish training materials on their websites. Training must involve review of the new rule's definition of sexual harassment and the scope of the application of Title IX to college programs and activities, how to conduct a formal or informal process, and how to "serve impartially," including avoidance of "prejudgment of the facts at issue, conflicts of interest, and bias."

NEW TITLE IX GUIDELINES

Cross examination by advisor

- Prior regulations allowed for the Complainant and the student to conduct-cross examinations of one another. The new rules require an advisor to conduct the cross-examinations.
- Each party may select an advisor (who does not have to be an attorney), of their choosing. If either or neither student has an advisor, VSU will provide one for them free of charge.
- The advisor will be an active participant during the conduct hearing only. At all other times, the advisor is an observer and will not be allowed to either ask or answer questions.

Colleges are not obligated to respond to off campus sexual harassment (only if location is an officially recognized student or institution organization, i.e. fraternity or sorority housing or athletic housing.)

- This also applies to hotel rooms that have been designated student housing.
- VSU will continue to connect with Complainants and advise them of the supportive measures available. The University will also provide information to the student regarding alternative means to address the issue.

NEW TITLE IX GUIDELINES

Colleges are not obligated to handle complaints of sexual harassment that occur outside the United States.

- Title IX will continue to monitor sexual harassment complaints occurring outside the United States to ensure Complainants are aware of supportive measures available to them. The University will also provide information regarding alternative means to resolve the issue.

Colleges will be able to determine whether to use a “preponderance of the evidence” or “clear and convincing”.

- VSU will continue to utilize the “preponderance of evidence” standard for all conduct violations, to include Title IX investigations for students, staff and faculty.

NEW TITLE IX GUIDELINES

Stalking, domestic violence and dating violence are now officially considered examples of sexual harassment under Title IX.

- Incidents formally classified as Intimate Partner Violence will now be defined and covered under the classification of dating or domestic violence.

New regulations strongly recommends three separate officials to work through separate pieces of a single Title IX complaint process:

1. A Title IX coordinator, who receives reports of sexual misconduct
 2. An investigator, to gather facts and interview parties and witnesses
 3. A decision maker, to determine sanctions and remedies for parties.
- Presently, the VSU model allows for the Title IX Coordinator to act as the both the intake officer and the investigator. The information gleaned from the investigation conducted by the Title IX Coordinator will be submitted to the Office of Student Conduct, who has been designated the decision maker in these incidents.

ROLE OF THE ADVISOR

- Attend conduct meetings as a support person.
- Assist students through the Title IX/Student Conduct process.
- Assist students in navigating options related to academic and personal issues, as necessary.
- Conduct cross-examination of witnesses on behalf of their party
- Provide a safe listening space.
- Meet with students in advance of scheduled hearings and/or meetings.
- Aid students charged with violating University policies through the Student Code of Conduct.
- Review documents/forms prior to the student submitting to the Student Conduct Administrator.
- Support and connect students with campus and community resources.

ADVISORS SHOULD NOT:

- Do all the work for the student.
- Act as mental health professionals.
- Advise a student not to participate in the process.
- Serve any other role in the Student Conduct process (i.e. witness, Student Conduct Administrator, investigator, board member, etc.)
- Advocate on behalf of a student in investigation
- Act as a spokesperson or defender of the student
- Initiate communication between student and/or complainants following the completion of the process
- Serve as legal counsel

TIME COMMITMENT

- Advisors are asked to commit to advising 3 - 5 hearings per year.
- Advisors are utilized as needed.
- Advisors should be available to serve as a “back-up advisor” at least twice per month.
- Hearings may last up to 4 hours and will occur between 8:00 a.m. - 5:00 p.m. Monday through Friday, unless special circumstances exist.

HOW IS AN ADVISOR OBTAINED?

