

Standards of Conduct

By publication of these "STANDARDS OF CONDUCT," the university calls to the special attention of students and organizations the standards by which they are expected to abide. Students and organizations should be aware of the STANDARDS and should know they will be held accountable for their provisions.

General

All students enrolling in Troy State University assume an obligation to conduct themselves at all times as responsible members of the campus community and in accordance with standards of common decency and decorum, with recognition and respect for the personal and property rights of others and the educational mission of the university.

Authority For Rules and Regulations

The Board of Trustees of Troy State University is vested with the authority to promulgate rules and regulations regarding the conduct of students while enrolled at Troy State University by Title 16-56-6, Code of Alabama, 1975. The University Trustees have delegated full authority to the university administration to prepare and administer rules and regulations for the welfare and discipline of its students.

Administrative Responsibility and Authority

The Student Affairs Division of the university has primary authority for the supervision of student conduct and administration of discipline. The Vice President for Student Affairs and staff are responsible for working with students and student organizations to encourage support and compliance with university standards. They delegate specific responsibilities to members of their respective staffs, and in some instances, to student government agencies. It is permissible for the Student Affairs Judicial Officer to handle disciplinary decisions administratively if both the student or student organization and the Judicial Officer agree to an administrative hearing. The Student Affairs Judicial Officer is responsible for coordinating all disciplinary procedures and maintaining appropriate records of student conduct and disciplinary actions.

Misconduct Defined

By enrolling at the university, a student or organization neither relinquishes rights nor escapes responsibilities of local, state, or federal laws and regulations. The "STANDARDS OF CONDUCT" are applicable to behavior of

students and organizations on and off the university campus if that behavior is deemed to be incompatible with the educational environment and mission of the university. A student or organization may be disciplined, up to and including suspension and expulsion, and is deemed in violation of the "STANDARDS OF CONDUCT," for the commission of or the attempt to commit any of the following offenses:

- 1.** Dishonesty, such as cheating, plagiarism or knowingly furnishing false information to the university, faculty or other officers or employees of the university.
- 2.** Forgery, alteration or misuse of university documents, records or identification.
- 3.** Issuance of a worthless check made payable to Troy State University.
- 4.** Actual or threatened physical abuse, threat of violence, intimidation, hazing, or any other act which endangers the health or safety of any person.
- 5.** Destruction, damage, or misuse of university property, public, or private.
- 6.** Theft, attempted theft, burglary, attempted burglary, accessory to these acts, and/or possession of stolen property.
- 7.** Unauthorized manufacture, sale, delivery, use, or possession of any drug or drug paraphernalia defined as illegal under local, state, or federal law.
- 8.** The unlawful possession, use, or distribution of alcoholic beverages, public drunkenness, driving under the influence, or the public display of alcoholic beverages and the use or display of such in public areas of the residence halls and all other public areas of the campus.
- 9.** Participation in any form of gambling.
- 10.** Use, possession, or distribution of firearms, bows, illegal knives, fireworks, any incendiary, or any type of explosive device or material. Only duly-constituted law enforcement officers may possess firearms on campus.
- 11.** Disorderly conduct, including rioting, inciting to riot, assembling to riot, raiding, inciting to raid, and assembling to raid university properties.
- 12.** Lewd, indecent, obscene behavior or expression.
- 13.** Trespassing or unauthorized entry to or use of university facilities.
- 14.** Unauthorized use or attempted use of any services belonging to or provided by the university, including but not limited to, computer, telephone, cable television, copying facilities, or any other such service.
- 15.** Unauthorized possession of a key to any university facility.
- 16.** Interference with the use of or access to university facilities, obstruction or disruption of teaching, research, administration, service, disciplinary procedures, or other activities on university property by either university or non-university person or groups.
- 17.** Failure to promptly comply with directions of university officials or law enforcement officers acting in the performance of their duties as such officials and officers.
- 18.** Entering false fire alarms, or bomb threats, tampering with fire extinguishers, alarms, or other safety or fire-fighting equipment.
- 19.** Any activity which creates a mentally abusive, oppressive, or harmful situation for another is a violation. Use of the mail, telephone, computer and

electronic messages, or any other means of communication to insult, threaten, or demean another is prohibited.

20. Conviction of any misdemeanor or felony which adversely affects the educational environment of the university.

21. Violation of any university policies or regulations as published or referred to in the Student Handbook, including, but not limited to, those governing the time, place and manner of public expression; the registration of student organizations; the use of university facilities; occupation and visitation of residence halls and other housing owned or controlled by the university; and the use of parking of motor vehicles on the campus.

22. Conduct in violation of public law, federal and state statutes, local ordinances, or university regulations or policies whether or not specified in detail, which adversely affects the student's suitability as a member of the academic community and regardless of whether such conduct has resulted in a conviction under a statute of ordinance.

