



Grand Valley State University is an affirmative action, equal opportunity institution. It encourages diversity and provides equal opportunity in education, employment, all of its programs, and the use of its facilities. It is committed to protecting the constitutional and statutory civil rights of persons connected with the university. 06/2011

A black and white photograph of a university campus. In the foreground, there is a pond with reeds and their reflection. In the background, a large brick building with arched windows and a prominent clock tower with two faces is visible. The sky is clear.

Grand Valley State University
**STUDENT
CODE**

2011-2012

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Student Code 2011/2012

Standards of conduct are established in order to generate an atmosphere in which the goals and objectives of the institution can flourish. Individual rights can only be ensured with acceptance of individual and group responsibilities and respect for the rights of others.

Individuals attending Grand Valley State University (GVSU) automatically place themselves under the applicable rules and regulations of the institution. The judicial system, herein described, provides full due process and is consonant with constitutional guarantees.

ARTICLE I — Student Rights and Responsibilities

Section 100.00: INTRODUCTION.

A University is charged with a specialized purpose in that it must seek, disseminate and use knowledge in pursuing truth.

The pursuit of truth is a sensitive undertaking that flourishes only under special conditions or circumstances. To create and sustain these special conditions, the academic community has long upheld these beliefs:

That freedom of inquiry and freedom of expression are indispensable elements of academic life;

That a thoughtful and reasoned search for truth can be conducted only in an atmosphere free of intimidation or coercion;

That respect for the rights of others is essential; That tolerance for differing opinions is a fundamental requirement of the open forum;

That adaptation and change are necessary processes for preserving and renewing an institution; and

That neither violence nor the threat of violence has any place inside the academy.

Accordingly the University recognizes the following rights as limited or regulated by the following responsibilities, by constitutional and statutory duties of the University, and by duly adopted University policies and regulations. Most of such regulations are to be found within this Student Code.

Section 100.01: DISCRIMINATION.

Right: Every aspect of University life should be free from discrimination because of age, color, disability, familial status, height, marital status,

national origin, political affiliation, race, religion, sex/gender, sexual orientation, gender identity and expression, veteran status, or weight. Student housing, organizations, athletics, classes and University community facilities should be open to all who desire to participate.

Responsibility: It is the responsibility of all members of the academic community to ensure through word and action that discrimination because of age, color, disability, familial status, height, marital status, national origin, political affiliation, race, religion, sex/gender, sexual orientation, gender identity and expression, veteran status, or weight is not present in University activities or in the University community.

Referral: Students with concerns of discrimination or harassment of any kind should consult with the Dean of Students or the Assistant Vice President of Affirmative Action. Complaints regarding discrimination or harassment should be filed with the Affirmative Action Office.

Section 100.02: GOVERNANCE.

Right: All members of the University (faculty, students and administration) should be free to make recommendations on institutional governance. The various segments of the academic community should be represented on committees and councils as appropriate, and whether or not represented on a given body, should have the right to expect that recommendations they submit will have an adequate hearing and that there will be a response forthcoming.

Responsibility: All members of the University must recognize that the ultimate power of decision has been vested by the governing board in the chief administration officer or a designee(s) in a responsible fashion. It is the responsibility of University members who are dissatisfied with decisions that have been made relative to institutional governance to utilize existing channels of appeal to reverse a decision. Any action that disrupts the normal operation of the institution will thereby place individuals in violation of University or civil codes and subject them to all resultant penalties.

Section 100.03: INQUIRY AND EXPRESSION.

Right: Students collectively or individually should have the freedom to examine and discuss all questions that are of interest to them and to express opinion publicly as well as privately. They should always be free to support causes by orderly means.

Responsibility: Students should refrain from not only illegally obscene expression, but also from expression which substantially and materially disrupts or interferes with rights of others. The freedom to support causes by orderly means carries with it the responsibility not to materially and substantially disrupt the regular and essential operation of the University, nor to cause material and substantial disorder or invasion of the rights of others.

Section 100.04: PROTEST.

Right: Members of the University community should be free to protest any topic that is considered to be important to them.

Responsibility: The freedom to protest carries the responsibility to ensure that the freedoms of those not protesting are respected. University functioning must be upheld for the protection of those who do not support a protest. It is thereby the responsibility of protesters to utilize only those methods of protest that will emphasize their position, but will not materially disrupt classwork or appropriate discipline in the operation of the University, and will not involve substantial disorder or invasion of the rights of others.

Section 100.05: IMPROPER DISCLOSURE OF INFORMATION.

Right: All members of the academic community should be protected against improper disclosure of information pertaining to academic records, evaluations by others, and personal comments made in confidence. All persons should have assurance that information about an individual will be available only to persons who have legal interest or "need to know" as defined by the Family Educational Rights and Privacy Act, as amended, or by other University policies.

Responsibility: It is the responsibility of each member of the University to respect the nature of confidential information and to provide for the protection of confidential and privileged information, as defined by the Family Educational Rights and Privacy Act, as amended, or by other University policies.

Section 100.06: IN THE CLASSROOM.

Right: Students and faculty should be free to express their thoughts and positions on all issues pertaining to curricular material being presented in the classroom. There should be freedom to express opposing views on all subject by all individuals.

Responsibility: It is the responsibility of all participants in the classroom to present their thoughts and positions in a logical, cogent manner. Evidence must be presented to support statements made on controversial subjects.

It is the responsibility of the individual to recognize that the University does not provide exemption for statements held to be libelous or slanderous. It is

the responsibility of the individual to refrain from conduct which materially disrupts classwork or involves substantial disorder or invasion of the right of others.

Section 100.07: CURRICULUM REVISION.

Right: All members of the University (faculty, students and administration) should be free to present proposals for curricular revision.

Responsibility: Each member group of the University must recognize that curricular revisions entail perceiving the scope of the entire University. Each group should be willing to accept decisions reached after careful review of proposals provided by other groups.

Section 100.08: ASSOCIATION.

Right: Students should be free to affiliate and organize for educational, political, social, religious or cultural purposes.

Associations should be free to voice their position on issues as long as there is no disruption of normal University activities in the process.

Responsibility: Student organizations have a responsibility to protect the rights of individuals who do not desire to affiliate or sympathize with their position. Members of organizations should be responsible for their actions as individuals. Organizations and affiliations must be consistent with legal mandates of the state and nation in order to gain recognition by University officials.

Section 100.09: SPEAKERS AND TOPICS.

Right: Student organizations should be free to invite speakers to the campus to speak on any topic chosen by the students. There should be freedom to use University facilities for speakers invited to campus, and the scheduling of facilities should not be used as a selective deterrent for excluding controversial speakers.

Responsibility: Students and student organizations must recognize that the presentation of a balanced program of speakers and topics is essential for a true and comprehensive analysis of critical issues. While some organizations may support certain principles to the exclusion of others, the opportunity to hear opposing views is vital if an informed student body is to result. Furthermore, students and student organizations must take reasonable precautions for the safe and orderly conduct of speakers and the audience.

Where a controversial speaker is likely to generate demonstrations from other student groups, the sponsoring organization must recognize the rights of other groups and consider the impact of inviting each speaker on the orderly and lawful functioning of the University.

Section 100.10: THE PRESS.

Right: All student publications should enjoy the freedom of the press to the extent accorded all written media in the United States. There should be editorial freedom to develop policies and news coverage as determined by the students.

Responsibility: The student publication should be responsible for ensuring the balanced representation of views on crucial issues is accorded all interested parties. As a forum for student opinion, it should be possible to air responsible views regardless of any dissemblance with editorial belief. It is the responsibility of the student publication to be governed by the laws of responsible journalism, such as the avoidance of libel, obscenity, statements which substantially and materially disrupt or interfere with the rights of others, undocumented allegations, attack on personal integrity, and the techniques of harassment and innuendo.

It is the responsibility of the student publication to verify the accuracy of all printed matter and to recognize that each publication will be subject to the legal exigencies that may arise from the improper reporting of news.

Section 100.11: OFF-CAMPUS.

Right: University members must be free from University restriction of off-campus activities. Normally, codes prescribed by the University do not extend beyond the boundaries of the campuses. However, the University reserves the right to investigate and to take action regarding student behavior in off-campus situations when such behavior is believed to have a negative impact on the University community. Examples of situations include, but are not limited to:

- alleged instances of criminal activity commencing on-campus but relocated off-campus or vice versa;
- off-campus harassment or assault of a University member;
- criminal activity involving a member of a University-sponsored organization whether perpetrated as a member of the organization or as an individual.

Responsibility: Individuals are responsible for their actions whether they occur on campus or off campus. It is the responsibility of individuals to separate membership in the University from off-campus activities that are not sanctioned activities of the University.

Section 100.12: PRIVATE CITIZEN.

Right: Students should be free to utilize their rights as citizens to the extent accorded any citizen of the United States. Students should be free to participate in off-campus activities that are of their own choosing.

Responsibility: Activities conducted by members of a University are not conducted in the name of the University unless authorized, and participants are responsible to civil authorities for

their actions. Students should not expect that University officials will come to their defense for activities committed in violation of civil codes.

ARTICLE I-A - Student Conduct**Section 101.00: AGENTS OF THE UNIVERSITY.**

Responsibility to develop methods of educating students for responsible personal and social living; to encourage ethical and moral behavior; and to establish procedures for the part of the University in disciplinary cases that will guarantee student rights. This responsibility shall be delegated to the administrative officers of this division as the executive officer in charge may direct. This responsibility may also be delegated to the personnel of other divisions with the advice and consent of the executive officer involved.

Section 102.00: AUTHORITY TO ESTABLISH STANDARDS OF CONDUCT.

Standards of conduct are established by rules and regulations (1) adopted by the University (that either carry out or do not conflict with the policy of the Board of Trustees) and also adopted by the Student Senate and promulgated through publication in the student handbook or student newspaper or by notices distributed or prominently posted on the University's bulletin boards (2) made by the person owning or operating a facility used by students, if the rule or regulation has been approved by the Student Senate and communicated to the students involved, and (3) in public laws, or with applicable jurisdictional limits, local ordinances.

Section 103.00: MATTERS OF ACADEMIC NATURE.

Standards of conduct relating to matters of an academic nature such as cheating, plagiarism, etc. shall be adopted only with the approval of the University Academic Senate.

Section 104.00: INDIVIDUAL RESPONSIBILITY.

Individuals attending Grand Valley State University automatically place themselves under the applicable rules and regulations of the University. Therefore, it is important for all students to familiarize themselves with the rules and regulations affecting them.

Section 105.00: EFFECT OF VIOLATING STANDARDS.

A student violating any of the standards of conduct, either on the campus, or off the campus where a federal, state or local law has been violated and where the University name is authorized in an activity of a student or faculty group or both, is subject to disciplinary action by

the University that is appropriate to the nature of the offense and that may take into account a student's previous conduct record. Disciplinary action may be conditional or final, and it may include one or more of the following: a warning, disciplinary probation, counseling procedures, requirements of restitution, a work penalty, loss of course credit or reduction in grade points (for academic offenses), removal from the University housing, suspension, dismissal, and denial of a University honor or degree. A degree or honor fraudulently procured may be revoked. Theft of property from the University or from a member of the University community worth in excess of \$100 may result in suspension. The forgery, false making or materially altering (or use thereof) of any check, money order, or other instrument, with intent to defraud, worth in excess of \$100, may also result in suspension.

Note: Students should be aware of the fact they are not only violating University regulations, but state laws, and may be prosecuted to the full extent of the law. Such disciplinary action may be taken only in accordance with the procedures governing cases of violation. It may be taken notwithstanding the occurrence of legal prosecution for the named offense, as the University judicial system is not intended to be substituted for criminal prosecution should such prosecution be appropriate.

Section 106.00: REPORTS OF VIOLATION

Reporting of violations shall be within the province of all faculty, staff and students, because they have a common responsibility in maintaining an orderly and efficient community for their mutual benefits. Reports of any incident where an individual violates standards or conduct, unless the offense is minor and is dealt with by a reprimand, are to be made promptly to the Coordinator of University Judiciaries, and/or in the case of violations of civil law, to the Department of Public Safety Services, preferably in writing.

Section 107.00: DISPOSITION OF CASES INVOLVING MINOR OFFENSES.

If an alleged violation involves a minor offense and it is dealt with at the time by a reprimand, no report and no further proceedings are necessary. If such an alleged violation is dealt with at the time by temporary expulsion of the violator from any room, building or area, or by other temporary restrictions on the activities or privileges, the incident should be reported to the Coordinator of University Judiciaries.

Section 108.00: STUDENTS AND STUDENT GROUPS.

Violation of any of the following rules and regulations of the University is misconduct for which students and student groups may be subject to

disciplinary action.

Section 109.00: NON-STUDENTS AND THESE REGULATIONS.

These regulations shall also apply to all persons, including non-students and non-campus personnel, unless specifically restricted to students and student organizations, and shall be enforced through the state laws vesting the Board of Trustees with the power to conduct the affairs and control the property of the University to make, prescribe and enforce rules and regulations for the care, order and preservation of such property and the conduct of those entering thereon; and through the Michigan trespass statute and all other laws enacted for the care, order and preservation of public property.

ARTICLE II - Rules and Regulations

Section 200.00: ALCOHOLIC BEVERAGES.

All social events sponsored by student organizations or activity groups on or off-campus must be in accord with existing Michigan and local laws.

The following regulations regarding the possession and/or consumption of alcoholic beverages, including beer and wine, are in effect.

- a. Subject to the laws of the State of Michigan, the consumption and/or possession of alcoholic beverages, including beer and wine, is permitted in the individual's private living unit of the University's housing facilities. This hospitality situation does not allow for sale, exchange, barter or traffic. Beer in kegs is strictly prohibited. Determination of specific policies regarding alcoholic beverages within University's housing facilities, including the use of public areas, will be decided by the Director of Housing, subject to approval by the Dean of Students.
- b. Subject to the laws of the State of Michigan, the consumption and/or possession of alcoholic beverages, including beer and wine, is otherwise permitted only at functions properly registered with and approved two weeks in advance by the Dean of Students or designee. Beer in kegs is strictly prohibited.
- c. Specific regulations developed, in accordance with state law, may be obtained from the Office of Student Life.

Section 200.01: ALCOHOLIC USE IN PUBLIC AREAS.

Alcoholic use in public areas by individuals, groups of individuals or organizations will not be allowed except by written permission from the Dean of Students or designee.

Section 200.02: VIOLATION OF ALCOHOL POLICY.

Alcoholic possession or consumption by an individual under the legal drinking age or associated with unusual behavior constitutes a violation of the alcohol policy.

Section 200.03: Reserved for Future Revision

Section 201.00: AUTOMOBILES AND OTHER MOTOR VEHICLES.

All persons including faculty, staff and students, who operate a motor vehicle on University property must conform to the provisions of the University Traffic and Parking Ordinance with respect to the parking of such motor vehicles on University property. A copy of this ordinance gov-

erning the use of automobiles and other motor vehicles may be obtained from the Department of Public Safety Services.

Section 201.01: PROVISIONS.

The provisions of the Michigan Vehicle Code and the Uniform Traffic Code for Cities, Townships and Villages (promulgated by the Commissioner of State Police) pertaining to the operation of vehicles on public highways shall apply to their operation on the streets and drives of the University's campus and shall be complied with. In addition, the operation of a snowmobile, an off-road motorcycle and an all-terrain vehicle on University property is prohibited.

Section 201.02: DRIVERS.