- Students will be provided with a list of trained advisors. The list is updated monthly based on the advisor availability. The student will select an advisor from the list and contact them to see if they are willing to serve as their advisor.
- The student is responsible for scheduling a one-on-one meeting with the advisor.
- If a student chooses to obtain an advisor, the student will sign a Release of Information Form allowing the advisor to be present for the sharing of protected information. This release will remain on file with the Department of Student Conduct.
- If a student refuses to obtain an advisor, one will be appointed for the cross-examination process only.

WHO IS THE COMPLAINANT?

Complainant: an individual who is alleged to be the victim of conduct that could constitute sexual harassment (34 CFR §106.30(a)).

WHO IS THE RESPONDENT?

Respondent: an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment (34 CFR §106.30(a)).

ROLE OF THE TITLE IX COORDINATOR

- Handle institutional compliance with Title IX regulations.
- Receive and submit formal complaints.
- Cannot serve as the decision-maker
- The Title IX Coordinator can also serve as the Investigator

ROLE OF THE INVESTIGATOR

- Collect evidence.
- Interview parties and witnesses.
- Evaluate relevant information.
- Author summary report.
- Cannot serve as the decision-maker
- The Investigator can also serve as the Title IX Coordinator

ROLE OF THE DECISION MAKER

- Facilitates hearings.
- Determined relevancy of cross-examination questions.
- Write hearing decision.
- Notify parties of hearing decision.
- Can have multiple individual decision-makers at an institution, but only one assigned per case.
- Panel can be utilized as long as it does not include the Title IX Coordinator, Investigator, or appellate.

RIGHTS OF THE STUDENT

- To be treated with respect and without prejudice or presumption. An explanation of the complaint that has been filed against you and by whom.
- To know of any interim limitations or restrictions placed upon them as a result of the complaint.
- To know the status of the complaint at any point in the process.
- Access to available university resources.
- To have a trained advisor of their choosing assist you at any point during the process, as long as the advisor is not a witness.
- To decline services of an advisor as this will have no bearing on the decision making process.
- Accused students cannot be suspended or expelled unless they're found guilty.
- Must be allowed to appeal the administration's decision.

PROTECTION FROM RETALIATION

If you believe a student is the subject of an act of retaliation as a result of being named in a report or participating in the resolution process, contact Legal Counsel Office immediately..

University Legal Counsel's Office

Office Address

1 Hayden Drive

P.O. Box 9001

Virginia State University, Virginia 23806

Bonnie J. Holmes

Legal Assistant

bholmes@vsu.edu

(804) 524-5326

CONFIDENTIALITY AND RECORD KEEPING

- Files should review electronically unless in a hearing with the student.
- All printed copies should be returned to Department of the Hearing Officer at the end of the hearing.
- Files will be kept by the Department of Student Conduct.
- In order to receive information pertaining to the case, two things must happen:
- The student must grant you access to view those files
- You must contact the appropriate department to retrieve those files (i.e. Title IX)
- An alleged victim's rights and privacy (including medical records) must be protected.

CONFIDENTIALITY AND RECORD KEEPING

- The following types of records must be maintained by the institution for a minimum of seven (7) years:
- Supportive measures
- Investigative reports
- Hearing outcome
- Media files, recordings, or transcripts
- Sanctions
- Remedies
- Appeals
- Informal resolutions

CONSOLIDATION

- Institution is permitted to consolidate multiple formal complaints into one process if any of these criteria are met:
- One complainant, multiple respondents
- One respondent, multiple complainants
- Both parties making reports

THE OFFICE OF TITLE IX COMPLIANCE

The Office of Title IX Compliance is responsible for overseeing the investigation of all reports of alleged discrimination, sexual harassment, or sexual misconduct in accordance with the Discrimination Grievance Procedures. The Title IX Coordinator will oversee and address any problems that arise during any complaint.

Complaints and reports of should be made to the Title IX Coordinator. VSU's Title IX Coordinator:

Deborah Howard
Virginia Hall 313
804-524-5371
TitleIX@vsu.edu

THE OFFICE OF TITLE IX COMPLIANCE

As an advisor will I be allowed to be present during meetings or interviews with the student and Title IX, if the student requests?