23. Any other activity or conduct not specifically stated herein which impairs or endangers any person, property, or the educational environment of the university.

Disciplinary Procedures

Students who are charged with violation of university regulations will receive a fair and reasonable hearing before a judiciary body or administrative officer where the fundamental elements of due process are followed.

University disciplinary procedures assure the student's right to procedural and substantive due process to safeguard the personal and confidential information concerning the student. These procedures may differ from court procedures in the interest of student welfare and confidence. Procedures and rules have been developed to assure a fair hearing and appeal.

Incidents of alleged misconduct and the relevant facts may be referred directly to committees for initial action. Prior notice concerning the alleged misconduct or offense and specific university policies or standards which apply are given to the student or students involved. Evidence, information, and facts are presented before such committees in the presence of the student or students, and they are given an opportunity to challenge these presentations and to offer such information as they deem necessary. The failure of a student to appear at a scheduled hearing will not of itself prejudice his case; neither will it prevent the Committee from hearing the case.

The right to proceed with university disciplinary proceedings shall in no way be affected by the filing of criminal or civil charges in any court by any person or any government entity against the accused student or organization. If charges pertaining to a judicial case also result in an off-campus warrant against the accused student or organization, the university will proceed with on-campus

judicial action. Exceptions may be made with the approval of the Vice President of Student Affairs, based on a written recommendation by the Student Affairs Judicial Officer, when the accused is incarcerated without bail or other circumstances warrant a delay in adjudicating the case on campus.

Sanctions imposed in a case which is also adjudicated by an off-campus agency may be subject to modification based on the outcome of the off-campus case.

Responsibility for Disciplinary Action

The university delegates specific and general authority and responsibility to faculty, administrators, committees, and councils. The Vice President for Student Affairs and staff provide specific information concerning student rights, procedures, and jurisdiction for specific incidents or alleged misconduct. The major agencies involved in disciplinary procedures are described in the remainder of this section.

Appeals From Actions and Referrals For Action

The university procedures for handling disciplinary matter are based upon the principle of appeal for review by a higher administrative authority or committee. An appeal from a decision may be made by any party to the appropriate appeal board or administrative authority within five days of the decision. The appeal authority may take any action deemed appropriate.

Student Judiciaries and Courts

Certain disciplinary authority may be delegated to student organization judiciaries or courts. Appeals from student judiciary or court decisions may be made to the Office of the Vice President for Student Affairs and through this office to the Student Affairs Judicial Committee. Student organization courts or judiciary committees are established with specific authorities when constitutions are approved by the Student Affairs Judicial Committee. Examples of such delegation of disciplinary authority exist in the case of the Student Government Association, the Interfraternity Council, and the Panhellenic Council. (See pertinent Constitutions)

Mediation

Mediation is a voluntary process. Its aim is to assist the people in dispute (parties) to resolve or settle their issue quickly, informally, cooperatively, and confidentially. Where informal settlement is accepted by both parties, a mediator from Student Affairs will convene a mediation meeting. The mediator does not act as an advocate for either side but as a facilitator. The mediator's role is to assist both parties to explore the issues that led to the complaint, identify points

of agreement, and arrive at a solution which resolves or settles the complaint. If at any time the mediation process does not result in satisfaction to both parties, then the incident may be referred to the Student Affairs Judicial Officer or Committee for a formal process.

Student Judiciaries and Courts

A Student Affairs judicial Committee procedure has been established by the university. This committee has the following functions:

- To hear charges and evidence concerning student and organization misconduct and to take final action in all cases referred to the Committee for original jurisdiction by the Student Affairs Judicial Officer.
- To serve as a review committee for cheating and plagiarism cases referred by faculty members through the Student Affairs Judicial Officer or to hear appeals by students from faculty actions when referred by the Student Affairs Judicial Officer.
- To review and make recommendations to the Student Affairs Judicial Officer on student discipline policies and procedures.
- To review cases of appeal from student judicial agencies which are referred to it by the Student Affairs Judicial Officer.
- The failure of a student to appear at a scheduled hearing will not of itself prejudice his case; neither will it prevent the Committee from hearing the case.

This committee is charged with the responsibility of all matters pertaining to students which are organizational, disciplinary, or procedural. The committee, at its discretion, may delegate substantive and procedural functions to organizations and/or individuals concerned with the above stated areas.

Rights of Accused Students

(Also applies for Recognized Organizations)

Students or recognized student organizations who are charged with violation of university regulations will receive a fair and reasonable hearing before the appropriate administrative officer of judiciary committee where the fundamental elements of procedural due process are followed. The following procedures are guaranteed to accused students or recognized student organizations in those proceedings considering charges that could lead to suspension or expulsion from Troy State University:

- A written notice shall be provided at least five (5) calendar days in advance of any hearing; the notice shall specify the factual allegations of misconduct and refer to the specific institutional rule which the facts, as alleged, call into play. The student may waive the five (5) day minimum notice.