All persons who are required to drive University motor vehicles shall be cleared by the Director of Public Safety Services. Possession of a current State of Michigan Operator's or Chauffeur's license is required before permission may be granted to drive. Extensive record of previous violations and traffic accidents shall be considered sufficient reason for disapproval in such instances. Student organizations must comply with the Student Use of State and University Owned Vehicle Procedures as required by the Office of Student Life. Failure to do so places both the student involved and his/her student organization in violation of the Student Code.

Section 202.00: CAMPING.

No person shall construct or otherwise erect, or abide in any lean-to, vehicle, trailer, tent, or other temporary shelter facility anywhere within the confines of the University's property. Questions about camping should be directed to the Director of Public Safety.

Section 203.00: UNIVERSITY FACILITIES, PROPERTY AND SERVICES.

Non-academic use of the University's facilities, property and services by students is restricted to formally registered student organizations. All non-academic activities which require the use of University facilities, property or services must be scheduled through the appropriate scheduling office.

Note: Rules governing student organizations will be given to the officers of an organization when the officers register their organization.

Section 203.01: REQUIRED MOVING.

Any required moving of furniture from room to room or building to building is to be done only by maintenance personnel and only upon proper authorization from the Plant Office.

Section 203.02: EXTERIOR WALKS.

Students are not permitted to use the second floor exterior maintenance walkways, roofs, mechanical areas or utility tunnels or rooms.

Section 203.03: LANDSCAPING.

The Grand Valley State University campuses are carefully planned and developed to be functional as well as picturesque. Trees, shrubs, flowers and lawns have been planted for the benefit of all people who use or visit our facilities, and it is hoped that all members of the University community will take pride in their campus and accept an active responsibility to keep it beautiful. Wildlife and plant life should be left undisturbed.

Section 204.00: FORGERY, ALTERING AND COPYING.

No person shall, or attempt to, forge, alter, counterfeit, or tamper with any check, financial transaction device, property, writing, record, or document, including any instrument of the University. Obtaining, possessing, reproducing, using, displaying or allowing to be displayed, any check, financial transaction device, property, writing, record, document, or service, including any instrument of the University, without authorization is prohibited.

Section 204.01: IDENTITY THEFT.

No person shall obtain or attempt to obtain personal information of another person with the intent to unlawfully use that information. Use or possession of another's student number, social security number, financial information/transaction device or any official identification card or personal information including passwords without authorization is prohibited.

Section 205.00: DEMONSTRATIONS, ASSEMBLAGES AND OTHER CONDUCT.

The University recognizes the right of the individual or of groups to disagree with national, state, local, and the University laws, policies, or positions. Persons have the right to lawful assembly and to express their concerns in ways which do not involve substantial disorder or do not materially and substantially interfere with the rights of others, or with the normal functions of the University. The following regulations shall apply to the conduct of the members of the University community and other persons who choose to express their concerns through any form of demonstration or who for any other reason choose to perform any of the acts described hereinafter.

Section 205.01: UNIVERSITY BUILDING.

Demonstrations within a University building shall not materially and substantially disrupt the University's normal functions or violate the following regulations:

- a. No group may be admitted into a private office unless invited, and then not in excess of the number designated or

invited by the occupant. Passage through reception areas leading to private offices must not be obstructed.

- b. Corridors, stairways, doorways and building entrances may not be blocked or obstructed in violation of the regulations of the University. Clear and unobstructed passageway must be maintained at all times. For this purpose the executive office may set a limit on the number of picketers or demonstrators who will be permitted in such areas.
- c. Rooms in which instruction, research or study normally take place may be occupied only when assigned through established University procedure.
- d. Any noise which substantially and materially disrupts or interferes with the work or study of persons in a building will not be permitted.
- e. Buildings must be cleared at the normal closing time for each building unless other arrangements are approved in advance.

Section 205.02: DISRUPTIONS.

Intentional conduct that materially and substantially disrupts or interferes with University discipline or with University run or University authorized activities on or off campus, including activities either outdoors or inside a classroom, office, lecture hall, library, laboratory, theater, union, residence hall, conference center or other place where University run or the University authorized activity is carried on shall not be permitted. The kind of intentional conduct referred to is conduct which by itself, or in conjunction with the conduct of others, prevents the effective carrying on of the activity - a result which the student knew or reasonably should have known would occur. Illustrative of some of such prohibited types of conduct would be:

- a. Physically hindering the entrance to or exit from building, the normal flow of pedestrian or vehicular traffic, or normal use of a University facility.
- b. Shouting or other noisy interruption which, in itself or in conjunction with the conduct of others, prevents or substantially interferes with a fair hearing of a speech, class or lecture on campus.

Section 205.03: COERCION.

Persons involved in demonstrations shall not coerce others to join in the demonstrations nor harass passers-by or participants in any University program.

Section 205.04: BANNERS.

Banners, place cards, other visible materials, conduct or expressions which substantially and materially disrupt or interfere with the rights of others, University discipline, or normal University

functions, or which cause substantial disorder, shall not be permitted.

Section 205.05: ORIGIN.

Any demonstration that originates on the University campus and proceeds off campus is to be conducted within the confines of local, state and national laws.

Section 205.06: FORCE.

Persons involved in demonstrations shall not employ force or violence, or constitute an immediate threat of force or violence, against persons or property.

Section 205.07: ADDRESS SYSTEM.

Use of public address systems, other mechanical or electrical sound equipment cannot be used in conjunction with demonstrations and assemblages except with prior approval of the Dean of Students or designee. In the event permission is granted, such use may not create a volume of noise that prevents members of the University from carrying on their normal activities.

Section 205.08: ENFORCEMENT.

The President shall designate a University official who will have principal authority for enforcement of these rules governing demonstrations and other conduct under these demonstration paragraphs (hereinafter referred to as the Designee).

- a. Should any member of the University believe that an assembly, demonstration, or other conduct violates the rules listed above, he/she may notify the President's office by calling the Department of Public Safety Services. The Designee shall proceed to the site of the gathering and determine if the stated rules have been violated. (In this and in all subsequent instances, the Designee may act through an agent or representative.) If the Designee finds that assembly violates the rules, the Designee shall prescribe modifications in the conduct of the assembly and allow a reasonable time for making the necessary adjustments. If the assembly fails to make the prescribed adjustment, the Designee shall rule that the assembly is thenceforth unlawful and shall order immediate termination. Participants and spectators who fail to disperse shall be liable to University discipline as described below and the Designee shall warn them of that fact.

Note: The Designee is given the initial task of determining whether a demonstration is unlawful or not. With respect to most situations, the rules themselves provide reasonably clear guidelines. In doubtful situations the Designee's judgment should be respected. However, the

Designee's decision is always subject to review in subsequent disciplinary proceedings, and an adverse declaration by the Designee does not make a lawful demonstration unlawful. By the same token, a belief by a student that the Designee has made a mistake does not make an unlawful demonstration lawful, or exonerate or excuse the student, if the Designee has properly declared that the demonstration is unlawful. However, the student, in consultation with the Student Senate, may appeal the decision of the Designee to the next higher University authority.

- b. Students or other persons who engage in repeated demonstrations of a similar character after a declaration that the first demonstration was unlawful and a warning that penalties would follow later if it was not terminated, need not be given additional declaration or warnings. Such a series of unlawful demonstrations may be regarded as a single unlawful demonstration if similar in character. A warning is not necessary if a demonstration is a deliberate and obvious violation of the rules (as determined by a disciplinary tribunal in the subsequent disciplinary proceedings).

Note: This paragraph is concerned with two problems. First, demonstrations of a "hit and run" character are made unlawful after the first determination and warning. Students who engage in improper picketing at one location and refrain upon warning by the Designee would expose themselves to disciplinary sanctions if they resume the same kind of activity at a different location or at a later date. Second, demonstrations which are deliberate and obvious violations (e.g. blockading a University official in his/her office) would not be excused because the action was completed prior to a declaration of illegality.

- c. Any student or other person engaged in a demonstration declared unlawful by the Designee must, upon request, give his/her name to anyone who is identified as the Designee or an agent of the Designee.
- d. If a demonstration is not ruled unlawful, but spectators are committing violations of these rules, the Designee shall order the spectators to conform to the rules or to disperse and shall assure that participants in the lawful demonstration are not subjected to disciplinary sanctions. Moreover, no demonstration, lawful or unlawful, justifies an unlawful counter-demonstration.

Note: All students should be familiar with the following sections of Public Act No. 26 of the State of Michigan:

Sec. 1. A person is guilty of a misdemeanor, punishable by a fine of not more than \$500 or by incarceration in the county jail for not more than

thirty (30) days, or both.

- a. When the chief administrative officer of a publicly owned and operated institution of higher education, or a Designee, notifies the person that he/she is such officer or designee and that person is in violation of the properly promulgated rules of the institution; and
- b. When the person is in fact in violation of such rules; and
- c. When, thereafter, such officer or designee directs the person to vacate the premises, building or other structure of the institution; and
- d. When the person thereafter willfully remains in or on such premises, building or other structure; and
- e. When, in so remaining therein or thereon, the person constitutes
 - (1) a clear and substantial risk of physical harm or injury to other persons or of damage to or destruction of the property of the institution, or
 - (2) an unreasonable prevention or disruption of the customary and lawful functions of the institution, by occupying space necessary therefore or by use or by threat of force. Furthermore, all students should be familiar with the following sections of the Senate Bill No. 1179 of the State of Michigan:

Sec. 8. Any student who receives scholarship funds under the provisions of Act No. 208 of the Public Act of 1964, as amended, being Sections 390.971 to 390.980 of the Compiled Laws of 1948, or receiving tuition grants under the provisions of Act No. 313 of the Public Acts of 1966, as amended, being Sections 390.991 to 390.997 of the Compiled Laws of 1948, for or while in attendance at an institution of higher education, which received appropriations under this act, and is either convicted in a court of law of the violation of any penal statute or ordinance prohibiting disorderly conduct, violence to a person or damage to property, which violation is committed while participating in any disorder, disruption of the administration of or the rendering of services, or giving of instruction at any such institution or by the proper authorities of such institutions of violating its rules and regulations while so participating shall forfeit any right or qualification which the student may otherwise have for the receipt of further benefits under either or both said acts. Upon final conviction of any such student of any

penal violation or determination of violations of such rules or regulations, the president of such institution of learning shall cause report of the same to be forwarded forthwith to the awarding authority under said acts, which authority shall forthwith terminate any such assistance provided under either or both of said acts to such students. Any rule of any such institution relied upon to determine continued eligibility for said scholarships shall be in accord with due process of law including the right of appeal.

Sec. 9. No part of any appropriation made by this act may be used for the payment of any salary or wages to any faculty member or other employee or for the education of students convicted of the offense of interference with normal operations of any public institution of higher education as described in Act No. 26 of the Public Acts of 1970.

Sec. 10. No part of any appropriation made by this act may be used for the payment of any salaries, wages or fees to any trustees, administrators, faculty member or other employee or for the education of a student, either full or part-time, who shall possess or permit to be possessed, without being a peace officer employed by an institution of higher education, any firearm, not registered with the institution, or other dangerous weapon in any university, college or institution of higher education, including all the buildings and ground under their jurisdiction.

Sec. 11. It is a condition of this appropriation that a student of a college or university who causes willful damage to public property on a campus or other facility of a college or a university and subject to all other legal penalties shall be expelled from the college or university.

Section 206.00: DISORDERLY CONDUCT.

No person shall engage in intentional expression or conduct on University owned or controlled property or at University sponsored or supervised function which substantially disrupts or interferes with the rights of others, University discipline or normal University functions, or which causes substantial disorder.

Section 206.01: ASSAULT.

No person shall physically abuse or assault any member of the University community nor shall a person engage in conduct which threatens, intimidates or endangers the health, safety, or welfare of any person, including one's self."

Section 206.02: INTIMIDATION, PHYSICAL ABUSE, ASSAULT, SEXUAL ASSAULT, DOMESTIC VIOLENCE OR STALKING.

No person shall physically abuse or assault, which includes sexual assault, domestic violence and stalking, any member of the University community nor shall a person engage in conduct which threatens, intimidates or endangers the health, safety or welfare of any such person.

"Sexual assault" shall mean any form of unwanted sexual behavior or sexual contact obtained without consent and/or obtained through the use of force, threat of force, intimidation or coercion and shall include acts of domestic violence. It shall not be deemed "consent" if the alleged abuser knew or reasonably should have known of the other person's helplessness or inability to consent due to that person's impairment due to alcohol or drugs.

"Domestic violence" shall mean the intentional use of tactics and/or physical force in order to obtain and/or maintain power or control over a partner.

"Stalking" shall mean the willful course of conduct over time involving repeated or continuing harassment made against the expressed wishes of another person, which causes that person to feel emotional distress including fear, harassment, intimidation or apprehension.

Section 206.03: THEFT.

Theft or possession of stolen property shall constitute a violation of University regulations.

Section 206.04: DAMAGE.

Damage to property shall constitute a violation of University regulations.

Section 206.05: UNAUTHORIZED ENTRY.

No person shall gain unauthorized entry to or make unauthorized use of University owned, operated or controlled facilities or housing.

Section 206.06: COMPUTER USAGE.

No person shall gain use of the University's computer system without proper authorization. Electronic mail is considered privileged communication between the parties involved and is subject to all of the same protections afforded to traditional "paper" mail.

Forging electronic mail to make it appear as though it originated from a different person is prohibited. The owner of the account is held

responsible for all use of the account. Accounts are not to be shared among multiple users.

Sending electronic mail that is abusive, threatens an individual's safety, or used to harass another individual is prohibited. Harassment includes but is not limited to:

- sending or forwarding chain letters;
- deliberately flooding a user's mailbox with automatically generated mail;
- sending mail that is deliberately designed to interfere with proper mail delivery or access.

Any attempt by a user to gain access to another person's mail files, Academic UNIX Account, Academic Network Account or restricted areas on the GVSU computer system shall be considered a violation of the GVSU Student Code, regardless of whether or not it resulted in significant personal embarrassment to the person whose privacy was violated.

An account may be suspended by Information Technology throughout the duration of judicial review.

Use of GVSU computer equipment must comply with Information Technology Department policies and procedures.

Refer to the following Information Technology Policies at <http://www.gvsu.edu/it> and select IT Policies to find:

- GVSU Electronic Mail Policy
- GVSU Conditions of Use
- GVSU Computing Account Agreement

Section 206.07: OBSCENE.

No person shall engage in obscene conduct or expression on University owned or controlled property or at University sponsored or supervised functions.

Section 206.08: LEWDNESS.

No person shall engage in lewd, indecent or vulgar conduct or expression on University owned or controlled property or at University sponsored or supervised functions which substantially and materially disrupts or interferes with the rights of others, University discipline or normal University functions, or which causes substantial disorder. Forcing person(s) to either witness or participate in such activity constitutes a violation of this regulation. Violators are subject to severe disciplinary action.

Section 206.09: DRUNKENNESS.

Drunkenness or disorderly conduct of any kind on University owned or controlled property or at University sponsored or supervised functions is prohibited.

Section 206.10: VOLUNTARY COMPLIANCE.

No person shall jeopardize the system of voluntary compliance underlying University regu-

lation of student conduct by willful refusal to agree to legitimate and reasonable instructions of appropriate University officials to cease specified conduct, which conduct threatens to substantially and materially disrupt or interfere with:

- a. The rights of others.
- b. University discipline.
- c. Normal University functions, or
- d. Order in the University community.

Section 206.11: THREATENING.