- An advisor can be present during the meetings with the Title IX Office and the student. However, the advisor will only act as a witness. They will not be allowed to ask and/or answer questions.

What is the general turnaround for email communication with TIX? (This is to help the advisor set realistic expectations around communication)

- The average turnaround time for all inquiries to the Title IX Office is one-two business days.

What information will and can be shared between the advisor and the Title IX Coordinator?

- Any meetings, interviews, etc., (after the initial contact), scheduled by the Title IX Coordinator will be with the student in the presence of the Advisor.

What, if any, information am I required to share with the Title IX Coordinator? Does the student have to give permission?

- This a confidential position, so the advisor would not be compelled to share anything with us without the expressed, (written) permission of the advisee.

CROSS-EXAMINATION

Each party's advisor must be allowed to cross-examine the other party and any witnesses

Questions must be relevant

- Before party answers, decision-maker determines relevance
- If deemed irrelevant, decision-maker must explain rationale

If party does not participate in cross-examination, all other statements from that party may not be used, such as:

- Secondhand recounts
- Written reports
- Electronic messages

HOW TO SERVE IMPARTIALLY INCLUDING PREJUDGMENT, CONFLICTS OF INTEREST, AND BIAS

You must not have a conflict of interest or bias for or against any parties generally or a conflict of interest with any specific party.

FINAL DECISION & APPEAL

Both parties have right to appeal

Decision/outcome of case are final when:

- Parties receive notice of appeal outcome
- Deadline for appeal passes

CONTACT US

The purpose of the Department of Student Conduct is to promote appropriate student behavior and to enforce the rules and regulations outlined in the Virginia State University Student Code of Conduct. The office is also responsible for ensuring that students are treated fairly and that the appropriate judicial process is followed when rules and regulations are reported to have been broken.

MS. CATHLEEN BRAXTON

Director of Student Conduct

FOSTER HALL 302

804-524-2391

MR. RA'MEER ROBERTS

Coordinator of Student Conduct

FOSTER HALL 301

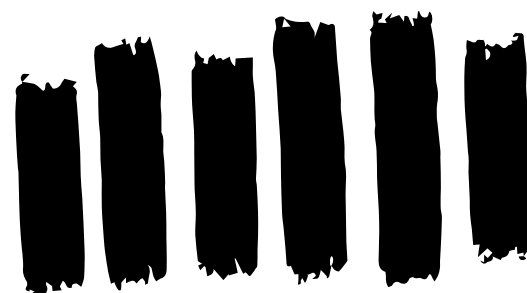
804-524-1164

MRS. JACQUELYN GRIFFIN-HAMMONDS

Administrative Assistant & Notary

FOSTER HALL 304

804-524-5866



DEPARTMENT OF STUDENT CONDUCT

FAQs

What are the ways that an Advisor can best collaborate with your office to support the student?

- Advisors can attend trainings on Title IX and Student Conduct and monthly Violence Prevention Meetings and advisors' meetings. In addition, Advisors should review violations listed in the Student Code of Conduct.

As an advisor, will I be allowed to be present during meetings or interviews with the student and student conduct, if the student requests?

- Yes, However, if the Chairperson perceives you are berating the student, he/she has the authority to halt questions.

If the student is having difficulties communicating with Student Conduct, am I able to contact the staff on behalf of the student? If so, do I need to sign anything to exchange information?

- Yes, all advisors are required to attend mandatory training and sign a confidentiality agreement. The advisor may reach out to the Director of Student Conduct with the permission of the student.

DEPARTMENT OF STUDENT CONDUCT

FAQs Continued

What is the general turnaround for email communication with Student Conduct? (This is to help the advisor set realistic expectations around communication)

- The Department of Student Conduct should return all emails in 24 hours or the next business day.

What information will and can be shared between the Department of Student Conduct and me?

- The student's alleged violations, student V#, Student's Email, Student's status as of ISP, or non ISP. All other significant information is provided by the student/student.

What, if any, information am I required to share with the Student Conduct? Does the student have to give permission?