- A hearing shall be conducted by an appropriate tribunal. It is not necessary that students be impaneled on such a board, but deans or administrators representing the institution's cases should not be allowed to sit on the tribunal either.
- The student (organization) shall be permitted to have counsel present at the hearing only to seek legal advice during the course of the proceedings.
- The student (organization) shall be permitted to confront accusers and all witnesses who were physically present during the event.
- The student (organization) shall be granted the opportunity to present his own case, including his version of the facts, and any affidavits, exhibits, or witnesses in support thereof, in reference to the specific charges against the student.
- The student (organization) shall be allowed to hear all evidence presented against him and to cross-examine all adverse witnesses.
- The failure of a student to appear at a scheduled hearing will not of itself prejudice his case; neither will it prevent the Committee from hearing the case.
- The tribunal shall make its decision solely on the basis of facts presented to it and must provide a written finding of guilt or innocence.
- Appellate procedures must be guaranteed and for that purpose, a record of the hearing must be preserved. There shall be a single verbatim record, such as a tape recording, of all hearings before a judicial body. The record shall be the property of the university.

a. Form of Appeals

Appeals must be made in the form of a letter within five (5) days of the decision in sufficient detail to inform the Review Authority of the grounds for appeal. Ordinarily, the student(s) or organization will not be given the opportunity to appear before the Review Authority for an oral hearing. The appeal is not intended to afford a full rehearing of the case, but to serve as a method of reviewing the record of the case and the procedures followed in its adjudication. Appeals will be made to the Vice President for Student Affairs.

b. Grounds for Appeal

- (1) In general, appeals must be based on the issue of substantive or procedural errors which are prejudicial and which were committed during the disciplinary process.
- (2) Student(s) who knowingly admit guilt may only appeal the sanctions imposed to them.
- (3) The specific questions for the review which should be addressed in any written appeal are the following:
 - (a) Were the procedures of the "Rights of Accused Students" followed?

- (b) If a procedural error was committed, were the rights of the accused materially violated?
- (c) Was the hearing conducted in a way that permitted the accused an adequate opportunity to present a defense?
- (d) Was the evidence presented at the hearing substantial enough to justify the decision reached?

Accused students shall be afforded the right to attend classes and university functions until the hearing is held and the case is decided. Exception to this would be made for reasons relating to a student's physical or emotional safety and well being, or for reasons relating to the general safety of students, faculty, or university property. In this event, the Vice President for Student Affairs or the Student Affairs Judicial Officer may temporarily impose such sanctions on the student as are reasonably necessary to protect the student, the university and/or university property from such danger.

Disciplinary Action and Penalties

Disciplinary actions are taken and penalties are assigned by staff members or appropriate committees and judiciaries on the basis of all attendant circumstances. Official notifications are given by the appropriate administrative office and official records are maintained in that office. Efforts are made to keep penalties consistent with those applied in similar cases in recognition of the fact that the university is an educational institution with a rehabilitative point of view.

A student or group of students found to be in violation of the "STANDARDS OF CONDUCT" is subject to one of more of the following sanctions:

Loss of Privilege: Loss of privilege is used in cases of violation of a university standard by a student or a student organization. It is most commonly used in the case of dormitory regulations violations, rushing violations by student organizations, social standard violations, or misuse of university facilities. The loss of privilege is ordinarily established for a specific period of time, and actions are recorded in personnel and organization records.

Restitution: A student who damages or removes any university property will be charged a monetary amount for repair and/or replacement of the damaged or missing property.

Work Reparation: The option of working off part of the sanction by doing work for the university without pay.

Removal from Housing: A student who is deemed to be disruptive or a dangerous presence to other residents in the university housing system may be suspended indefinitely from university housing.

Disciplinary Warning: A disciplinary warning is used for infractions of regulations and consists of a restatement of the regulation violated with an official warning concerning future behavior.

Disciplinary Probation: Disciplinary probation means that a student is permitted to remain in the university on a probationary status. Should a violation of STANDARDS occur during probation, the student is normally suspended. Disciplinary probation is recorded on the student's permanent personnel file in the Vice President for Student Affairs office. Conditions of probation are specific to the individual case and will include the loss of the privilege of holding any elected or appointed student office or appointment to a university committee. Any specific probation conditions are described in a personal letter to the student, with a copy to their parents if the student is under 19 years of age.