No person shall threaten the system of order and justice in the University community by flouting its basic requirements, such as willful failure to identify oneself when requested to do so by University officials who identify themselves and state their reason for such request, or bodies when requested to do so with proper notice in connection with disciplinary proceedings, willful violation of the terms of discipline or of withdrawal of privileges imposed as sanctions.

Section 206.12: OBSTRUCTION.

No person shall engage in conduct or expression which threatens to obstruct, impede or disrupt the achievement of the University's educational goals or policies adopted for furthering its function to impart and advance boundaries of knowledge.

Section 206.13: LEGALITY.

Violations of federal, state or local laws by a student whether committed prior to or subsequent to admission to the University shall constitute violations of University regulations if the student's continued presence either would substantially threaten the ability of others to pursue their educational goals or would threaten to substantially disrupt or interfere with:

- a. The rights of others.
- b. University discipline, i.e., behavior in accordance with University rules of conduct.
- c. Normal University functions, or
- d. Order in the University community.

Note: This rule covers special situations of substantial threats to the rights being protected; and where neither this nor any other University rule is violated, this rule does not allow the University to impose sanctions if public prosecution of the student is pending, or after law enforcement officials have disposed of the case.

Section 206.14: SMOKING/ NONSMOKING POLICY.

Students, staff, faculty and visitors must comply with the Grand Valley State University Smoking/Nonsmoking Policy. All buildings at all GVSU locations are designated as smoke free. Smoking is prohibited in all indoor spaces; including, but not limited to, educational, housing and dining locations. Smoking is prohibited within twenty-five (25) feet of any GVSU building, GVSU bus stop on University property and the Little Mac

Bridge on the Allendale campus. Smokers must cease smoking prior to entering any prohibited smoking area; twenty-five feet from any building, bus stop and bridge. Smoking is prohibited in all University owned, leased or rented vehicles. At all Intercollegiate Athletic facilities and at The Meadows Golf Club smoking is permitted in designated outdoor smoking areas only.

Section 206.15: MISREPRESENTATION.

Presenting oneself as an official representative of the university without authorization to procure goods or services or to receive a benefit is prohibited.

Section 207.00: DISRUPTION OF JUDICIAL HEARING.

No person shall shout, make threats or otherwise act in such a way as to interfere with judicial hearings.

Section 208.00: DRUGS.

The possession, distribution or use of any illegal narcotic or hallucinogenic drugs or controlled substances, in either the refined or crude form except as prescribed by and under the direction of a licensed physician is prohibited. Additionally, the possession of drug paraphernalia is prohibited.

Section 208.01: MEDICAL MARIJUANA.

Notwithstanding section 208.00, although Michigan state law permits the use of medical marijuana, i.e. use by persons possessing lawfully issued medical marijuana cards; federal laws prohibit marijuana use, possession, and/or cultivation at educational institutions on the premises of recipients of federal funds. The use, possession or cultivation of marijuana for medical purposes is therefore not allowed on any Grand Valley State University owned or controlled property including any Grand Valley State University housing or at any other Grand Valley State University sponsored event or activity off campus.

Section 209.00: FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974.

NOTICE TO STUDENTS ATTENDING GVSU (OR PREVIOUSLY ENROLLED AT GVSU) OF RIGHTS UNDER FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974 (AS AMENDED IN DECEMBER, 1974)
"Student Inspection and Record Release at GVSU (as Amended)"

(Published February 24, 1975, following December 31, 1974 Amendments).

Section 209.01: RECORDS INSPECTION.

Effective November 19, 1974, in accordance with the Family Educational Rights and Privacy Act of 1974, any person who is or has been in attendance at GVSU, shall have the right to inspect and review

the educational records directly related to that person after a request for access to such records has been made on the approved form in accordance with the approved University procedure. If any material or document in the educational record of a person includes information on more than one person, an individual shall have the right to inspect and review only such part of such material or document as which relates to the individual, or to be informed of such specific information contained in such part of such material. Such access shall be granted within a reasonable time, but in no case more than forty-five (45) days after the request has been made.

Note: For convenience, "student" hereinafter also includes a former student at GVSU.

Section 209.02: EDUCATIONAL RECORDS.

Educational Records available for inspection do not include the following:

1. any information contained in the financial records of a student's parents.
2. confidential letters and statements of recommendation placed in the educational records prior to January 1, 1975 (provided same are used solely for the intended purposes).
3. confidential recommendations (placed in the educational records after January 1, 1975), in respect to admission to University, an employment application, or receipt of honors, provided that the student has signed a waiver of right of access, but such waivers. . .
 - a. may not be required as a condition for admission to, receipt of financial aid from, or receipt of any other benefit from GVSU.
 - b. shall not be effective as to a student or applicant for admission unless the student is, upon request, given the names of all persons making confidential recommendations, and same are used solely for the intended purposes.
4. a personal record made by and in possession of a GVSU instructional/supervisor/administrative staff member that is not accessible to anyone else (except a substitute).
5. records of a GVSU employee not enrolled as a student.
6. records made or maintained by a physician, psychiatrist, psychologist, counselor, or other recognized professional or paraprofessional, used only in connection with a student's treatment that are unavailable to anyone not providing treatment.

Note: a personal record inspection is permitted by a physician or appropriate professional of the student's choice.

Section 209.03: RELEASE OF RECORDS.

The release of educational records (or personally identifiable information, except for public directory information) without the written consent of the student will not be made, except to the following:

1. to other school officials (including faculty) within GVSU who have been determined by GVSU officials to have a legitimate educational interest,
2. to authorized representatives of certain governmental agencies in connection with the audit and evaluation of federally supported education programs, provided that the collection of any personally identifiable data shall not include information which would allow the personal identification of such students after the data has been collected,
3. to another University where the student intends to enroll, on condition that the student is notified after the transfer, receives a copy of the record if desired and receives a hearing to challenge the records' content if desired,
4. in connection with the student's application for or receipt of financial aid,
5. to state and local officials to whom Michigan laws (adopted prior to November 19, 1974) require such information be disclosed,
6. to organization conducting studies for educational agencies related to predictive tests, student aid programs and improved instruction if such information is destroyed after service and its purpose and personal identification of a student by others is avoided,
7. to accrediting organizations,
8. to parents of a dependent student,
9. to appropriate persons necessary (in an emergency) to protect a person's health, or safety, as may be defined by the U.S. Department of Education (DOE) regulations,
10. to the general public directory information (described in the following paragraph),
11. to a court or in compliance with judicial order or subpoena, upon condition the student is notified in advance of the compliance therewith by GVSU, and
12. to any other persons unless the student states by written consent to release the reasons for and to whom they are to be released and unless upon request (and upon pre-payment) the student receives copies of the records so released.

Section 209.04: RESTRICTION ON FURTHER RELEASE OF RELEASED RECORDS.

With any personal information on a student transferred to any party, a written statement that such recipient cannot subsequently release such data

Type of Education Records	Official Responsible	Location of Records
Records Office File	Registrar	Student Services Building
Credential File	Director of Career Services	Student Services Building
Financial Aid Office File	Director of Financial Services	Student Services Building
Campus Health Center	Director of Campus Health Center	Water Tower Place
Housing Office File	Director of Housing	Student Services Building
Safety and Security	Director of Public Safety Services	Service Building
Teacher Certification File	Registrar	Student Services Building
University Judiciary File	Coordinator of University Judiciaries	Student Services Building
Academic Advisor File	The Dean or Director of each College, Division, Dept., School, or Program	

in personally identifiable form without first obtaining the written consent of the student.

Section 209.05: NOTICE OF RIGHT TO OBJECT TO PUBLIC DIRECTORY INFORMATION.

GVSU intends or reserves the right to make public the following directory information as to any GVSU student, unless a student's written objection (specifying the category of information not to be made public without prior consent) is filed at the Registrar's Office, within 14 days after each semester begins. Such directory information includes the student's name, address, email address, telephone listing, 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, and the previous educational agency or institution attended by the student."

Section 209.06: TYPES OF EDUCATIONAL RECORDS.

Listed in the box are the types of educational records directly related to students, as well as the name and position of the University officer responsible for maintenance of each type. These University officials will, upon request, search to see if a student's record is on file, and if it is, assist in explaining it.

Section 209.07: HOW TO REQUEST ACCESS TO PERSONAL EDUCATIONAL RECORDS.

A student seeking access to his/her personal educational records should go to the Registrar's Office and complete the application form required. The student will then be informed by letter as to the date and procedure to follow. In no case will this process exceed forty-five (45) days after the request is made.

Section 209.08: COST TO STUDENT FOR RECORD REPRODUCTION.

GVSU may charge a student for an official copy of his/her academic transcript. Payment shall be made in advance and written authorization shall accompany each request.

Section 209.09: PROCEDURES TO CHALLENGE CONTENT OF EDUCATIONAL RECORDS AT GVSU.

If a student believes his/her records contain inaccurate, misleading information or are otherwise in violation of his/her rights, the first step to resolve the issue is through informal discussion between the student and the Registrar. If within ten (10) class days when the University is in session the matter is not satisfactorily settled, the issue will be taken to more formal proceedings in which an institutional official who does not have a direct interest in the outcome of the case shall conduct a hearing, following certain due process procedures specified herein. The hearing officer will be appointed by the Vice President responsible for Student Services. The eligible student shall be provided a full and fair opportunity to present evidence relevant to a request, (1) for correction or deletion of a student's rights, and (2) for insertion into such report a written explanation respecting the contents of such records. A decision shall be rendered in writing within a reasonable period of time after the conclusion of the hearing.

Section 209.10: DESTRUCTION OF UNNECESSARY RECORDS.

GVSU recognizes that educational institutions are not precluded from destroying inappropriate or useless records which should not be maintained, if not otherwise prohibited by law except that access shall be granted prior to destruction (where the eligible student has requested such access prior to destruction).

Note: The GVSU Board of Control (June, 1974) established a policy on Annual Review and

Disposition of Records which charges each individual unit with the responsibility of annually reviewing the records it holds. In all cases, the objectives of the annual review will include consideration of reduction of records kept in operational files, provide for a continuing review and evaluation of the type of records kept in the operational files, and for disposal of routine records which are no longer necessary to the operation.

Section 209.11: RECORDS OF ACCESS.

Each office or officer of GVSU having custody of education records shall maintain a record, kept with the education records of each student, which will indicate all individuals, agencies, or organizations which have requested or obtained access to a student's education records maintained by such office or officer (other than GVSU officials, including faculty, who are determined to have a legitimate educational interest) which will indicate specifically the legitimate interest that such person, agency or organization has in obtaining this information. Such record of access shall be available only to the student, to the before-mentioned GVSU officials, who are responsible for the custody of such records, and to the federal and state officials involved in audit and evaluation under DOE Reg. S99.37.

Section 209.12: PURPOSE.

It is the purpose of this policy to assure students access to their education records and to protect such individual's rights to privacy by limiting the transferability of their records without their consent. It is the further purpose of this policy to comply with the Family Educational Rights and Privacy Act of 1974, as amended, and that Act, its legislative history, and the regulations of the Secretary of Education shall be consulted in the interpretation and application of this policy.

Section 209.13: ADDITIONAL COPIES OF THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974, AS AMENDED.

They are available in the Registrar's Office. Application forms are also available should a student wish to file a request to inspect his/her official GVSU files. The Registrar is the GVSU officer responsible for coordinating such access procedures.

Section 210.00: FALSE TESTIMONY/ FALSE INFORMATION.

No person shall knowingly offer false testimony at any disciplinary or investigatory hearing. No student shall knowingly give false information to any University official.

Section 211.00: FALSIFICATION OF UNIVERSITY RECORDS.

It is the right of the University to expect, and the

responsibility of all students to give, accurate data in all statements made to the University. Falsification of any University records is cause for cancellation of registration or admission. A University honor, course credit, or degree can be denied or revoked if procured through false pretenses. (See also Forgery, Altering and Copying.)

Section 212.00: FEDERAL STUDENT AID FORFEITURE.

When conduct contributes to a substantial disruption of the administration of the University, a student may forfeit his/her financial aid.

Section 212.01: PREVENTION.

No person shall prevent officials or students from engaging in their duties or pursuing their studies by conduct involving the use of force, disruption or seizure of property.

Section 212.02: REFUSAL.

No person shall willfully refuse to obey a lawful regulation or order of the University.

Note: See Subchapter IV - Student Assistance Part E., 20 U.S.C.A. and 1088 (f) (June 3, 1972). After providing notice and opportunity for hearing to an individual attending or employed by the University which results in a finding (1) that such individual was convicted of any crime by any court of record involving a violation of preceding subparagraph (1) of this Federal Student Aid Forfeiture paragraph, or (2) that such individual has so willfully violated preceding subparagraph (2) of this Federal Student Aid Forfeiture paragraph, these acts require the University to deny for a period of two years any further payment to, or for such student from the Federal Student Aid Programs (including the National Direct) Student Loan, Guaranteed Loan, Basic Educational Opportunity Grant, Supplemental Educational Opportunity Grant and College Work Study Programs.

Section 213.00: FINANCIAL RESPONSIBILITY.

Students owing money to any University department such as fees, loans, library fines, or bookstore accounts will be subject to action if such accounts are not paid when due.

Section 213.01: FINANCIAL OBLIGATIONS.

It should be noted that if any accounts are outstanding at the end of an academic term, the student will not be permitted to register for a succeeding term until such accounts are paid.

Section 213.02: WITHHOLDING.

Further, students may be subject to transcript encumbrances and/or cancellation of registration for classes with no option to re-enroll until the following term, and only then subject to payment of

all debts, should they disregard financial responsibilities to the University.

Section 213.03: DEFAULTED CHECKS.

Students issuing defaulted checks to the University are subject to the financial penalties set by the University or the contacting agency involved.

Section 213.04: BOOKSTORE REFUND POLICY.

The bookstore management reserves the right of decision regarding refunds on books. If a student does not need a book due to a course dropped or changed, it should be returned immediately under the following conditions:

- a. Returns must be accompanied by the cash register receipt.
- b. Returns are allowed only for a specified length of time at the beginning of each semester - usually through the second week of classes. The cutoff date for each semester is posted in the bookstore at the beginning of the semester.
- c. Books must be in absolutely new condition.

If a name or any marks have been made in the books, the customer will receive a refund equivalent to the used books' retail price.

- d. If a student withdraws from the University, a seventy-five (75) percent refund will be allowed on books returned up to the last day of University tuition refunds and a fifty (50) percent refund will be allowed up to the last day to withdraw from the University.

Note: This only applies for complete withdrawal from Grand Valley State University - not just a class.

- e. Defective books are returnable within a reasonable length of time.

Section 214.00: FIRE ALARMS.

Any tampering with or misuse of fire alarm systems and fire-fighting equipment is prohibited. Students should be aware that pulling a false alarm is a misdemeanor punishable by up to one year in prison and/or \$500.00 fine as well as restitution. (Public Act 328, Section 240 of the State of Michigan, (1931).)

Section 215.00: FIREARMS, EXPLOSIVES OR WEAPONS.

Possession or use of firearms, firecrackers, explosives, toxic or dangerous chemicals; other lethal weapons, equipment, chemicals or materials; or anything that can be construed as a weapon that operates based on spring, gas or air is not permitted on University property or in University housing at any time. Questions about weapons should be directed to the Director of Public Safety.

Section 216.00: FIRES.

Persons setting unapproved fires may be subjected to disciplinary action.

Section 216.01: HARMFUL INTENTION.

The unauthorized setting of fires in any University building or residence or any University-approved residence shall give rise to a presumption that the person or persons responsible intended to do harm to the property and any persons therein and shall be cause for disciplinary action.