- As an advisor, you are only able to disclose the information that the student permits to do.

DEPARTMENT OF STUDENT CONDUCT

Types of Hearings

Pre-Hearing - a process in which a person(s) who may have alleged violated the Student Code of Conduct is notified of their rights as a student. In addition, students are presented with the definition of the violation and the option to select their hearing type.

*Administrative Hearing - a process in which a single administrative officer determines the responsibility and/or sanctions for the person(s) who may have alleged violated the Student Code of Conduct.

Judicial Panel Hearing - a process in which the judicial panel determines the responsibility and or sanctions for the person(s) who may have alleged violated the Student Code of Conduct. The Judicial Panel must consist of at least three (3) members (Faculty, Staff, and/or Student)

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DEPARTMENT OF STUDENT CONDUCT

Administrative/Judicial Panel Hearing Process

1. Call to Order
2. Clarification of Charges - State charges the student has been charged with violating
3. Introduction of all parties present (for the record)
4. Challenge Any Member of the Conduct Body/ Administrative Hearing Officer with Cause
5. Confirmation/Verification
6. Oath
7. Plea
8. Statement by the student student
9. Questions from the Administrative Officer/Judicial Panel Chairperson
10. Statement by witnesses, complainant, and/or university representative (if applicable)
11. Questions from the Administrative Officer/Judicial Panel
12. Closing statement by the student student.
13. Adjournment and Deliberation

UNIVERSITY COUNSELING CENTER

THE UCC HOUSES FOUR SPECIALIZED SERVICES:

Mental Health Services

Provides individual, couples, and group therapy - addressing a variety of issues that impact on the student population. Psychiatric services are also offered as an optional mental health treatment component.

Sexual Assault Prevention

Provides on-campus supportive counseling and off campus community resources. 24-hour help lines available.

Substance Abuse Prevention

Focuses on issues associated with alcohol use/abuse. Services include interactive alcohol program for those administratively and judicially referred.

Students with Disabilities Program

Provides reasonable accommodations and requires documentation of disability from a qualified professional. Offers state of the art assistive technology.

UNIVERSITY COUNSELING CENTER

What are some ways that an Advisor can best collaborate with your office to support the student?

- Ensure the student is knowledgeable of UCC Services. Provide location and telephone number: 4th Floor Memorial Hall, (804)524-5939. If the student has a disability and requires an accommodation for the hearing, link them to the Student Accessibility Office, which is located on the 1st Floor of Memorial Hall in Room 101.

As an advisor will I be allowed to be present during meetings or sessions with the student and UCC, if the student requests?

- If a student is seeing a therapist about involvement in a sexual misconduct case, it is confidential. We will safeguard their privacy. The UCC will honor the student's request for the advocate to be present. However, due to COVID-19, the UCC will require at least 24 hours advance notice that the advocate will be accompanying the student to ensure that a location which enables social distancing can be identified for service delivery.

UNIVERSITY COUNSELING CENTER

If the student is having difficulties communicating with their therapist, am I able to contact the therapist assigned to the student? If so, do I need to sign anything in order to exchange information?

- If the student is having difficulty communicating with their therapist, the student should FIRST attempt to discuss their concern with the therapist. If unsuccessful, the student should then ask to speak with the Director. If the Director is the therapist, then the advisor can communicate with the therapist. The advisor communicating on behalf of a student is not a best practice in providing clinical care. I recommend the advisor coach the student in expressing their concern. Perhaps the advisor can role-play the difficulty with the student and provide coaching that enables students to advocate for themselves. Since the establishment of rapport has been positively correlated with clinical outcomes in therapy, every attempt should be made for the student to be assigned to a provider with whom they can communicate. The UCC honors diversity of needs of its diverse clientele and routinely changes clinicians when clients are unable to connect with their provider. Encouraging the student to express their concern may increase their assertiveness and sense of self-efficacy. Since having the advisor communicating on behalf of the student is not consistent with best-practice, a Release of Information will be required. In these instances, the student will be provided psycho-education on the potential risk of this type of transactional analysis.