Temporary Suspension: Accused students will be afforded the right to attend classes and university functions until the hearing is held and the case is decided. Exception to this would be made for reasons relating to the general safety of students, faculty, or university property. In this event, the Vice President for Student Affairs or the Student Affairs Judicial Officer may impose such temporary sanctions on the student as are reasonably necessary to protect the student, the university and/or university property from such danger.

Suspension: Suspension is used in cases of serious misconduct, or violation of probation, and means that the student is required to cancel registration and is not eligible to apply for readmission for a designated period of time. To qualify for readmission after suspension, a student must receive the approval of the Vice President for Student Affairs and meet academic requirements. Criteria for eligibility for readmission will include the student's conduct and activities while out of school. Credit will not be given for work taken at other institutions.

Expulsion: Dismissal from the university for two (2) years or more after which the student must apply through the Vice President for Student Affairs and receive the approval of the Vice President and meet academic requirements.

Other Sanctions: Other sanctions may be imposed instead of, or in addition to, those specified above. For example, students may be subject to restrictions upon or denials of University parking privileges for violations involving the use of registration of motor vehicles on campus and the loss of privileges for access to University computers or networks. Service or research projects may also be assigned and the student may be required to attend a specified University class or workshop at his or her own expenses. For violations of academic integrity, appropriate academic penalties may also be applied.

Honor Code

Honor Code: Academic honor, trust, and integrity are fundamental to Troy State University. These qualities contribute directly to your education and reach far beyond the campus to your overall standing within the community. The following Honor Code was proposed by the SGA, approved by the Student Body and was implemented by the TSU Board of Trustees.

The Honor Code reads: "I, (Troy State University), will be honest in all of my academic work and strive to maintain academic integrity." Adopted by the Troy State University Student Government Association and approved by the Board of Trustees, this Honor Code is in support of the Academic Code as stated in The Oracle.

Academic Code

A student is subject to disciplinary action if:

1. In connection with a student's admission, readmission, enrollment, or status in the university:
 - a. A student gives false information to the university concerning any matter which may properly be considered in that connection; or
 - b. A student knowingly withholds from the university any information requested by the university.

2. In connection with the taking of, or in contemplation of the taking of any examination by any person:
 - a. A student knowingly discovers or attempts to discover the contents of an examination before the contents are revealed by the instructor;
 - b. A student obtains, uses, attempts to obtain or use, or supplies or attempts to supply to any person, any unauthorized material or device;
 - c. A student uses, attempts to use, or supplies or attempts to supply to any person any material or device dishonestly.

3. Where the work affects or might affect a student's grade, credit, or status in the university, a student represents to be his or her own any work which is not the product of his or her own study and efforts.

Appeals of Grades

A student who contends that he or she received an invalid grade because of arbitrary capricious, or unethical behavior on the part of a faculty member may, within one term of the grade assignment, appeal the grade in writing to the Chair of the Department in which the grade was assigned.

However, the student must first exhaust all discussion with the faculty member. The Department Chair will meet with the faculty member and examine all claims and particulars. If the Department Chair supports the grade awarded, the issue is closed, and Department Chair will so notify the student.

If the Department Chair cannot support the assigned grade, the Dean, Department Chair, and faculty member will meet to seek a resolution. If no resolution can be reached, the Dean will empanel three faculty colleagues from the department and/or cognate disciplines to review the matter. The decision of this panel shall be final, and binding on all parties; however, should this panel of peer colleagues be unwilling or unable to reach consensus, the Dean will so inform the Provost.

The Provost, in turn, shall ask the Chair of the Faculty Advisor Council to appoint from the Council an *ad hoc* committee of three faculty members who will review the evidence and render a final decision which will be binding on all parties.

All appeals should be processed within two terms of the date a student petitions for grade review.

It should be clear that throughout this process, allegations concerning the competence of a faculty member, the fairness of examinations, the difficulty of a course, or other matters of a purely academic nature will not be allowed.

Penalties for Misconduct

1. Any student who has committed an act of misconduct (1, 2, or 3 above) may be subjected to one or more of the following penalties:
 - a. A student's grade in the course or on the examination affected by the misconduct may be reduced to any extent, including a reduction to failure.
 - b. A student may be suspended from the university for a specific or an indefinite period, the suspension to begin at any time.
2. Procedure - Proceedings before the Student Affairs Committee may be commenced by any member of the faculty or any person summarily disciplined.
 - a. Summary Discipline: Any member of the faculty who is convinced that any person enrolled in his or her course or taking an examination given or supervised by his or her has committed an act of misconduct in connection therewith may take the action described in 1.a above (reduction of grade). If the instructor does so, he or she shall notify the student and Department Chair and also

- shall notify the student who may request consideration of the matter by the Student Affairs Committee.
- b. Commencement by instructor: Any member of the faculty who believes he or she has good cause to suspect that any person enrolled in a course taught by he or she or taking an examination given or supervised by him or her has committed an act of misconduct, shall notify the chair of the Student Affairs Committee of the belief and the facts upon which it is based. The chair shall call a meeting of the committee to consider the matter.
 - c. Hearing: A hearing shall be held if the student or faculty member requests it and in any case that the misconduct could result in the student's suspension or dismissal from the university.
 - d. Determination: After the hearing is ended, the committee shall make a finding as to whether or not the person whose conduct is considered has committed any act of misconduct which warrants further action or recommendations.