Section 217.00: UNIVERSITY HOUSING.

Although Grand Valley State University does not require on-campus residency by any classification of student, it does consider University living centers to be particularly beneficial to students during their first year by providing educational experiences and assisting them in their orientation to University life.

Section 217.01: CONDUCT REQUIREMENTS IN SUCH HOUSING.

Students may be subject to disciplinary action for misconduct where said conduct violates the rules governing residence in University-owned housing. The rules herein referred to are contained in the Housing Handbook and Living Center and apartment contract and are available at individual housing units, at the Housing Office, and at the Admissions Office, and they are widely distributed and displayed. All persons living at GVSU University housing are expected to be aware of these rules and regulations.

- a. Any person residing in University housing is responsible for the conduct and activities of visitors to that room or apartment. If violations of University regulations take place, students and non-students are sub-

ject to prosecution under the laws of the State of Michigan; students are additionally subject to

campus Judicial referral.

- b. Students found to be in violation of the contract or lease may be subject to breach of contract procedures as outlined in the contract or lease.

Section 218.00: VISITATION AND PRIVACY.

Housing units are private and only open to residents and their guests. Visitors must be hosted by a building resident at all times. Visitors must follow all building rules and regulations during their visit. Failure to comply with established building rules and regulations will result in forfeiture of building visitation privileges and may result in disciplinary action.

Section 219.00: QUIET HOURS.

It is necessary to provide residents of University-

owned housing units an atmosphere conducive to educational and personal growth. One of the means by which such goals are achieved is through the establishment of quiet hours. The quiet hours policies as described in the Housing Handbook will be strictly enforced, and students found in violation will be referred for action through the Housing Discipline System and/or the University Judicial System.

Section 220.00: ROOM/APARTMENT ENTRY PROCEDURES.

In the interest of maintaining an environment in the University housing which provides for the health, safety and welfare of all residents, it is occasionally necessary for the University to exercise its right of room or apartment entry. The situations requiring room or apartment entry are as follows:

- a. Authorized University maintenance may enter student rooms or apartments at reasonable times for purposes of maintenance.
- b. Student rooms may be entered by living center staff members (and student apartments may be entered by staff members of the apartment manager's office) when an emergency situation is reasonably believed to exist requiring an immediate entry to protect the health or safety of the room (or apartment) occupants or other residents.
- c. Student rooms and apartments may be entered and searched by a peace officer of county or state after a search warrant has been obtained by the county, state or University officials. In such cases, the room or apartment may be entered without consent, if admittance is refused after notice is given of the officer's authority and the purpose of the search.

Section 221.00: HAZING.

The University prohibits any student, acting alone or with others, to conspire to engage in hazing or to participate in hazing. Hazing is defined as any action taken or situation created, whether on or off campus, for the purpose of initiation or affiliation with any organization or team which jeopardizes the physical and/or mental well being of an individual, or is, presumably, an illegal activity.

Section 222.00: IDENTIFICATION CARDS.

All Grand Valley State University students are issued identification (ID) cards during their first semester on campus and are expected to carry them while on University grounds and at University functions. Students are expected to show their ID card whenever they check out books at the library, cash checks on campus,

enter the Recreation Center, are requested by food service staff, vote in student elections, etc., or when they are requested to do so by a member of the faculty or staff of the University when they identify themselves and state the reasons for their request. The ID card is not to be altered, loaned or borrowed.

Section 223.00: INTEGRITY OF SCHOLARSHIPS AND GRADES.

Truth and Honesty. The principles of truth and honesty are recognized as fundamental to a community of teachers and scholars. The University expects that both faculty and students will honor these principles, and in so doing protect the validity of University grades. This means that all academic work will be done by the student to whom it is assigned without unauthorized aid of any kind. Instructors, for their part, will exercise care in the planning and supervision of academic work, so that honest effort will be positively encouraged. Compliance shall include compliance with the following specific rules:

- a. No student shall knowingly, without authorization, procure, provide or accept materials which contain questions or answers to any examination or assignment.
- b. No student shall, without authorization, complete, in part or in total, any examination or assignment for another person.
- c. No student shall, without authorization, allow any examination or assignment to be completed, in part or in total, by another person.
- d. No student shall knowingly plagiarize or copy the work of another person and submit it as his/her own.
- e. No student shall submit work that has been previously graded, or is being submitted concurrently to more than one course, without authorization from the instructor(s) of the class(es) to which the student wishes to submit it.

Section 223.01: PLAGIARISM.

Any ideas or material taken from another source for either written or oral presentation must be fully acknowledged. Offering the work of someone else as one's own is plagiarism. The language or ideas taken from another may range from isolated formulas, sentences, or paragraphs to entire articles copied from books, periodicals, speeches or the writings of other students. The offering of materials assembled or collected by others in the form of projects or collections without acknowledgment also is considered plagiarism. Any student who fails to give credit in written or oral work for the ideas or materials that have been taken from another is guilty of plagiarism.

Section 223.02: INSTRUCTOR'S RESPONSIBILITY.

It is the instructor's responsibility to establish a classroom atmosphere that fosters academic honesty on the part of the students. If any instance of academic dishonesty is discovered by an instructor, he/she will notify the student and discuss the incident. After discussing the alleged act of academic dishonesty with the student, the instructor will make a decision. Depending on the instructor's judgment of the particular case, he/she may do nothing, impose additional course requirements, ask the student to repeat the work in question, or give a failing grade for the assignment, examination or the entire course. Any time an instructor imposes such a failing grade for academic dishonesty, the Dean of Students, the Dean(s) of the Instructional Colleges in which the course is taught and in which the student is a major, if different, should be notified of the failing grade.

Section 223.03: STUDENT APPEAL.

The student who receives a failing grade based on a charge of academic dishonesty may appeal to the Academic Dean responsible for the course. In doing so, the "Student Academic Grievance Procedures" as published in the current Grand Valley State University catalog are to be utilized.

Section 223.04: ADDITIONAL ACTION WARRANTED.

In instances of academic dishonesty where the instructor feels that more serious action than a failing grade in the course is warranted, the instructor will notify the appropriate Dean(s) of the Instructional Colleges in which the course is taught and in which the student is a major, if different, and the Vice-President responsible for Student Services, or a designee, in writing of the circumstances. The appropriate academic Dean(s) may then refer the case to the University Judiciary which shall have original jurisdiction.

Section 224.00: KEYS/ACCESS CARDS.

No person or persons without proper authority shall knowingly possess, make, or cause to be made any key or access card to operate any lock or locking mechanism used or maintained by Grand Valley State University. No entrusted person with possession of any University key or access card shall transfer the key or access card to an unauthorized person.

Section 225.00: PETS ON CAMPUS.

No pets will be allowed on campus except on a leash held by a human being. No pets will be allowed in any building. Complaints will be handled by Department of Public Safety Services,

who will pick up animals and hold the animals for 48 hours at the Central Utilities building. Animals not claimed during that time will be turned over to the county animal warden. The \$25.00 fine will be imposed for first offense. These regulations do not apply to those animals specifically trained to aid persons with disabilities.

Section 226.00: PETITIONS - CIRCULATION AND REGISTRATION.

The major goal of this section is to assist students in obtaining the maximum effect of any petition by avoiding confusion and duplication of efforts.

Section 226.01: SUBMISSION OF PETITION.

Students and student groups wishing to circulate a petition should be aware that such action constitutes a trust established in favor of the signers of the petition and the petitioner agrees to submit the petition to the proper authorities. Therefore, the University has established the following petition procedures for students and student groups:

- a. General Procedures for All Petitions:
 - i. Petition forms for any purpose may be secured from the Office of Student Life for the Allendale campus or from the Office of the Director of Operations in the DeVos Center of the Pew campus in Grand Rapids.
 - ii. The individual or group name, purpose, and signature of petitioner must be filled out on each petition form before any signatures are obtained.
 - iii. An exact copy of the purpose of the petition (top of petition form), along with the name of the petitioner, must be completed and filed with the Office of Student Life or the Office of the Director of Operations.
 - iv. Additional pages may be attached to the original petition form as needed for additional signatures; however, the top of each page must be numbered and identify the petition and petitioner, and all pages of that petition must be turned in at the same time.
- b. Petitions Pertaining to University Affairs: Procedures; Forms:
 - i. Formal petitions are those required by governmental or administrative policies to direct governmental or administrative action (i.e., placing a candidate's name on a ballot, forcing a referendum, etc.).

Note: The number of signatures required on a formal petition shall be specified by the rules pertaining to the purpose of the petition. A formal petition not turned in by the deadline or containing irregularities (pages

missing, etc.) will be declared void.

ii. Informal petitions are supportive in nature.

They demonstrate signed support for requested action or suggested policy changes (i.e., request to review vehicle regulations, support for religious services on campus, etc.), but neither initiate nor guarantee action. No maximum or minimum number of signatures are required.

- c. **Routing Procedure:** The University will direct all petitions turned in to the Office of Student Life to the appropriate campus office or official for his/her attention. Any petition utilizing the name of the University but pertaining to non-University affairs must be registered with the Office of Student Life, but only for informational purposes. The Office of Student Life will assist any student or student organization with routing petitions relating to non-campus affairs to the appropriate office or public official.

Section 227.00: POSTING OF NOTICES AND LITERATURE: BULLETIN BOARDS.

All notices posted on bulletin boards shall not be lewd, indecent, vulgar, or obscene. Notices may not advertise availability of alcohol. Various types of bulletin boards are provided in University buildings to circulate appropriate information of interest to students, faculty, and staff. Persons posting notices must put information only on boards provided for that purpose.

Section 227.01: CIRCULATION OF INFORMATION.

All bulletin boards are labeled as one of the following types: Campus Events, Departmental, For Sale, General, Opinions and Housing. The types of bulletin boards are described below:

- a. **Campus Events:** Boards are located throughout campus buildings. All campus event boards are under the supervision of the Office of Student Life. Campus event boards have been established for displaying information which is of particular interest to students such as student organization announcements, coming events, sport events, campus recreation activities, and other on-campus announcements. All notices must be stamped for approval, and for a take down date. All notices should be stamped in the Office of Student Life during daily office hours.

Note: Some boards have been divided into sections for each day of the week. Notices must be posted under the day the event will occur.

- b. **Departmental:** Boards are under the supervision of each specific academic department. Use of departmental boards is restricted to faculty and staff of that

department. Permission for a special request must be received from the department prior to any other postings. Approval must be shown on the posted notice.

- c. **For Sale:** All for sale bulletin boards are under the supervision of the Office of Student Life. Notices are limited to a maximum size of 8-1/2 x 11 inches. All notices must indicate a take down date in the lower right hand corner of the notice (limit of 30 days).
- d. **General:** Board is located in the Kirkhof Center. The general board is under the supervision of the Office of Student Life. This board has been established for displaying information received from local community people about upcoming events and activities. All notices must be stamped for approval, and a take down date. All notices should be stamped in the Office of Student Life during daily office hours.
- e. **Opinion:** Boards are located in most University buildings. These boards have been established to allow students and staff to post items expressing opinions. All notices will be removed at the end of each academic semester.
- f. **Housing:** Boards are located in the common areas of each living area. All boards are under the supervision of the Housing staff. Posting is prohibited by non-Housing staff members. Any notices requiring posting must be dropped off at the Housing Office. The Housing staff will then post the approved information in the appropriate locations.
- g. **Posting** is generally not permitted on windows and entrance doors of buildings, or in academic classrooms. Posting of notices in places other than the bulletin boards contained in this policy must be approved by the Director of Student Life.
- h. **Table Tent** type posting for cafeteria tables is not permitted. The Office of Student Life provides a table tent service for announcement of events. Contact the Office of Student Life for this service.
- i. **Students and student organizations** wishing to erect, attach or post signs, banners, posters of exceptional size, or decorations on any part of University property not covered by the regulations pertaining to use of bulletin boards, must obtain prior permission from the Director of Student Life.
- j. **L. V. Eberhard Center:** Board is located in the third floor vending lounge. Postings must be approved by the Office of the Director of Operations in the DeVos Center.
- k. **DeVos Center:** Postings must be approved by the Office of the Director of Operations.

Section 228.00: PUBLIC ADDRESS SYSTEM.

Public address systems, other mechanical or electrical sound equipment cannot be used on the Allendale campus except with prior approval of the Office of Student Life or on the Pew campus in Grand Rapids except with prior approval of the Office of the Director of Operations in the DeVos Center. In the event permission is granted, such use may not create a volume of noise that prevents members of the University from carrying on their normal activities.

Section 229.00: PUBLICATIONS.

(This section deals with publications that may or may not be expressions of students and that may be sold or distributed free.) Publications (except those primarily intended for commercial or advertising purposes) complying with the rules set forth in the Press and the Inquiry and Expression provisions may be freely distributed on campus on a person-to-person basis in accordance with the following rules, provided such publications or their distribution do not cause substantial disorder, or materially and substantially disrupt or interfere with the rights of others, University discipline, or normal University functions.

Section 230.00: ADVANCE PERMISSION.

As to any area inside of campus buildings and structures where a class or organized function of any type is being conducted or which is a study area, library, dining room, office or lounge, and as to outside areas of the campus where classes are being held, such distribution shall require advance permission (not less than 48 hours prior notice) from the Office of Student Life for the Allendale campus or the Office of the Director of Operations in the DeVos Center of the Pew campus in Grand Rapids. The exercise of the officer's decision to grant or refuse such permission shall be based on the rules set forth or referred to in this publication.

Note: The distribution of the University newspaper is permitted without advance permission and stocks of such publications may be left unattended at distribution locations.

Section 231.00: NO ADVANCE PERMISSION.

As to any other area on the campus, no advance permission shall be required for such distribution, provided such distribution meets the foregoing standards.

Section 232.00: RESPONSIBILITIES CORRELATED TO FREEDOMS.

Failure by students to comply with the responsibilities set forth in the Student Rights and Responsibilities section of this Code shall be a violation of University regulations.

Section 233.00: SALES, ADVERTISEMENTS AND SOLICITATIONS.

No person, firm or corporation shall engage in the business of selling or advertising any services, activities, or goods, or shall take orders or make contact for the purchase or delivery thereof, or shall sell or offer for sale tickets for goods, activities or services or shall solicit funds, subscriptions or orders for any purpose whatsoever within the boundaries of Grand Valley State University, except as provided by the exceptions below, and except for the distribution of publications and the use of bulletin boards, within the respective sections of those subject.

Section 233.01: RESTRICTIONS.

No person shall erect or otherwise display any sign or poster or distribute handbills upon property governed by the Board of Trustees which advertises or otherwise calls attention to any product, service or activity.

Section 233.02: EXCEPTIONS/ STUDENT AND NON-PROFIT ORGANIZATIONS.

On the Allendale campus, the Office of Student Life may approve requests of student organizations and non-profit organizations for permission to sell, advertise or make contacts for the sale or delivery of services, activities or goods, or sell or offer for sale tickets therefore, or for permission to solicit funds for the stated purposes of such organizations. The Office of the Director of Operations in the DeVos Center may approve similar requests for the Grand Rapids campus.

Section 233.03: EXCEPTIONAL CIRCUMSTANCES.

In exceptional circumstances the Office of Student Life (or the Building Management Office for the Grand Rapids campus) may approve a request of an individual for permission to sell, advertise or make contacts for the sale or delivery of services, activities or goods, or sell or offer for sale tickets therefore, provided such request is based on demonstrated need or hardship.

Section 233.04: STUDENT PUBLICATIONS AND RADIO.