UNIVERSITY COUNSELING CENTER

What is the preferred method of communicating? (Email is not confidential so should phone calls be the primary method)

- A telephone call or face-to-face visit are the most effective confidential forms of communicating. Consultation calls are best conducted before 10:00 am to reduce the potential interruption in providing direct clinical care.

POLICE DEPARTMENT

The VSU Police Department is committed to maintaining an environment that is confidential, safe, free from harassment, sexual harassment, sexual assault, stalking, dating, and domestic violence. VSU Police has a collaborative partnership with the Chesterfield County Commonwealth Attorney Office and Victim Witness Office. Our department is also part of the Chesterfield SART (Sexual Assault Response Team). A Sexual Assault Response Team (SART) is a specific intervention model focused on the immediate and consistent response to sexual assault victims to implement and maintain a comprehensive, coordinated, trauma-informed, and victim-centered system of intervention and care, with a commitment to systems change and continuous improvement.

Virginia State University Police Department

21012 Service Road

PO Box 9405

Petersburg, VA 23806

Phone (804) 524-5360

Fax (804) 524-6414

police@vsu.edu

POLICE DEPARTMENT

As an advisor, will I be allowed to be present during meetings or interviews with the student and PD, if the student requests?

- Advisors will NOT be permitted to attend meetings or interviews with the student when there is a pending criminal investigation or if charges have been filed.

If the student is having difficulties communicating with PD, am I able to contact the officer assigned to the case? If so, do I need to sign anything to exchange information?

- Yes, the advisor may contact the appointed officer through email or phone. All meetings held with the Police Department and Advisor will take place in the presence of the student/complainant or with their prior written consent.

What is the general turnaround for email communication with PD? (This is to help the advisor set realistic expectations around communication)

- (Due to unusual work schedules and other work-related obligations, we try to follow up within) 72 hours. However, there are some instances where another officer will be assigned to assist with case follow-up if the original officer is unavailable for an extended period.

NATIONAL RESOURCES

National Resources	Contact(s)	Primary Topics
National Domestic Violence Hotline	Domestic Violence Hotline 1-800-799-7233 www.thehotline.org	Domestic Violence - Local Domestic Violence Centers (listed by state) Leaving a Violent Relationship; Safety Planning
National Sexual Abuse Hotline: RAINN – Rape, Abuse & Incest Network National Network	Sexual Assault Hotline 1-800-656-4673 (HOPE) www.rainn.org www.rainn.org/get-help/local-counseling-centers/state-sexual-assault-resources	Sexual Violence - Local Sexual Assault Centers (listed by state) Sexual Harassment
National Stalking Resource Center	www.victimsofcrime.org/our-programs/stalking-resource-center	Stalking – Local Assistance Stalking Incident & Behavior Log
National Suicide Prevention Lifeline	Suicide Hotline 1-800-273-TALK (8255) suicidepreventionlifeline.org	Suicide
Stalking Resource Center Hotline	Stalking Hotline 1-800-394-2255	Stalking Hotline
U.S. Department of Health & Human Services – Stop Bullying Site	www.stopbullying.gov	Bullying – Local & National Assistance

ONLINE RESOURCES

Web Resources – General Information	Contact(s)	Primary Topics
Centers for Disease Control (CDC) Facebook Page on Violence Prevention	www.facebook.com/vetoviolence	Violence Prevention
CDC National Center for Injury Prevention and Control Division of Violence Prevention	1-800-CDC-INFO www.cdc.gov/cdc-info/ www.cdc.gov/violenceprevention/nisvs/	Sexual Violence & Intimate Partner Violence
National Sexual Violence Resource Center	www.nsvrc.org	Sexual Violence
Prevention Connection	www.preventconnect.org	Sexual Violence & Domestic Violence
STOP IT NOW!	www.stopitnow.org	Sexual Abuse of Children
Violence Against Women Network (VAWnet)	www.vawnet.org	Sexual Violence, Domestic Violence & Stalking - Research & Resource Center