Involuntary Administrative Withdrawal and Readmission Procedures Policy

Troy State University has established guidelines for students displaying emotional problems or abnormal behavior. In some instances, a student's behavior may be beyond the on-campus resources and capabilities and require consideration of involuntary administrative withdrawal from the university, or from university housing, for a specific period to ensure the safety, security, and well-being of the student and/or other members of the university, and to assure the orderly operation of normal university functions.

Standards for Withdrawal

1. A student will be subject to involuntary administrative withdrawal from the university, or from university housing, if it is determined, by clear and convincing evidence (See Informal Hearing), that the student is suffering from a mental disorder, including alcoholism, (see definitions, Deviations from established procedures) and, as a result of mental disorder:
 - a. engages, or threatens to engage, in behavior which poses a danger or causing physical harm to self or others, or
 - b. engages, or threatens to engage, in behavior which would cause significant property damage, or directly and substantially impede the lawful activities of others, or impairs the educational environment of the university.
2. These standards do not preclude removal from the university, or university housing, in accordance with provisions of the residence hall occupancy agreement, or other university rules or regulations.

Referral For Evaluation

- The Student Affairs Judicial Officer may refer a student for evaluation by an independent licensed psychiatrist or psychologist chosen by the institution, if the Student Affairs Judicial Officer reasonably believes that the student may meet the criteria set forth under Section 1, “Standards for Withdrawal.” or if a student, subject to disciplinary charges, wishes to introduce relevant evidence of any mental disorder.
- Students referred for evaluation in accordance with Section II, Part 1., shall be so informed in writing, either by personal delivery or by certified mail, and shall be given a copy of these standards and procedures. The evaluation must be completed within ten (10) business days from the date of the referral letter, unless an extension is granted by the Student Affairs Judicial Officer in writing. Students may be accompanied by a licensed psychologist or psychiatrist of their choice, who may observe, but not participate in the evaluation process. Legal representation will not be permitted.
- Any pending disciplinary action may be withheld until the evaluation is completed, in the discretion of the Student Affairs Judicial Officer.
- A student who fails to complete the evaluation in accordance with these Standards and Procedures may be withdrawn on a temporary basis, as set forth in Section III, or referred for disciplinary action, or both.

Temporary Withdrawal

1. A temporary administrative withdrawal (temporary suspension) may be implemented immediately if a student fails to complete an evaluation, as provided by items 1. and 2., Section II, of these Standards and Procedures. Also, a temporary withdrawal may be implemented immediately if the Student Affairs Judicial Officer determines that a student may be suffering from a mental disorder, and the student’s behavior poses an imminent danger of:
 - a. causing serious physical harm to the student or others, or;
 - b. causing significant property damage, or directly and substantially impeding the lawful activities of others.
 - c. the student’s behavior is disruptive to normal university functions.
2. A student subject to a temporary withdrawal shall be given written notice of the withdrawal either by a personal delivery or by certified mail, and shall be given a copy of these standards and procedures. The student shall then be given an opportunity to appear personally before the Vice President for Student Affairs, or a designee, within two (2) business days from the effective date of the temporary withdrawal, in order to review the following issues only:
 - a. the reliability of the information concerning the student’s behavior;
 - b. whether or not the student’s behavior poses a danger of causing imminent, serious physical harm to the student or others, causing significant property damage, or directly and substantially impeding the lawful activities of others, or the behavior is disruptive to normal

university functions.

- c. whether or not the student has completed an evaluation, in accordance with these standards and procedures.
3. A student subject to temporary withdrawal may be assisted in the proceeding specified at item 2 of this Section by a family member and a licensed psychologist or psychiatrist, or in lieu of a licensed psychologist, or psychiatrist, by a member of the faculty or staff of the institution. Furthermore, the student may be accompanied by legal counsel, although the role of counsel will be limited to providing legal advice to the student. Students will be expected to speak for themselves whenever possible.
4. An informal hearing, as provided in Section IV, will be held within seven (7) business days after the student has been evaluated by the appropriate mental health professional. Such evaluation should be undertaken within two (2) business days after the student submits a proper request for an appointment. The student will remain withdrawn on an interim basis pending completion of the informal hearing, but will be allowed to enter upon the campus to attend the hearing, or for other necessary purposes, as authorized in writing by the Student Affairs Judicial Officer.