The sale and distribution of the University students' newspaper is permitted and may be unattended at distribution locations. Such publications and the University radio may solicit and sell advertising.

Section 233.05: STUDENT ADVERTISING.

Students are permitted, as in the section on General Bulletin Boards, to advertise personal services and property for sale.

Section 233.06: REQUIREMENTS WHERE EXCEPTION GRANTED.

All distribution and sales must be made at locations to be designated at the time of such registrations, and must be on a person-to-person basis (except for University student newspaper). Approval must be requested no less than five (5) days before the proposed activity. Each handbill, pamphlet or other literature must bear the name of the individual or organization responsible for the publications. Students are warned that service and sales groups sometimes use the name of the University in their literature and advertising, and such use of the University name should not be permitted and in no way implies the consent or endorsement of the University.

Section 234.00: SIGNS.

No person shall deface, alter, tamper with, destroy, or remove any sign or inscription on any property governed by the Board of Trustees except by prior authorization.

Section 235.00: GUEST SPEAKERS POLICY.

Guest speakers may be sponsored by student organizations as outlined in the Board of Trustees policy concerning outside speakers. The University supports the concept of the need for a broad aspect of inquiry; however, orderly conduct, noninterference with University functions or activities and identification of the sponsoring group are required. It is the policy of the University to foster a spirit of free inquiry and to encourage the timely discussion of a wide variety of issues, provided that the views expressed are stated openly and therefore are subject to critical evaluation. Restraints on free inquiry should be held to the minimum in which peaceful, democratic means for change are available. All speakers and events sponsored by University funds will be open to the entire University community and the performers will be made aware that all members of the University community are welcome. Therefore, recognized student organizations are encouraged to invite speakers to the campus subject to the following provisions:

- a. Disorder of any type or interference with University functions and activities are not encompassed within freedom of expression and are not permitted.
- b. Sponsoring organizations and speakers must recognize the right of members of the University community to refuse to attend assemblies. Under no circumstances may members of the University be forced to be an involuntary audience.
- c. The speaker must not urge the audience to take action which is prohibited by the rules of the University or which is illegal under federal or Michigan law. Advocating or urging the modification of the government of the United States or of the State of Michigan

by violence or sabotage is specifically prohibited. Urging an audience to riot or advocating violation of the law to accomplish any political goal is also prohibited by Michigan law. It is the responsibility of the student organization to inform speakers of these regulations.

- d. In order to assure the reasonable use of University facilities, sponsorship of speakers must be by a student organization which has been recognized under the general regulations approved by the appropriate University authorities.
- e. For the purpose of preserving a record of all such public meetings and of coordinating them with the calendar of other activities taking place on University property, the sponsoring organization must (1) make all arrangements for reservation of space with the appropriate University officials, and (2) complete a form to be furnished by the appropriate University office indicating among other things, the subject to be discussed, the names of all speakers, and the time and the place of the meeting. This form is to be certified by the signature of the appropriate officer of the organization. All rules for administration of requests from recognized student organizations must conform to the policy stated above. It shall be the responsibility of the Office of Student Life to certify that all appropriate steps have been taken before the event is officially scheduled.
- f. Any student organization violating the provisions of this policy is subject to the procedures and penalties applicable to students and student organizations that violate other University rules, except that the University reserves the right to take appropriate action for violation of local, state or federal law.
- g. Public announcements concerning the speaker shall contain statements that clearly and accurately identify the person.
- h. At meetings dealing with controversial issues, ample time shall be allowed for questions and free discussion of the ideas presented.
- i. The Director of Student Life or his/her Designee is responsible for establishing programs whereby organizations shall be informed about the campus policy on speakers.

Section 236.00: STUDENT ORGANIZATIONS AND THEIR MEMBERS.

In order to exercise the privileges accorded to registered student organizations, a student group which is not a residence hall living unit organization must register with the Office of Student Life. Rules and Procedures governing student organizations are available at the Office of Student Life.

Section 236.01: ORGANIZATIONAL PHILOSOPHY.

No student organization shall be subject to suspension of registration or other penalties on the grounds of its beliefs, its goals, or its attitudes. Whenever a student organization takes action, causes others to take action, or sponsors acts or the commission of acts which violate or present a clear and present danger of violating federal or state law or University or student organization regulations, such organization may be subjected to discipline under the established judiciary procedures.

Section 236.02: ADVOCACY.

The advocating or urging the modification of the government of the United States or the State of Michigan by violence or sabotage is specifically prohibited. Urging students to riot or advocating violation of law to accomplish any political goal is also prohibited by Michigan law. It is the responsibility of the student organization to avoid the sponsorship of acts or actions which violate such laws.

Section 236.03: REGULATIONS.

University regulations or student organization regulations are subject to federal and state law. Members and students participating with such organizations in activities which violate the law shall also be subject to disciplinary action for misconduct.

Section 236.04: VIOLATIONS.

Complaints of violations shall be brought before the University Judiciary subject to established judiciary procedures.

Section 237.00: TELEPHONES.

It shall be against University regulations for any person to telephone any other person repeatedly for the sole purpose of harassing or molesting such other person or his/her family, whether or not conversation follows. It shall be against University regulations for any person to use any threatening, vulgar, indecent, obscene, immoral or insulting language over any telephone instrument or equipment. Additionally, it shall be against University regulations for any person to use the telephone to access information or the registration process without authorization.

Section 238.00: UNAUTHORIZED USE OF UNIVERSITY CREDIT, PROPERTY, ETC.

The unauthorized use by any person of University telephones, postal machines and meters, and other duplicating machines, is prohibited where the unauthorized use of any such instrumentalities results in the incurring of charges by the University. The individual or individuals responsible therefore, may be subjected to disciplinary

action. This provision shall be considered to also include University billing, charging, and credit card numbers utilized for communication and transportation purposes.

Section 239.00: CAPTIONS ON REGULATIONS.

The marginal captions of particular paragraphs of these regulations are inserted as a convenience and by way of reference only, and in no way limit, enlarge, define, or otherwise affect the scope or intent of the regulations or any provision thereof, and are in no way to be considered part of such regulations.

Section 240.00: SEVERABILITY.

If any portion of these rules and regulations, or the application thereof, to any person or circumstance shall be found to be invalid by a court, such invalidity shall not affect the remaining portions or applications of these rules and regulations which can be given effect without the invalid portion or application.

Section 241.00: CHANGES IN REGULATIONS.

The University reserves the right to change or add to the rules and regulations at any time after consultations with the Student Senate provided that such changes and additions will be published in a manner reasonably calculated to give adequate notice. Such notice shall always include a filing in the Regulations Notebook and a posting on the University official bulletin boards, except that mailing a copy to the student at his/her registered address, or personally handing same to the student, or verbally advising the student of such new or changed regulation shall in all cases be sufficient notice.

ARTICLE III - Judicial Process

Students make many decisions regarding their behavior. When these decisions conflict with the University's expected standards of behavior, appropriate sanctions may be imposed by way of a judicial process. The judicial process and any sanctions serve to assist the student in recognizing and correcting behavior. Disciplinary procedures are designed to serve and protect the rights of all students and the institution through an educational process.

The hearing procedures are devised to insure that students accused of violating University rules or regulations will receive the benefits of the process described in the Student Code. Judiciaries are composed of impartial members of the University community. Judiciaries hold administrative hearings which allow flexibility and are not courts of law.

The University judicial process is separate and independent of any civil or criminal action and may proceed even if a related matter is anticipated or pending in other forums. Recognized Student Organizations may be subject to other university processes although actions of individual members of Recognized Student Organizations arising from the same circumstances may be subject to the Student Code and its processes.

Any question regarding the interpretation or application of the Student Code will be answered by the Dean of Students. All students and the institution will be bound by the Dean's answer.

DEFINITIONS

Complaining Party: a member of the University Community who files a written complaint that a student has violated the Student Code or other University rules or regulations.

Coordinator of University Judiciary (Coordinator): a member of the University Administrative/ Professional staff who is appointed by the Dean of Students (or designee).

Hearing Officer: an employee of the University appointed to hear a case and decide whether a violation of the Student Code has occurred.

Member of the University Community: students and/or employees of the University.

Recognized Student Organization: a group composed of students whose status has been approved by the Student Organization Review Board.

Student: an individual who is currently enrolled, has been enrolled, or who has applied to enroll in the University.

Working Day: a day, Monday through Friday, that the University is not officially closed and shall not include the day of submission or appeal.

UNIVERSITY PROCESS

When a student is accused of violating a rule or regulation, a written Judicial Referral is filed with a Coordinator of University Judiciaries. A charge of violation may be filed by any member of the University community.

For incidents arising within the Housing system which are not resolved through a conference between Housing staff and students, either the student or students and/or Housing staff involved in the incident may request a referral to the University Judiciary.

A Coordinator of University Judiciaries shall be appointed to the case by the Dean of Students (or designee) and shall process the entire case.

The student is notified in writing by the Coordinator that a Judicial Referral has been filed. This written notification includes:

1. the charges
2. a description of possible consequences
3. names of witnesses
4. a copy of the Student Code
5. options available to accused students
6. a three day time limit in which to respond, in writing, to the charges (**NOTE:** if the student does not respond within the time limits, the Coordinator will decide whether the case will go before the Judicial Board or Hearing Officer.)

In its sole discretion, the University may extend time frames identified in the University process.

The following options are available to accused students:

A. *If the student admits responsibility for the violation:*

1. The student contacts the Coordinator and, in writing:

—admits responsibility (the student has 24 hours to revoke the admission by delivering written notice to the Coordinator's office)

—waives the right to a Hearing and other university process protections

—requests that the Coordinator make the sanction decision

2. The Coordinator has up to ten working days following the meeting to gather information and deliver a written sanction decision to the student.

3. The student may appeal the Coordinator's sanction decision, in writing, within three working days of receiving the decision.

B. If the student does not admit responsibility for the violation as set forth in Section A, the student shall be given a Hearing before a Hearing Officer unless the student requests, in writing, a Hearing before a Judicial Board.

1. The following apply to Hearings before a Hearing Officer.
 - a. The Coordinator selects a Hearing Officer from the pool. The pool is created by combining the Faculty and Administrative/Professional Staff pools of Judicial Board members.
 - b. A Hearing is scheduled as soon as possible provided the student is given at least three working days written notice of the time and place of the Hearing.
 - c. The Hearing Officer will deliver a written decision of responsible or not responsible to the Coordinator within three working days of the Hearing. If the student is found responsible, a brief statement of why a violation was found will be included in the decision.
 - d. If the Hearing Officer has found a violation, the Coordinator will impose a sanction.
 - e. The Coordinator will give written notice of the decision, including a sanction if applicable, to the student within three working days of receiving the decision from the Hearing Officer.
 - f. The student may appeal the Hearing Officer's decision or the sanction decision of the Coordinator within three working days of receipt of the decision.
2. The following apply to Hearings before a Judicial Board.
 - a. The Coordinator selects one Judicial Board member from each pool of eligible students, faculty, and Administrative/Professional staff.
 - b. A Hearing is scheduled as soon as possible provided the student is given at least three working days written

notice of the time and place of the Hearing.

- c. The Judicial Board will deliver a written decision of responsible or not responsible to the Coordinator within three working days of the Hearing. If the student is found responsible, a brief statement of why a violation was found will be included in the decision.
- d. If the Judicial Board has found a violation, the Coordinator will impose a sanction.
- e. The Coordinator will give written notice of the decision, including a sanction if applicable, to the student within three working days of receiving the decision from the Judicial Board.
- f. The student may appeal the Judicial Board's decision or the sanction decision of the Coordinator within three working days of receipt of the decision.

HEARINGS

Unless the law requires, Hearings are not open to the public.

A single verbatim record, such as an audio tape recording, will be taken at the Hearing by the University. The single verbatim record will remain the property of the University. No other recording device will be permitted.

A Coordinator of University Judiciaries will be present during the entire presentation of a case so that the Coordinator, who makes the sanction decision, will have heard the explanation of the student who has been charged.

Hearing Officers, members of the Judicial Board and the Coordinator of University Judiciaries may ask questions of any witnesses.

Any individual who is disruptive in a Hearing may be removed from the Hearing by the Hearing Officer, a member of the Judicial Board or the Coordinator of University Judiciaries. The Hearing may proceed without the presence of the removed individual or be adjourned to reconvene at a later time.

Student Rights

Students who are accused of a violation and students who claim to be victims of a violation have the following rights.

1. If written evidence is to be used at the Hearing, the person who wishes to use it

must submit it to the Coordinator at least 24 hours prior to the Hearing and all such written evidence may be reviewed by the accused or victim student prior to the Hearing.

2. A student has the right to appear in person, to testify at the Hearing and may call witnesses on his/her behalf.
3. The accused student has the right not to appear at the Hearing, which shall be held in the student's absence provided that proper notice of the Hearing has been given. The failure of an accused student to appear should not be taken as an admission of a violation and must be noted as without prejudice.
4. For the Hearing, a student is entitled to be accompanied at the Hearing by one advisor. The advisor may be any individual of the student's choice. The student may choose to have an attorney as his/her advisor but it shall be at his/her expense, and provided that at least 24 hours prior written notification is delivered to the Coordinator of the attendance by the student's attorney. The advisor shall have no role at the Hearing other than to advise the student. The advisor shall not be permitted to ask or to answer questions or to make oral arguments.
5. Questions from students to witnesses will be directed through the Hearing Officer or Judicial Board.
6. The student accused of a violation of the Student Code has the right to refuse to answer questions.
7. A student is entitled to a fair and prompt Hearing before a Hearing Officer or Judicial Board which is impartial.
8. A student is entitled to a copy of the written decision and sanction rendered in a matter in which he/she is either the alleged victim or accused student.
9. The alleged victim, the accused student, or the complaining party may appeal the decision and/or the sanction.

Judicial Obligations

1. Those who hear the case will decide the outcome of the case based only on evidence presented at the Hearing.
2. Each individual selected to sit as either a Hearing Officer or a member of a Judicial Board or an Appeal Board, will promise to

administer the rules and regulations of the University in a fair and impartial manner. Each will treat this appointment as a public trust, not allowing other influences or private interest to interfere with the prompt, proper and impartial discharge of the judicial duties.

3. If a Hearing Officer or member of the Judicial Board or Appeal Board feels that he/she cannot render an impartial decision in a case for any reason, the individual shall disqualify himself/herself.
4. A person may not serve on a Judicial Board if he/she is a witness who may testify before the Judicial Board, if he/she has a personal interest in the outcome or if there is other sufficient reason to believe that he/she could not serve in a fair and impartial manner.

DECISIONS

After hearing a case, the Judicial Board (by a majority vote) or the Hearing Officer will decide as follows and give a written decision to the Coordinator within three working days of the Hearing:

1. Not Responsible. No violation of a rule or regulation has been proven. Within three working days of receiving the decision, the Coordinator shall, in writing, give or mail to the accused student and complaining party the decision. There will be no record in the accused student's academic file of the Judicial Referral or Hearing when the matter becomes final.
2. Responsible. A violation of a rule or regulation has been proven by clear and convincing evidence. The Coordinator shall determine the appropriate sanction to be applied. Within three working days of receiving the decision, the Coordinator shall, in writing, give or mail to the accused student and complaining party the decision and the sanction. A record will be kept in the Dean of Students office containing information about the Judicial Referral, the Hearing and its outcome, and the sanction.

APPEALS

Either the accused student, the alleged victim, or the complaining party has the right to appeal the decision of the Judicial Board or the Hearing Officer, the sanction decision of the Coordinator, or the decision of the Appeal Board.