LOCAL RESOURCES

Local Sexual Violence/IPV Response Organizations: Greater Richmond Regional Hotline

- (804) 612-6126 (24/7)
- The Greater Richmond Regional Hotline operates as a collaborative service by six local agencies: The James House, Project Hope, Safe Harbor, Hanover Safe Place, Goochland Free Clinic and Family Services, and YWCA of Richmond.; assists survivors of sexual violence, intimate partner violence and/or stalking by facilitating contact with local non-profit agencies that provide crisis intervention, counseling, emergency housing and advocacy support.

LOCAL RESOURCES

LGBTQ

Partner Abuse And Sexual Assault Virginia Hotline (24/7)

- (866) 356-6998, (804)793-9999
(text), <http://vsdvalliance.org> (chat)
- Provides LGBTQ-informed support and advocacy services for LGBTQ Virginians who have experienced violence.
- <http://www.equalityvirginia.org/blog/virginia-sexual-domestic-violence-action-alliance-launches-lgbtq-hotline/>

LOCAL RESOURCES

Virginia Anti-Violence Project

- **(804) 925-9242, (866) 356-6998 (24/7), (804)793-9999 (text) (24/7)**
- **Works to address and end violence, with a specific focus on lesbian, gay, bisexual, transgender, and queer communities across Virginia. Virginia Anti-Violence Project offers free and confidential support for LGBTQ+ individuals who have experienced violence.**
- **<https://virginiaavp.org/>**

LOCAL RESOURCES

The Virginia Statewide Hotline (24/7)

- **(800) 838-8238, also available via chat or text at (804) 793-9999**
- **Assists survivors of sexual violence, intimate partner violence and/or stalking by providing crisis intervention, support and referrals to local resources.**

TERMS AND DEFINITIONS

- **Adjudication:** A hearing process that includes the evaluation of possible violations of the Virginia State University Student Code of Conduct. This process also includes the administration of sanctions as appropriate.
- **Administrator's Court:** A formal student hearing that is heard solely by the Director of Student Conduct or designee approved by the Interim Associate Vice President for Student Success in response to alleged minor violations of student misconduct.
- **Allegation:** A statement asserting that a violation of University policy or the Student Code of Conduct has occurred.
- **Complaint/Charge:** A written statement submitted to the Department of Student Conduct regarding violations of University policy.
- **Coercion:** unreasonable pressure for sexual activity. Coercion cannot be used to obtain consent. Coercion includes the use of physical force, threats, and intimidating behavior to get another party to engage in sexual activity. When someone makes it clear that they do not want to be a part of such sexual activity, want to stop, or do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

TERMS AND DEFINITIONS

- Consent: is knowing, voluntary and clear permission by word or action, to engage in mutually agreed upon sexual activity. Silence does not necessarily constitute consent. Past consent to sexual activities, or a current or previous dating relationship, does not imply ongoing or future consent. Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). The existence of consent is based on the totality of the circumstances, including the context in which the alleged incident occurred.

Consent cannot be granted by an individual who:

1. is incapacitated by any drug or intoxicant;
2. has been purposely compelled by force or threat of force;
3. is unaware that the act is being committed;
4. is impaired because of a mental or physical condition;
5. is coerced by supervisory or disciplinary authority; or
6. is less than the statutory age of consent.

TERMS AND DEFINITIONS

- Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - The length of the relationship
 - The type of relationship
 - The frequency of interaction between the persons involved in the relationship” (34 U.S.C. 12291(a)(10)).
- Domestic Violence: Felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction” (34 U.S.C. 12291(a)(8)).