Informal Hearing

Students subject to an involuntary withdrawal shall be accorded an informal hearing before the Vice President for Student Affairs, or a designee. The following guidelines will be applicable:

1. Students will be informed of the time, date, and location of the informal hearing, in writing, either by personal delivery or certified mail, at least two (2) business days in advance.
2. The entire case file, including an evaluation prepared pursuant to Item 1., Section II, of these standards and procedures will be available for inspection by the student in the Vice President for Student Affairs Office during normal business hours. The file, which should be available at least two (2) business days before the informal hearing, need not include the personal and confidential notes of any institutional official or participant in the evaluation process.
3. The informal hearing shall be conversational and non-adversarial. Formal rules of evidence will not apply. The Vice President for Student Affairs or designee shall exercise active control over the proceedings to avoid needless consumption of time and to achieve the orderly completion of the hearing. Any person who disrupts the hearing may be excluded.
4. The student may choose to be assisted by a family member and a licensed psychologist or psychiatrist, or, in lieu of a licensed psychologist or psychiatrist, by a member of the faculty or staff of the institution. Furthermore, the student may be accompanied by legal counsel, although the role of counsel will be limited to providing legal advice to the student.
5. Those assisting the student, except for legal counsel, will be given reasonable time to ask relevant questions of any individual appearing at the informal hearing, as well as to present relevant evidence.

6. Whenever possible, the student will be expected to respond to questions asked by the Vice President for Student Affairs or designee. Students who refuse to answer on grounds of the Fifth Amendment privilege may be informed that the Vice President or designee could draw a negative inference from their refusal which might result in their dismissal from the institution, in accordance with these standards and procedures.
7. The informal hearing may be conducted in the absence of a student who fails to appear after proper notice.
8. The mental health professional who prepared the evaluation pursuant to Section II, #1 of these standards and procedures may be expected to appear at the informal hearing, and to respond to relevant questions, upon request of any party, if the Vice President for Student Affairs or designee determines that such participation is essential to the resolution and/or disposition of the case.
9. The Vice President for Student Affairs or designee may permit a university official, and the mental health professional who prepared the evaluation, to appear at the informal hearing and to present evidence in support of any withdrawal recommendation. Such evidence will not be presented by legal counsel for the university.
10. The informal hearing shall be tape recorded by the Vice President for Student Affairs or designee. The tape(s) shall be kept with the pertinent case file for as long as the case is maintained by the institution.
11. A written decision shall be rendered by the Vice President for Student Affairs or designee within five (5) business days after the completion of the informal hearing. The written decision, which should be mailed or personally delivered to the student, should contain a statement of reasons for any determination leading to involuntary withdrawal. The student should also be advised as to when a petition for reinstatement could be considered, along with any conditions for reinstatement.
12. The decision of the Vice President for Student Affairs or designee shall be final and conclusive and not subject to appeal.

Deviations From Established Procedures

Reasonable deviations from these procedures will not invalidate a decision or proceeding unless significant prejudice to a student may result.

Definitions

1. Abnormal behaviors are overt actions, omissions to act, or verbal or written statements which would not be consistent with the actions or statements of a reasonable, prudent person under similar circumstances.
2. Emotional problems include, but are not limited to, behaviors resulting from possible physical, drug or alcohol-related, or psychological disorders which may pose a potential harm to the physical well-being of the student or others, and/or cause significant disruptive activity to the normal functions of the university.

3. An emotionally disturbed student is interpreted to include, but not limited to, a student exhibiting any of the behaviors described above.

Readmission Procedures and Appeals

When a student is suspended or withdrawn for health reasons, a medical hold will be placed on the student's readmission to the university. This hold will remain in the student's records until the student's request for readmission is approved in accordance with the following procedures.

a. A student who has had a medical hold placed on his or her readmission for health reasons must request readmission clearance from the Director of Health Services at least three (3) week prior to the first day of classes of the semester or summer session in which the student wishes to enroll. The student will be required by that office to submit medical evidence supportive of his or her present health and emotional ability to function properly in a university environment. The Director of Health Services, in consultation with the university physician and student judicial affairs officer, shall evaluate the student's request and supporting evidence. Primary consideration will be given to the satisfying of all conditions specified at the time of suspension or withdrawal for the readmission of the student to the university. If approval is granted by the Vice President for Student Affairs for the removal of the medical hold, the student must then complete requirements by the Office of Enrollment Management and the Office of University Records.

b. If approval for readmission is not granted by the Student Affairs Judicial Office, the student may appeal that decision to the Vice President for Student Affairs. The appeal must be made, in writing, within five (5) university working days of the date the student was notified by the Student Affairs Judicial Officer that his or her request for readmission was denied.

c. The Vice President for Student Affairs will inform the student that he or she is entitled to a hearing. This hearing will be held within five(5) university working days if at all possible. This hearing will be conducted by the Vice President for Student Affairs. Following the hearing, the Vice President for Student Affairs will either sustain the decision of the Student Judicial Officer or overrule the decision and allow the student to apply for readmission to the university. The Vice President for Student Affairs shall notify all parties of this decision, in writing, within three (3) university working days following the completion of the hearing. The decision of the Vice President is final.