Grounds for Appeal

An appeal provides a limited review of the original decision. It is not an opportunity to present the evidence again or to reevaluate credibility. If an error has been made, in most cases the matter

will be returned to the original Hearing Officer or Judicial Board so that the error may be corrected. The grounds for appeal are:

1. Discovery of new evidence which was not available at the time of the original Hearing;
2. Judicial Process was not followed; or
3. Sanctions imposed were not appropriate to the violation found.

Filing an Appeal

1. A written appeal must be filed with the Coordinator within three working days of receipt of the decision being appealed. The written appeal must state the grounds for appeal. The Coordinator will forward the appeal to the Appeal Board.
2. The Appeal Board will meet to review the appeal. It will review the grounds for appeal, and if there are grounds for an appeal, the materials submitted to the Judicial Board or Hearing Officer and the verbatim record. In its discretion, the Appeal Board may require a person submitting an appeal (or other person having information relating to the appeal) to appear to explain orally the basis for the appeal, although this is not ordinarily expected.
3. The Appeal Board will decide, by a majority vote, one of the following:
 - a. Uphold the original decision.
 - b. Remand the case back to the original Judicial Board or Hearing Officer for its reconsideration consistent with the findings of the Appeal Board.
 - c. Remand for a new Hearing.
 - d. When the appeal is only the sanction, the Appeal Board may modify the sanction.
4. The Appeal Board will provide its written decision to the Coordinator within three working days of the appeal review.
5. A student may request a copy of the written decision rendered by the Appeal Board in a matter in which he/she is either the alleged victim or accused student.
6. The decision of the Appeal Board is final unless appealed to the Dean of Students. A written appeal must be filed within three working days of receipt of the decision of the Appeal Board. The written appeal must state the grounds for appeal.

7. In the sole discretion of the Dean of Students, he/she shall decide whether to review a written appeal. In the event the Dean of Students reviews a written appeal, the Dean may:

- a. Affirm the decision of the Appeal Board.
- b. Reverse the decision of the Appeal Board.
- c. Modify the sanction.

d. Uphold the sanction.

8. The Dean of Students will provide a written decision to the person filing an appeal.

9. The decision of the Dean of Students will be final and binding.

COMPOSITION OF JUDICIAL BODIES

Judicial Board

The Judicial Board shall be composed of three voting members; one student, one faculty member, and one Administrative/Professional staff member, each drawn from a pool of eligible members and selected by the Coordinator of University Judiciaries. When the alleged violation is related to the Integrity of Scholarships and Grades, the Judicial Board shall be composed of faculty members. The Coordinator will sit as the non-voting chair. A minimum of three Judicial Board members must be present for a Hearing.

1. Student Members: The Student Senate shall appoint twelve students, at least six of whom are residents within the Campus Housing system, to the pool from which members of any Judicial Board may be selected. In making the appointment, the Student Senate will consider students who have volunteered to serve or who have been nominated by other students. To be eligible, students must be currently enrolled and in good standing. Appointments will be made by the end of Winter Semester for the following academic year. If appointments are not made in a timely manner or if vacancies occur, students shall be appointed by the Dean of Students (or designee).

2. Faculty Members: Faculty from each academic division will appoint one person to a faculty pool. If appointments are not made by the beginning of Fall Semester, the Provost (or designee) is authorized to fill appointments from the faculty at large. In addition to appointments made by each division, the Provost (or designee) will

appoint not less than four members to the pool from the faculty at large.

3. Administrative/Professional Staff: all Administrative/Professional staff members are eligible for appointment to the staff pool. The Provost (or designee) will make at least ten appointments to the pool by the beginning of Fall Semester and may make appointments to fill vacancies as needed.

Hearing Officer

Members of the Administrative/Professional staff and faculty pools are eligible to serve as Hearing Officers.

The Coordinator of University Judiciaries shall select Hearing Officers.

Appeal Board

The Appeal Board shall be composed of one student, one faculty, and one Administrative/Professional staff, selected from the available pools by the Coordinator of University Judiciaries. When the alleged violation is related to the Integrity of Scholarships and Grades, the Appeal Board shall be composed of three faculty members. The Coordinator will serve as the permanent non-voting chair. A minimum of two Appeal Board members must be present for a hearing.

Coordinator of University Judiciaries

The Dean of Students (or designee) will appoint Coordinator(s) of University Judiciaries. The Coordinator will participate at Hearings as a member of the Judiciary Board but will not have a vote in determining whether or not the student is responsible for a violation. If a violation is found, the Coordinator shall impose the sanction.

SANCTIONS

When a student is found responsible for violating a rule or regulation, one or more of the following sanctions may be imposed:

1. Warning: an official, written reprimand with the stipulation that further violations will result in more severe disciplinary action.
2. Restitution: payment for damages or loss incurred.
3. Work Assignment/Community Service: perform assigned task(s) that enhances the community.
4. Probation: a specific period of time during which a student is required to report to a designated person on a regular basis in order to assess current behavior.
5. Loss of Privileges: may include any or all of

the loss of the following privileges:

- a. operating an automobile on campus;
 - b. holding an office in a campus organization;
 - c. representing the University in any official capacity;
 - d. temporary removal from a designated University facility or function.
6. Removal from University Housing: loss of the right to live in University housing.
 7. Counseling Procedures.
 8. Denial of a University honor, scholarship, or degree or revocation of an honor, scholarship or degree previously awarded, in an appropriate situation.
 9. Suspension: to suspend from the institution for a definite or indefinite period of time until certain conditions are met.
 10. Dismissal: to dismiss from the institution for an indefinite period of time including, if appropriate, dismissal without the possibility of re-admission.

In determining an appropriate sanction, the Coordinator may consider sanctions which have previously been imposed against the student for other violations of rules or regulations.

EMERGENCY CASES

If, in the opinion of the Dean of Students (or designee), the presence of a student constitutes a continuing danger to persons or property or is an ongoing threat of disrupting the academic process and/or administrative operations at the University, the Dean of Students (or designee) may immediately suspend the student for up to ten working days. The student will be given written notice of the suspension. This notice will initiate the judicial process, which can be carried out during the suspension. In appropriate circumstances as determined by the Dean of Students (or designee), the suspension may be extended.

University Process for Emergency Suspensions

1. A Suspension Hearing shall be scheduled within three working days of the suspension.
2. Written notification of the time and place of the Suspension Hearing will be delivered to the suspended student's residence at least one working day prior to the Suspension Hearing date.

3. Written notice of the charges against him/her and an explanation of the evidence the University has shall be given to the student.
4. If the student attends the Hearing, he/she shall be given an opportunity to present his/her version of the events.
5. The Dean of Students (or designee) who suspended the student shall conduct the Suspension Hearing and decide whether or not to cancel or continue the suspension for the balance of the ten days.
6. The suspended student shall not have the right to confront or question witnesses, or call his/her own witnesses.
7. The suspended student is entitled to be accompanied at the Hearing by one advisor. The advisor shall have no role at the Hearing other than to advise the student and shall not be permitted to ask or to answer questions or to make oral arguments.
8. Disciplinary proceedings may be initiated through the normal University Process whether or not the emergency suspension has been canceled. If disciplinary proceedings are initiated, the Hearing will be held before a Hearing Officer.

CHANGES IN JUDICIAL PROCESS PROVISION

The University reserves the right to change or add to these Judicial Process provisions at any time, provided that such changes and additions will be published in a manner reasonably calculated to give adequate notice. Such notice shall always include a filing in the Regulations Notebook and a posting on the University Official Bulletin Boards, except that mailing a copy to the student at his/her registered address or personally handing same to, or verbally advising the student of such new or changed regulation, shall in all cases be sufficient notice.

UNAVAILABLE ADMINISTRATORS OR OFFICIALS

Should the Coordinator of University Judiciaries, the Dean of Students, and the University Advocate or other officials required for functioning of this Judicial Process be unavailable to act hereunder, if their replacement is not otherwise provided for herein, the Provost or his/her designee, may appoint a replacement for such official.

CAPTIONS

The marginal captions of particular paragraphs of Judicial Process provisions are inserted as a convenience and by way of reference only, and in no way limit, enlarge, define, or otherwise affect the scope or intent of the Judicial Process of any provision, and are in no way to be construed as part of such provisions.

SEVERABILITY

If any portion of these Judicial Process Provisions or the application thereof to any person or circumstance shall be found to be invalid by a court, such invalidity shall not affect the remaining portions or applications of these Judicial Provisions which can be given effect without the invalid portion or application.

ARTICLE IV - Student Grievance Procedures

Section 400.00: STUDENT GRIEVANCE PROCEDURES.

The grievance procedure may be used to resolve any student complaint except those that are covered by a specific university procedure (e.g. the University Judicial Process, the Student Academic Grievance Procedures, the Anti-Harassment Policy, the Parking Violations Bureau, etc.)

No disciplinary or other unfavorable action may be taken against any student or anyone who may represent a student using the grievance procedures.

Section 400.01 DEFINITION.

A grievance is a student's formal complaint concerning an incident, policy or condition within the institution. This process can not be used by a student to grieve the actions of another student.

Section 400.02 FILING A GRIEVANCE.

1. A student with a grievance or a complaint reports it to the grievance counselor that the Dean of Students has designated to hear grievances.
2. The grievance counselor will discuss the complaint with the student. Many concerns students may have regarding an incident, policy or condition within the institution can be resolved if the student first expresses a concern to the appropriate unit head of the area in which the concern arises. If the student has not already discussed the complaint with the appropriate unit head, the grievance counselor will refer the student to the unit head as the first step in filing a grievance.
3. If the grievance is not resolved by the unit head, the student will submit the grievance in writing to the grievance counselor. The written grievance should contain a complete and specific account of the student's complaint, including the names of the people involved, the date and the location of the incident or the condition complained of, any written evidence attached, and the remedy the student seeks.

Section 400.03 GRIEVANCE HEARING.

1. The student may request that a grievance hearing be held before either the grievance counselor or a grievance committee. (**Note:** the grievance counselor may choose to bring the grievance before the grievance committee at any time.) The grievance committee will be comprised of the grievance counselor, one faculty member from the pool

of eligible Judicial Board members, and one student from the pool of eligible Judicial Board members. The grieving student must attend the grievance hearing.

2. The grievance counselor will investigate the student's complaint by gathering information from the involved people named by the student as well as from others as necessary. The grievance counselor may ask those named to respond to the student's complaint in writing.
3. If a grievance committee hearing is held, the grievance counselor will chair the hearing. Information gathered during the investigation by the grievance counselor will be presented. Any involved party may be called in to respond to the student's complaint during the grievance hearing.
4. The grievance counselor or grievance committee will make recommendations based on information presented at the hearing in an effort to resolve the grievance. The student will be notified of the recommendations, typically within five working days of the hearing.

Section 400.04 APPEALS.

1. If the student is not satisfied with the recommendations of the counselor/committee, the student may file a written appeal to the Dean of Students within three working days of receipt of the decision by the counselor/committee.
2. The Dean of Students will review the information regarding the grievance which was submitted to the grievance counselor and/or grievance committee. The Dean of Students may choose to gather additional information. Typically, the Dean of Students will notify the student of any recommendations regarding the grievance within ten working days of receiving the appeal. The decision of the Dean of Students is final unless appealed.
3. If the student is not satisfied with the recommendations from the Dean of Students, the student may file a written appeal to the Provost within three working days of receipt of the Dean of Students' decision. In his/her sole discretion, the Provost may review the appeal. Any decisions made by the Provost are final.

If the student is satisfied that the grievance has been resolved at any point during the grievance process, the process will end.

APPENDIX A

ACADEMIC HONESTY

The principles of truth and honesty are recognized as fundamental to a community of teachers and scholars. Grand Valley State University expects that both faculty and students will honor these principles, and in so doing, protect the validity of university grades. This means that all academic work will be done by the student to whom it is assigned, without unauthorized aid of any kind. Instructors, for their part, will exercise care in the planning and supervision of academic work so that honest effort will be positively encouraged.

Cheating and plagiarism are the two most obvious violations of academic honesty. In brief, plagiarism is borrowing ideas, words, organization, etc., from another source or person and claiming them as original.

Such activity may result in failure of a specific assignment, an entire course, or, if flagrant, dismissal from the University. For further information, see the "Student Code."

APPENDIX B

STUDENT ACADEMIC GRIEVANCE PROCEDURE

Academic grievances are generally defined as those (a) involving procedures, policies, and grades in courses, (b) those involving major, minor, or program (graduate or undergraduate) degree requirements, (c) those involving general undergraduate university graduation requirements such as general education, total credit, or residency requirements, or (d) graduate degree requirements such as total credit or residency requirements. Filing of a grievance is required by the end of the following regular semester after notification of grade or receipt of adverse decision. Appeals of decisions must take place 30 days after receipt of notification.

a. Resolution of an academic grievance involving procedures, policies, and grades in individual courses. The resolution of academic grievances is based on two principles: first, that the resolution of a grievance should be sought at the lowest possible level, and second, that pathways for appeal exist for both faculty and students. Resolution should be pursued as follows:

- 1) An appeal to the instructor.
- 2) If the grievance is not resolved to the student's satisfaction, a further appeal could be made to the unit head who may request that the appeal be put in writing. Both the student and the faculty member will be notified in writing of the unit head's

decision.

- 3) If the disposition by the unit head is not acceptable to either party, an appeal, in writing, may be made by either party to the dean of the college. If the dean feels that there is some merit in the written grievance, he or she shall establish a committee to review the grievance and make a recommendation within 60 days to the dean.
Such a committee shall include a representative of the dean's office, a faculty representative from the college of the course under appeal, and a student representative. Upon receiving the committee's recommendation in the latter procedure, the dean shall rule on the grievance. Both the student and the faculty member will be notified in writing of the dean's decision.
- 4) If the disposition by the dean is not acceptable to either party, an appeal, in writing, may be made to the Provost. The Provost's review and judgment in the case will be final. Both the student and the faculty member will be notified in writing of the Provost's decision.

In cases where the faculty member in question also serves as the unit head, the dean shall appoint a suitable faculty member from the college to function as unit head for purposes of grievance. In a similar fashion, if the faculty member in question also serves as dean, the Provost shall appoint a faculty member to act as the unit head for purposes of grievance. If an appeal is sought in this latter case, it will go directly to the Provost.

- b. Resolution of an academic grievance involving fulfillment of program, major, or minor degree requirements should be pursued as follows: An appeal to the unit head or graduate program director. If the grievance is not resolved to the student's satisfaction at this level, an appeal to the dean of the college would be possible, in the same manner as outlined in (a). Finally, a further appeal could be made to the Provost as described in (a) above.
- c. Resolution of an academic grievance involving fulfillment of general undergraduate university requirements, such as general education, total credits, and residency requirements should be pursued as follows: A written appeal to the director of the Advising Resource Center. If at this point the grievance is still not resolved to the student's satisfaction, a further written appeal could be made to the Provost. In this case, the Provost shall establish a committee to review the grievance and make a recommendation within 60 days. Such a committee shall include a representative of the Provost's

office, a faculty representative related to the student's major, and a faculty representative from outside the student's college. Upon receiving the committee's recommendation, the Provost will render a final judgment in the case.

- d. Exceptions to institutional graduate degree requirements sought by individual students will be determined by the dean and the Provost.

The student filing the grievance may have an observer from the Dean of Students Office or a person of his or her choice attend any meeting at which the student appears. The faculty member involved in the grievance may have an observer of his or her choice attend any meeting at which the faculty member appears.