TERMS AND DEFINITIONS

- **Due Process:** Basic rights afforded to all Virginia State University students charged with violating University policies. Basic rights that constitute a fair hearing include the receipt of a hearing notice that outlines alleged violations of University policy and the right to be heard by a disciplinary hearing panel.
- **Formal Complaint:** A written concern or formal charge of dissatisfaction with a person, service, or process that requires clarification, investigation, and/or resolution.
- **Formal Hearing:** An official student hearing that is very structured and is administratively managed by the Department of Student Conduct. A formal hearing is convened in response to allegations of student misconduct and is scheduled at the discretion of the Director of Student Conduct.
- **Harassment:** A form of discrimination in which unwelcome verbal, written, or physical conduct is directed toward an individual on the basis of their protected characteristics or statuses, by any member of the campus community. Harassment does not have to include intent to harm, be directed at a specific target, or involve repeated incidents. Harassment violates this policy when it creates a hostile environment, as defined below

TERMS AND DEFINITIONS

- **Hold:** A restriction preventing a student from enrolling in classes, receiving a refund, obtaining academic transcripts.
- **Incapacitation:** occurs when an individual is unable to give consent because they are mentally and/or physically helpless, unconscious, or unaware, due to drug or alcohol consumption (voluntarily or involuntarily) or for some other reason. Engaging in sexual activity with someone a person knows to be – or should know to be – mentally or physically incapacitated is non-consensual and a violation of this policy. Mental or physical incapacitation can be a result of alcohol or other drug use, unconsciousness, blackout, sleep, involuntary physical restraint, or consuming so-called “date-rape” drugs, Rohypnol, Ketamine, Gamma-Hydroxybutyrate (GHB), Burundanga, etc.
- **Integrity:** Steadfast adherence to a strict ethical code; completeness; soundness.
- **Investigation:** A process of gathering and reviewing information following the receipt of a disciplinary complaint.

TERMS AND DEFINITIONS

- **Not Responsible:** A hearing outcome in which a determination is made that the student's conduct did not violate the Student Code of Conduct.
- **Representative:** An individual who may attend hearings as silent support for the accused student or witness throughout the hearing process. The representative may not directly question the student/student(s) or witness (es) or address the hearing body for any reason.
- **Responsible:** A hearing outcome in which a student is found to be in violation of the Student Code of Conduct.
- **Sanction:** A developmental consequence imposed by the administrative hearing officer (Director of Student Conduct) or after a student is found responsible for violating Virginia State University's Student Code of Conduct and/or other university policies.
- **Sexual Assault:** An offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation" (20 U.S.C. 1092(f)(6)(A)(v)).

TERMS AND DEFINITIONS

- **Sexual Exploitation:** occurs when a person takes non-consensual or abusive sexual advantage of another for anyone's advantage or benefit other than the person being exploited, and that behavior does not meet the definition of sexual assault. Sexual exploitation includes prostituting another person; non-consensual visual or audio recording of sexual activity; non-consensual distribution of photos, or postings (such as audio, video, images, or transcriptions) of an individual's sexual activity or intimate body parts with an intent to embarrass such individual, non-consensual voyeurism and observation of people engaging in intimate behaviors, performing normal bodily functions, or displaying various states of undress without the person's consent; knowingly transmitting a sexually transmitted infection (STI); or exposing one's genitals to another in a non-consensual circumstances, or inducing incapacitation with the intent to engage in sexual misconduct.
- **Sexual Harassment:** Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity.
- **Sexual Misconduct:** Sexual contact without consent. Includes sexual assault, sexual exploitation, dating violence, domestic violence and stalking.

TERMS AND DEFINITIONS

- **Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others; or suffer substantial emotional distress (34 U.S.C. 12291(a)(30)).
- **Student:** A person officially registered and enrolled at Virginia State University during any academic term in which an incident and subsequent grievance occurs.
- **Unauthorized:** Not officially approved by the University.
- **Violation:** An action that is inconsistent with University policies and which necessitates the imposition of a sanction or consequence.
- **Witness:** An individual who may attend a hearing as support for the student/student and who provides a written statement and/or oral testimony to the members of the panel, to include the Director of Student Conduct. The witness's testimony must consist of firsthand evidence. All witnesses are expected to arrive to the hearing with a written, signed, and dated statement.

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@CONDUCT1882