Family Educational Rights & Privacy Act (FERPA)

(Buckley Amendment, 20 U.S.C. 1230, 1232g)

Annually, Troy State University informs students of the Family Educational Rights and Privacy Act of 1974. This Act is designed to protect the privacy of education records, to establish the right of students to inspect and review their education records, and to provide guidelines for the correction of inaccurate or misleading data through informal and formal hearings. Students also have the right to file complaints with The Family Educational Rights and

Privacy Act Office (FERPA) concerning the alleged failures by the institution to comply with the Act.

Local policy explains in detail the procedures to be used by the institution for compliance with the provisions of the Act. Copies of the policy can be found in the following offices: Vice President for Student Affairs and University Records. The complete policy is also outlined in the TSU Undergraduate Bulletin under the Student Life section.

Parental Notification Letter

In accordance with (FERPA) Family Educational Rights and Privacy Act, the university must have **parental and student consent** to allow the university to release student information to the parents and/or legal guardians. This information includes grades, billing information, schedules and judicial files.

Questions concerning the Family Education Rights and Privacy Act may be referred to the Vice President for Student Affairs Office, Adams Administration 244, phone 670-3203.

Notification of Parents/Guardians due to an Alcohol and/or Drug Violation

Under Federal legislation adopted in 1998, the University may notify parents or guardians of students under the age of 21 who are found guilty of an alcohol or other drug violation. This option will be exercised as necessary to ensure the safety and well-being of all students.

Other Campus Policies and Regulations

Administrative Summons

Summons, or requests for students to report to an administrative office, should be promptly carried out. When the request to report at a specific time conflicts with a student's class schedule, notification of class absence for such purpose will be issued by the Office of the Vice President for Student Affairs. Refusal to respond to a summons or request to report to an office is contrary to university policy and subjects the student to disciplinary action.

Alcoholic Beverages

Troy State University does not, under any conditions, approve the use of alcoholic beverages. The purchase, possession, or distribution of any alcoholic beverage by any organization recognized by the university is prohibited. Because

of distribution control, keg beer is prohibited at any facility used or occupied by any organization recognized by the university. Any violation of this alcoholic beverage policy will result in a minimum \$200 fine for the first offense; a \$500 fine for the second offense and other disciplinary action to include possible revocation of recognition as an approved organization. Additionally, the event will be terminated immediately and any alcohol confiscated. Public display or the use of alcoholic beverages in public areas of the campus is prohibited.

Building Security Policy

All buildings are locked at certain hours each day. No student may enter any building for any purpose after closing hours unless accompanied by a faculty member, or unless the student has written permission by the person responsible for the building.

Campus Dress and Decorum

Students are expected to dress appropriately and to present a general appearance of good taste and grooming, appropriate to the situation. Extreme modes of dress which interfere with health or academic work are not in keeping with the standards expected of TSU students and will subject a student to disciplinary action.

Students are expected to conduct themselves with the dignity, respect and propriety associated with the concept of ladies and gentlemen pursuing higher education on a university campus. Public display of affection is not in keeping with the standards expected of students at Troy State University. Students are expected to conduct themselves in a civil manner that will not discredit themselves or the university.

Drug-Free Workplace and Drug-Free School Act*

Drug and alcohol use and abuse are threats to American society. The use of illicit drugs and abuse of alcohol interferes with the rights of everyone to a safe and productive educational environment or workplace. The Troy State University System has both a legal and moral obligation to maintain a drug-free school and drug-free workplace.

The unlawful possession, use, consumption, manufacture, distribution or dispensation of alcohol or controlled substances on TSU property, in the workplace of any employee of TSU, or as any part of any functions or activities by any student or employee of TSU is prohibited. In any of the instances above, TSU will act swiftly to prevent recurrence of such actions.

[*The Drug-Free Schools and Communities Act Amendments of 1989 (PL 101-226) and The Drug-Free Workplace Act of 1988 (PL 100-690)]

Identification Cards

Identification cards are mandatory and valid only to the person issued. The card must be carried at all times while the student is on campus and presented to any university official or duly constituted authority upon request. Refusal to identify oneself to an official of the university or any misuse of the ID card constitutes grounds for serious disciplinary action.