APPENDIX C

ANTI-HARASSMENT POLICY

ARTICLE I - Purpose

The goal of Grand Valley State University is to maintain a positive work environment for employees and a climate conducive to learning for students. The University, consistent with its policies and procedures, promotes institutional diversity by embracing such concepts as "affirmative action" and "equal opportunity" as a campus-wide strategy to provide equal access to opportunity. The University's commitment to non-discrimination is the foundation for such efforts. This policy outlines expectations for institutional and individual conduct that applies to all University faculty and staff members. It is neither the purpose nor intent of this policy to infringe on academic freedom as defined by Grand Valley State University's *Administration Manual and the Faculty Handbook*.

ARTICLE II — Prohibited Conduct

HARASSMENT

Harassment is unprofessional conduct that could reasonably be understood as (1) having the purpose or effect of creating an intimidating, hostile, or offensive environment, (2) having the purpose or effect of unreasonably interfering with an individual's work performance or access to educational activities and programs, (3) otherwise adversely affecting an individual's employment opportunities or access to educational activities and programs.

Harassment on the basis of **age, color, disability, familial status, height, marital status, national origin, political affiliation, race, religion, sex/gender, sexual orientation, veteran status, or weight** is considered a violation of university policy.

SEXUAL HARASSMENT

Harassment on the basis of **sex** is a violation of Title VII and Title IX of the Civil Rights Act and of the Elliott-Larsen Civil Rights Act. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or access to educational activities or programs, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions or access to educational activities and programs, or (3) such conduct is unprofessional and has the purpose or effect of unreasonably interfering with or creating an intimidating, hostile, or offensive working or educational environment.

1 Sexual harassment raises issues about human interaction that are to some extent unique in comparison to other forms of harassment and thus may warrant separate emphasis.

ARTICLE III - Consensual Relationships

Consenting romantic and sexual relationships between faculty/staff and their students or between supervisors and their subordinates is inappropriate. The faculty/staff member who enters into a sexual relationship with a student (or a supervisor with a subordinate) where a professional power differential exists must realize that if a charge of sexual harassment is subsequently lodged, it will be extremely difficult to use mutual consent as a defense.

ARTICLE IV - Sanctions

Any person who violates the University's Anti-Harassment Policy may be subject to a range of sanctions (in accordance with University policies) which could include but is not limited to dismissal, according to due process, from University employment. Violators may also be subject to civil action or criminal prosecution because harassment and other discriminatory behavior may violate state or federal laws.

ARTICLE V - Retaliation

Any attempt to retaliate against an individual who files a complaint is prohibited by this policy and by law.

COMPLAINT RESOLUTION PROCEDURE

I. GENERAL PROCEDURES

Initiate by Making a Complaint. The procedures that follow are intended to enforce the University's Anti-Harassment Policy. The procedures are initiated by making a complaint that alleges that the University's Anti-Harassment Policy has been violated. Complaints may be either formal or informal, and the procedure for each is described below.

Where to Make a Complaint. A University Faculty/Staff member with a complaint, whether it is formal or informal, should report it to the Human Resources Office. A University student with a complaint, whether it is formal or informal, should report it to the Dean of Students Office. In the event a complaint is received in other than these offices, faculty and staff are responsible for referring the complaining individual to the appropriate Office.

When to Make a Complaint. Typically, both formal and informal complaints should be reported within sixty (60) days after discovery of the act which constitutes an instance of inappropriate behavior (but not more than one (1) year after the act). The University retains the right to accept and address complaints reported more than one year after the offending incident.

II. INFORMAL COMPLAINTS (MEDIATION)

In General. Informal complaints are those complaints where the person making the complaint ("the Complainant") asks the Human Resources Office or the Dean of Students Office to assist in the resolution of an alleged violation of the Anti-Harassment Policy through mediation. Mediation is a voluntary conflict-resolution process. The Complainant and the alleged offender voluntarily agree to work with a third party mediator to resolve the complaint. This mediation is intended to resolve the complaint to the satisfaction of both the complainant and the alleged offender. Informal complaints need not be put in writing or signed by the Complainant.

STEPS IN MEDIATION PROCESS

1. The Complainant initiates the mediation process by making an informal complaint with in the Human Resources Office or the Dean of Students Office. The complaint need not be in writing or be signed by the Complainant.
2. An individual from the appropriate office or a person designated by the office ("the Mediator") discusses the mediation process with the Complainant to determine if mediation might be an appropriate method to resolve the complaint.
3. The Mediator meets with the alleged offender, informing him or her that an informal complaint has been filed and that the person filing the complaint wishes to resolve it by mediation. The Mediator discusses the mediation process with the alleged offender to determine if mediation might be an appropriate method to resolve the complaint. The Mediator will also inform the alleged offender that mediation is a voluntary conflict resolution process intended to make each party aware of the position or feelings of the other and to resolve the conflict.
4. The Mediation may include additional

meetings between the Mediator and the parties separately, and if necessary, jointly.

5. If mediation has been successful, the Affirmative Action Office will be informed that the complaint has been resolved.
6. If the Mediator determines that mediation cannot adequately resolve the issues, he or she will inform the Complainant and the alleged offender of this as well as the options available, such as filing a formal complaint. The Mediator will also notify the Affirmative Action Office that mediation was unsuccessful.
7. If the Complainant is dissatisfied with the results of mediation, he or she may file a formal complaint.

III. FORMAL COMPLAINTS (WRITTEN)

In General. Formal complaints are those complaints where the Complainant asks a Complaint Resolution Team to review and to investigate the complaint and to report its findings to the appropriate appointing officer for action. Action taken in cases where a violation has been found could result in varying levels of discipline up to and including dismissal from employment. Formal complaints must be in writing and signed by the Complainant.

STEPS IN THE FORMAL COMPLAINT PROCESS

1. The Complainant obtains a Formal Complaint Form from the Affirmative Action Office, the Human Resources Office, Dean of Students Office, or the Counseling Center.
2. The Complainant completes the form listing the type of alleged offense, the name of the alleged offender, and specific facts about the alleged offense (e.g., time, date, location). The Complainant must sign the complaint form.
3. The Complainant files the written complaint with the Affirmative Action Office.
4. The Director of Affirmative Action convenes the Complaint Resolution Team (CRT).
5. The Team reviews the Complaint and the accompanying facts and circumstances to initially determine if the Complaint requires further investigation, should be referred to another forum for action (such as the Student Judicial System), or should be dismissed. If the Team decision is to investigate, the appointing officer and the appropriate Vice President will be notified and provided a copy of the complaint.
6. The appointing officer provides a copy of the complaint to the alleged offender and informs him/her of the decision to investigate.
7. Where investigation is required for student complaints, the Dean of Students coordinates the investigation; where investigation is required for employee complaints, the Director of Affirmative Action coordinates the investigation.

8. Where investigation is required, the Complainant and the alleged offender will be notified and consulted, and
 - a. *When the alleged offender is a faculty member*, the Provost or a designee, the alleged offender's appointing officer, and the Assistant Vice President for Human Resources will be notified; or
 - b. *When the alleged offender is a staff member*, the employee's appointing officer and the appropriate Vice President and Assistant Vice President for Human Resources will be notified; or
 - c. *When the Complainant and the alleged offender are students*, the Dean of Students and other individuals will be notified as necessary.
9. At the conclusion of the investigation the Team prepares a report containing a statement of the allegation, a list of policy violations, and a statement of findings.
10. Complainant is notified regarding CRT's findings in relation to whether there has been a policy violation.
11. The Team's report is sent to the appointing officer and the appropriate Vice President.
12. The appointing officer provides a copy of the report to the alleged offender.
13. The appointing officer consults with the Assistant Vice President for Human Resources.
14. The appointing officer takes appropriate action.

Note: If the complaint is against an appointing officer, only the appropriate Vice President is notified. If the complaint is against a Vice President, the President is notified. If the complaint is against the President, the Chair of the Board of Control is notified. If the complaint is against a member of the Board of Control, the Chair of the Board of Control will be notified. If the complaint is against the Chair of the Board of Control, the Vice Chair of the Board of Control will be notified.

CONFIDENTIALITY

Although discretion will be exercised, a guarantee of confidentiality or anonymity cannot be made since the investigation will involve discussions with other parties. Information about the complainant and the incidents giving rise to the complaint will be revealed only as investigatory and disciplinary processes require. Confidentiality will be observed to the extent permitted by law and which is consistent with protecting the welfare of the faculty, staff, and students, and the interests of the University.

COMPLAINT RESOLUTION COMMITTEE MEMBERSHIP

- Dean of Students
- Director of Affirmative Action
- Director of Counseling and Career Development Center

- Five Faculty Members
- Director of Staff Relations and Benefits
- One employee appointed by the President to reflect male/female balance of the Team.

Committee Members are appointed by the President for two-year staggered terms.

Complaint Resolution Teams are subcommittees selected by the Director of Affirmative Action from the Complaint Resolution Committee membership to investigate complaints. When possible, team members should be demographically representative of the parties involved in the dispute. If a complaint or conflict of interest involves a Complaint Resolution Team Member, that member will not participate in their normal capacity as a committee member.

INFORMATION SOURCES

Information regarding the formal complaint and grievance procedures is located in the following documents:

- Faculty members - Chapter 4, Section 2.18 of the *Administrative Manual*.
- Executive, Administrative and Professional Staff - Chapter 4, Section 4.7 of the *Administrative Manual*.
- Clerical, Office and Technical Staff - Section 6, Grievances, of the present contract.
- Maintenance, Grounds, and Services - Section 6, Grievances, of the present contract.
- Safety and Security Staff - Section 6, Grievances, of the present contract.
- Student Employees - Student Employee Handbook.

Copies of these procedures are available and have been distributed to all affected employees and students.

WHERE TO GO FOR HELP

The offices listed below are available to assist you in your efforts to put an end to harassment. Your questions can be answered, you can be helped in the preparation of reports, and you can be advised informally and confidentially. You may request information and/or advice anonymously.

Formal/written reports are filed within the Affirmative Action Office.

Students:
 Dean of Students331-3585
 202 Student Services Building

Counseling Center331-3266
 204 Student Services Building

Employees:
 Associate Vice President for
 Human Resources331-2215
 140 Lake Michigan Hall

Affirmative Action Office.....331-2242
 Zumberge Library

Grand Valley State University is an affirmative action, equal opportunity institution. It encourages diversity and provides equal opportunity in education, employment, all of its programs, and the use of its facilities. It is committed to protecting the constitutional and statutory civil rights of persons connected with the university.

Unlawful acts of discrimination or harassment by members of the campus community are prohibited. In addition, even if not illegal, acts are prohibited if they harass or discriminate against any university community member(s) through inappropriate limitation of access to, or participation in, educational, employment, athletic, social, cultural, or other university activities on the basis of age, color, disability, familial status, height, marital status, national origin, political affiliation, race, religion, sex/gender, sexual orientation, veteran status, or weight. Limitations are lawful if they are: directly related to a legitimate university purpose, required by law, lawfully required by a grant or contract between the university and the state or federal government, or addressing domestic partner benefits.

Revised July 1999

APPENDIX D

GRAND VALLEY STATE UNIVERSITY

STANDARDS AND PROCEDURES FOR INVOLUNTARY ADMINISTRATIVE WITHDRAWAL

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, that the student is suffering from a mental disorder, and, as a result of the mental disorder:
 - (a) engages, or threatens to engage, in behavior which poses a danger of causing physical harm to self or others, or
 - (b) engages, or threatens to engage, in behavior which would cause significant property damage, or directly impede the lawful activities of others.
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.

Violations of Disciplinary Regulations

3. A student accused of violating University disciplinary regulations may be diverted from the disciplinary process and withdrawn in accordance with these standards if the student, as a result of mental disorder:

- (a) lacks the capacity to respond to pending disciplinary charges, or
 - (b) did not know the nature or wrongfulness of the conduct at the time of the offense.
4. Students subject to disciplinary charges who wish to introduce relevant evidence of any mental disorder must so inform the Dean of Students in writing at least two (2) business days* prior to any disciplinary hearing. If the Dean determines that the evidence may have merit, the case shall then be resolved in accordance with the standards and procedures. Thereafter, if it is determined that the student does not meet the criteria set forth in paragraph three (3), the case will be returned to the disciplinary process. Evidence of the mental disorder may not be admitted into evidence or considered by the hearing panel in any disciplinary proceedings.

Referral For Evaluation

5. The Dean of Students may refer a student for evaluation by an independent licensed psychiatrist or psychologist chosen by the institution, if the Dean reasonably believes that the student may meet the criteria set forth in paragraph one (1), or if a student subject to disciplinary charge wishes to introduce relevant evidence of any mental disorder.
6. Students referred for evaluation in accordance with paragraph five (5) 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 five (5) business days from the date of the referral letter, unless an extension is granted by the Dean 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.
7. Any pending disciplinary action may be withheld until the evaluation is completed, at the discretion of the Dean of Students.
8. A student who fails to complete the evaluation in accordance with these standards and procedures may be withdrawn on an interim basis, as set forth in paragraphs nine through twelve (9-12), or referred for disciplinary action, or both.

Interim Withdrawal

9. An interim administrative withdrawal** may be implemented immediately if a student fails to complete an evaluation, as provided by paragraphs five and six (5 & 6) of these standards and procedures. Also, an interim withdrawal may be implemented immediately if the Dean of Students 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.
10. A student subject to an interim withdrawal shall be given written notice of the withdrawal either by 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 Dean of Students, or a designee, within two (2) business days from the effective date of the interim 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.
 - (c) whether or not the student has completed an evaluation, in accordance with these standards and procedures.
11. A student subject to interim withdrawal may be assisted in the proceeding specified in paragraph ten (10) 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.
12. An informal hearing, as provided in paragraph thirteen (13), 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 Dean of Students.
- designees. The following guidelines will be applicable:
- (a) 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.
 - (b) The entire case file, including an evaluation prepared pursuant to paragraph five (5) of these standards and procedures, and the names of prospective witnesses, will be available for inspection by the student in the Dean of Students' 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.
 - (c) The informal hearing shall be conversational and nonadversarial. Formal rules of evidence will not apply. The Dean 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.
 - (d) The student may choose to be assisted by a family member and a licensed psychologist or psychiatrist, or, in lieu of the licensed psychologist or psychiatrist, by a member of the faculty or staff of the institution.
 - (e) 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.
 - (f) Whenever possible, the student will be expected to respond to questions asked by the committee members. Students who refuse to answer on grounds of the Fifth Amendment privilege may be informed that the committee could draw a negative inference from their refusal which might result in their dismissal from the institution, in accordance with these standards and procedures.
 - (g) The informal hearing may be conducted in the absence of a student who fails to appear after proper notice.
 - (h) The mental health professional who prepared the evaluation pursuant to paragraph five (5) 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 committee members determine that such

Informal Hearing

13. Students subject to an involuntary withdrawal shall be accorded an informal hearing before a committee consisting of the Dean of Students, the Affirmative Action Officer, the Director of Counseling, and a Health Services staff member or respective

participation is essential to the resolution of a dispositive issue in the case.

- (i) The Dean 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.
- (j) The informal hearing shall be tape recorded by the Dean or designee. The tape(s) shall be kept with the pertinent case file for as long as the case file is maintained by the institution.
- (k) A written decision shall be rendered by the committee members 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 would be considered, along with any conditions for reinstatement.
- (l) The decision of the committee members shall be final and conclusive and not subject to appeal.

Voluntary Withdrawal

14. A student who appears to be suffering from a mental disorder may choose to withdraw voluntarily from the University. An official withdrawal form must be completed by the Dean of Students.