This card remains the property of the university and must be turned in upon withdrawal from the university.

Identification cards are issued as a four year ID card. Loss or theft of an ID card should be reported immediately to the ID Center, located in the Trojan Center.

Selling or Peddling On Controlled Property

Selling or peddling on controlled property is prohibited. University controlled property is defined as , “all facilities operated for the benefit of Troy State University students, such as buildings on campus, fraternity/sorority houses, and residence halls.”

Sexual Harassment Policy

Troy State University is proud of its tradition of friendly and congenial relations between students and employees (faculty, staff and administrators). The university is committed to maintaining an environment that nourishes respect for the dignity of each individual and that creates an atmosphere in which students and employees can interact productively. In keeping with these goals, sexual harassment by anyone (whether in the classroom, the office, at a university sponsored function, or within any university environment) will not be tolerated.

Specific policy guidelines and procedures for filing a complaint are contained in the student handbook, *The Oracle*.

Solicitation

Commercial advertising consisting of any commercial solicitation by any individual, organization, or agency not affiliated with the Student Government Association or Troy State University is prohibited.

Student Grievances

Student grievances are handled through one of two procedures depending on the nature of the grievance.

If the matter is academic in nature, the student should address the concern with the appropriate faculty member, department chair and/or dean. If

the matter is not resolved through these channels, the student should then address the concern with the Provost's Office.

If the matter is not academic, the student should address the concern with the appropriate department head. If the matter is not resolved by the department head, the grievance should be brought to the Office of the Vice President for Student Affairs.

Should a student not know where to file a grievance, the student should come to the Student Affairs Office, 244 Adams Administration Building.

Student Proprietary Rights for Coursework

Academic work submitted by students in partial completion of course requirements (tests, reports, photography, electronic discs, etc.) remain the property of the student. Student permission must be granted if faculty members decide that student work may be used in other venues. Further, in all cases, when students request return of their previously submitted coursework, faculty members will comply with such requests in a timely manner.

Technology Use Policy

Use of the University's various technologies (computers, telephones, etc.) are a privilege available to those who abide by this Technology Use policy. All users are obligated to use technology resources in a responsible, legal and ethical manner.

The University respects each individual's right to privacy in electronic formats and expects all users to respect the privacy of others.

Users must abide by all applicable copyright laws and licensure agreements. The University shall take disciplinary and/or legal action, as appropriate, against individuals who violate this policy. Violators will be billed for any illegal use of technology and for damages caused by misuse. Violators will be temporarily or permanently suspended from technology facilities and will be prosecuted for statutory violations.

Examples of violations include (but are not limited to):

- Unauthorized use of accounts (telephone or computer)
- Interference with another's electronic mail
- Impersonation of other individuals through electronic means
- Unauthorized access (or attempt to access), alter, browse, view, share, or distribution restricted for private databases and electronic information
- Attempts to capture or crack passwords
- Attempts to break encryption protocols
- Altering or destroying passwords
- Interrupting data or programs of the University or others
- Experiments to demonstrate computer vulnerabilities

- Theft, attempted theft, or destruction of any property or materials owned by the University or another individual
- Use of invasive or infected software (e.g. worms, crackers, worms, etc.)
- Depriving others of the legitimate and authorized use of equipment, manuals, and supplies owned by the University
- The abuse, misuse, or altering for other purposes of any equipment or materials
- The use of excessive quantities of supplies and materials (e.g. paper, ribbons, etc.)
- The use of computer systems and network resources for personal monetary gain
- Sending or receiving obscene, pornographic, harassing, nuisance, abusive, or threatening material
- The use of University facilities for commercial or political purposes

Troy State University expressly and explicitly disclaims any liability and/or responsibility for any violation of this policy.

Crime Statistics

Troy Campus

Dates Reported 1 / 1 / 2006 to 12 / 31 / 2006

| Criminal Incidents | 2004 | 2005 | 2006 |
|-------------------------------------|-------------|-------------|-------------|
| Murder / Non-Negligent Manslaughter | 0 | 0 | 0 |
| Negligent Manslaughter | 0 | 0 | 0 |
| Sex Offenses – Forcible | 0 | 1 | 2 |
| Sex Offenses – Non-Forcible | 0 | 0 | 0 |
| Robbery | 0 | 1 | 0 |
| Aggravated Assault | 2 | 0 | 1 |
| Burglary | 21 | 2 | 58 |
| Motor Vehicle Theft | 2 | 0 | 2 |
| Arson | 1 | 1 | 0 |
| On Campus Arrests | 2004 | 2005 | 2006 |
| Liquor Law Violations | 22 | 5 | 39 |
| Drug Law Violations | 6 | 3 | 2 |
| Illegal Weapons Possession | 0 | 0 | 0 |