Petition For Reinstatement

15. Students referred to the Dean of Students who are withdrawn from the University either involuntarily or voluntarily, must petition the Dean of Students for reinstatement prior to re-enrolling in the University. A written request must be submitted no more than sixty (60) days, no less than thirty (30) days prior to the academic session in which the student wishes to enroll. The Dean of Students may require a personal appearance by the student.

Conditions For Reinstatement

16. Students referred to the Dean of Students who are withdrawn from the University, either voluntarily or involuntarily, may be subject to conditions for reinstatement. These conditions may include, but are not limited to:
 - (a) submission of a psychological assessment by a mental health professional, accompanied by a release of information form

- (b) continuation of therapy
- (c) continuation of medication
- (d) successful completion of college courses at another college or university
- (e) restriction on place of residence, and
- (f) other conditions which may be specified

Transcript Notation and Refunds

17. The transcript of a student withdrawn pursuant to these guidelines shall indicate the grade of "W" for each course. The transcript shall not reflect whether the withdrawal was voluntary or involuntary. Additionally, the student shall receive a 90 % refund of the applicable tuition paid (minus any financial aid adjustments) if the withdrawal occurs after the first week of classes.

Deviations From Established Procedures

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

*A business day is defined as Monday, Tuesday, Wednesday, Thursday, and Friday excluding holidays or days the university is closed.

**Administrative withdrawal is defined as a student no longer: occupying a living space on campus, attending classes, and participating in campus activities.

APPENDIX E

ALCOHOL AND OTHER DRUGS POLICY

Rationale Concerning the Use of Alcohol and Other Drugs

Grand Valley State University (GVSU) strives to offer members of the University community the same rights as those afforded to members of the larger community. All members of the University community are responsible for making decisions about their behavior within the context of Michigan law and university regulations.

These policy statements are written as evidence of GVSU's commitment to its students by:

- Encouraging a campus environment where healthful choices are made;
- Working to prevent alcohol and other drug abuse;
- Expecting responsibility for one's own choices and behavior;
- Encouraging alcohol-free programs;

- Supporting and empowering those who responsibly choose not to use alcohol;
- Enforcing University, federal, state, and local codes, ordinances and statutes which govern alcohol and other drug use.

GVSU considers all issues of alcohol and other drugs (AOD) to be of concern to the University community. However, alcohol is by far the number one drug of choice on the campus and causes the most frequent negative impact. Thus, alcohol warrants a special emphasis as demonstrated throughout this document.

Standards of Conduct

The unlawful manufacture, possession, use, distribution or dispensation of illicit or prescription drugs and the unlawful possession, use, or distribution of alcohol by faculty, staff, and students on GVSU property or as part of a university activity is specifically prohibited by GVSU policy and by state and federal law. Reports of any such violations will be investigated by the campus police and, if appropriate, charges will be filed.

Drug-Free Workplace Act of 1988

Consistent with the Drug-Free Workplace Act of 1988, GVSU is committed to providing a workplace which is free from the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance. The unlawful manufacture, distribution, dispensation, possession, or use of controlled substances is prohibited on any GVSU-owned or controlled property.

It is the intent of GVSU to provide a drug-free, healthful, safe, and secure work environment. No employee will report to work evidencing any effects of illegal drug use. The following are procedures and guidelines for maintain compliance with the Drug-Free Workplace Act of 1988:

Compliance as a Condition of Employment

All university employees will, as a condition of employment, abide by the terms of this standard practice guide.

Maintenance of a Drug-Free Workplace

GVSU must provide an annual drug-free workplace certification to appropriate federal-funding agencies, and make a good faith effort to comply with its certification to provide a drug-free workplace, and otherwise meet the requirements of the Drug-Free Workplace Act, including having a policy statement and a drug-awareness education program. The Human Resources Office oversees a drug-awareness education program provided to GVSU faculty and staff.

Employee Obligation for Notification of Conviction

The Drug-Free Workplace Act of 1988 requires all

faculty and staff to notify the University in writing of their conviction for a violation of a criminal drug statute occurring in the workplace. Notification must be sent to the Human Resources Office (140 Lake Michigan Hall, Allendale, MI, 49401, Phone: (616) 331-2215, Fax: (616) 331-3216) no later than five (5) calendar days after such a conviction.

Sanctions for Violation or Non-Compliance

Violations of this standard practice guide will result in personnel action against the employee, up to and including dismissal, pursuant to university procedures relating to employee or student discipline.

Within thirty (30) calendar days of receiving notice of a criminal drug statute conviction, the Associate Vice President of Human Resources, or the Dean of Students must take steps to require:

- 1) That the faculty, staff, or student employee satisfactorily participates in a drug rehabilitation program, or
- 2) That personnel action consistent with the Rehabilitation Act of 1973, as amended, is imposed in accordance with appropriate collective bargaining agreements, employee handbooks, the Student Code of Conduct, or other university procedures.

Health Risks Related to Alcohol and Other Drugs

Drug use can start out as experimentation or casual use but progress into problem use and dependence. The abuse of alcohol and other drugs can erode the foundation of the University's goals and objectives and diminishes the personal attainment of intellectual, social, physical, and moral growth and development. This includes:

- Psychological and/or physical dependence.
- Impaired learning ability, memory loss, inability to solve complex problems.
- Inability to perform sexually, infertility problems.
- Increased risk of sexually transmitted diseases (including AIDS).
- Complications due to the combination of prescription medication and other drugs or alcohol.
- Death, coma or toxic reactions especially when combining alcohol with any other drug, including over-the-counter medicine or prescriptions.
- Guilt/regret over activities performed while under the influence of alcohol/drugs, i.e., regretting sexual encounters, fighting, risk-taking, legal difficulties.
- Organic damage to brain, cardiovascular system, liver, etc.
- Increased risk of cancer.

- Fetal alcohol syndrome, birth or genetic defects.
- Psychosis (hallucinations, loss of contact with reality, extreme changes in personality).
- Diet deficiencies.
- Other physiological, psychological or interpersonal problems.

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including assaults and spouse and child abuse. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations and convulsions. Alcohol withdrawal can be life-threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, also can lead to permanent damage to vital organs such as the brain and the liver.

DANGEROUS DRINKING IS:

Drinking on an empty stomach - Alcohol irritates the lining of the stomach, and is one of the two most common causes of stomach cancer (smoking is the other cause). Alcohol is also causative in 75% of throat cancers.

Drinking when pregnant - Alcohol can damage a fetus resulting in a birth defect known as Fetal Alcohol Syndrome, which causes a distinct facial configuration and brain damage similar to Down's Syndrome.

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents and/or children who have Attention Deficit Disorder/Attention Deficit Hyperactivity Disorder are at greater risk than other youngsters of becoming alcoholics.

Drinking while underage - Alcohol has twice the effect on teenage brains as it does on adults, resulting in permanent damage to the memory and to the individual's abilities to learn new information and to think critically. Being ticketed for underage drinking also carries financial penalties and a Minor in Possession (MIP) arrest remains on the record for at least seven years. A second

or third MIP may include loss of driver's license, jail time, probation, higher fines, and costs for lawyers and court fees.

Drinking when taking medication - Many medications can interact with alcohol, leading to increased risk of illness, injury, or death. It is estimated that alcohol-medication interactions may be a factor in at least 25% of all emergency room admissions.

Drinking if you have alcoholism in the family - If you have inherited the genetics for alcoholism from parents or grandparents, your very first drink of alcohol may trigger the disease, leading you to become a "practicing alcoholic" at a very early age. Most recovered alcoholics say that they essentially "fell in love" with alcohol when they first used it, usually at the age of 10 - 15. See the definitions for Misuse, Abuse and Dependence to determine whether or not you are in danger of addiction to alcohol.

Drinking if you have ADD or ADHD - Children who have severe Attention-Deficit/Hyperactivity Disorder (ADHD) are at greater risk of developing alcohol or other drug problems later in life. In fact, the risk is so high that having a history of ADHD is as important as having a family history of addiction in predicting future alcohol and other drug problems.

Drinking too much, too fast - e.g., "doing shots," averaging more than one drink per hour.

Drinking even one within an hour of driving - After just one drink, a driver begins to lose the ability to perform the tasks necessary to drive a car: braking, steering, changing lanes, and using judgment to adjust to changing road conditions.

Drinking competitively - e.g., drinking games.

Drinking and dating - 90% of acquaintance rapes involve the use of alcohol by one or both individuals involved.

"Safe" Drinking Is:

"Safe" (or appropriate or responsible) use of drugs, including alcohol, is generally defined as either "moderate" use or use which follows a prescription for a particular condition as diagnosed by a medical doctor.

There is no "safe" use of illegal drugs, nor is there a guaranteed safe use of alcohol, caffeine, aspirin or other legal drugs available without a prescription. However, it is generally believed that occasional and moderate use of such drugs is safe for most healthy adults over the age of 21.

The U.S. Department of Health and Human Services and the Department of Agriculture (re. nutrition), tell us that most healthy adults will have few, if any, negative effects from having *one serving of alcohol per day (the maximum limit for*

women) or, for men, two servings per day. (One serving = 12 oz. of beer, 6 oz. of wine, 1.5 oz. of liquor.)

However, even one drink per day slightly increases the chances of breast cancer, and can be quite dangerous to certain individuals depending upon their age and medical condition.

DEFINITIONS: MISUSE, ABUSE, AND DEPENDENCE

Misuse of Alcohol - drinking too much or drinking for the wrong reasons, e.g., having more than one drink per day for women or more than two drinks per day for men, or using alcohol to "medicate" oneself. For instance, drinking enough to "forget" an emotionally upsetting event. Or, drinking in order to overcome "shyness" at a social event. Repeated misuse can lead to abuse.

Abuse of Alcohol - drinking too much and/or too fast, drinking to the point of becoming drunk (intoxicated). For instance, drinking more than one serving of alcohol per hour and/or drinking one or more servings of alcohol as rapidly as possible, or having more than one drink per day for women or more than two drinks per day for men. Experiencing one or more of the symptoms listed below within a 12-month period is a sign of abuse. Repeated abuse may be a symptom of addiction.

Dependence Upon Alcohol/Alcoholism/

Alcohol Addiction - a disease characterized by drinking too much too often, a condition in which consuming alcohol becomes necessary in order to feel "normal," and in which the absence of alcohol in the body for more than a brief period of time causes one to feel sick with flu-like symptoms, to tremble or even have convulsions.

People who are chemically dependent upon alcohol risk their lives if they stop drinking suddenly and without the oversight of a health professional. The only way to "cure" addiction to alcohol and other drugs is to detoxify and remain totally abstinent. The "cause" of addiction is a chemical imbalance in the brain which is genetically determined. Children inherit the imbalance. If they begin to drink alcohol or use drugs, they activate the disease of addiction. Thus, dependence upon alcohol and/or other drugs is a disease similar to diabetes: it is inherited, chronic, and terminal if left untreated. Management of the disease requires significant behavioral change (e.g., abstinence from certain substances).

SYMPTOMS OF MISUSE, ABUSE, AND DEPENDENCE

Experiencing one or more of the following symptoms is an indication of AOD misuse. Experiencing one or more symptoms during a 12-month period is an indication of AOD abuse. Experiencing three or more of these symptoms during a 12-month period is an indication of AOD dependence (addiction/alcoholism).

Tolerance - the ability to drink your friends "under the table," or simply an increase in the amount of

AOD it takes for you to "get a buzz;" e.g., having four or five servings of alcohol without exhibiting signs of intoxication such as difficulty walking and talking.

Compulsiveness - being unable to stop using AOD, once you start, before serious impairment; e.g., intending to "have only one," and ending up intoxicated, or drinking before going to a party in order to "prime the pump."

Frequency - regularly exceeding the limits for moderate or social drinking or using prescription drugs more than ordered by the doctor. Moderate or social drinking is defined as having no more than two drinks per day for men, and no more than one drink per day for women; e.g., thinking that if one is good, two is better, or defining Thursday night as "part of the weekend" as a rationale for using.

Control Attempts - trying, unsuccessfully, to cut down the amount one consumes and/or the time spent using AOD; e.g., running out of your drug of choice and then driving long distances late at night to get a fix.

Negative Consequences - missing classes and/or work, getting into fights or serious arguments with friends, getting into legal trouble, developing health problems -- but continuing to use AOD anyway; e.g., chain-smoking even when you have Bronchitis.

Sacrificing Fun, Work, Friends - developing a "one-track mind" - giving up important work and fun activities in order to obtain, use, and recover from AOD. Being unable to have fun or relax without AOD; e.g., using marijuana the night before an important exam, or spending most of your grocery money on your drug of choice.

Withdrawal - feeling worse after a day of not using AOD, than after a day of using AOD and/or persistent cravings when not using; e.g., needing "just a little" to start the day/stop the trembles.

Blackouts - Loss of memory for periods of time, although the person may be able to carry on a conversation at the moment.

LEGAL SANCTIONS AND SUMMARY OF LAWS

Local, state, and federal laws make unlawful manufacture, possession, use, distribution or dispensation of drugs and alcohol serious crimes. Violations of local, state, or federal law may result in conviction of a misdemeanor and/or felony which can lead to imprisonment, fines, confiscation of real and personal property, and/or assigned community service, or any combination of these penalties. As a general rule, courts do not excuse persons convicted of drug or alcohol abuses from jail to go to college or to get to their jobs. Even more importantly, a record of a felony conviction will prevent an individual from entering many careers. Further, the University may impose sanctions pursuant to its policies.

The following summary covers sections of the Michigan Liquor Control Act, being MLCA 436.1 et seq., relating to the possession, consumption, and sale of alcoholic beverages.

It is possible that not all laws relevant to a particular situation are included in this brief summary; therefore, no one should take action in reliance upon it. The summary is intended strictly as an educational tool, and should not be construed as legal advice.

Laws and administrative rules governing establishments licensed by the Michigan Liquor Control Commission, as well as sections of the law dealing with licenser, importation, taxation, wholesaling, and manufacturing of alcoholic beverage are not included in the summary.

ALCOHOLIC BEVERAGE DEFINED

"Alcoholic beverage" means any spirituous, vinous, malt, or fermented liquor, liquids and compounds, whether or not medicated, proprietary, patented, and by whatever name called, containing one-half of one percent or more of alcohol by volume which are fit for use for beverage purposes.

ALCOHOL: LEGAL SANCTIONS FOR ALL AGES

Driving While Intoxicated at 0.08 or Above

A person cannot operate a vehicle upon a highway or other place open to the general public, including parking lots, while intoxicated. "Operating while intoxicated" means: 1) the person is under the influence of alcoholic liquor, a controlled substance, or a combination of the two; or 2) the person has an alcohol content of 0.08 grams or more per 100 milliliters of blood.

A person convicted on this charge is guilty of a misdemeanor punishable by one or more of the following: 1) community service for a maximum of 360 hours; 2) imprisonment for a maximum of 93 days; and/or 3) a \$100 to \$500 fine. The court may also order vehicle immobilization.

A second conviction within seven years will result in a fine of \$200 to \$1,000 and one or more of the following: 1) imprisonment for five days to one year, and/or 2) community service for 30 to 90 days. The court will order immobilization of the vehicle.

A third conviction, regardless of the number of years since the prior conviction, is a felony punishable by a \$500 to \$5,000 fine and either of the following: 1) state prison for one to five years, or 2) probation with imprisonment in the county jail for 30 days to one year and community service for 60 to 180 days. The court will order immobilization of the vehicle.

Fraudulent Identification

A person who furnishes fraudulent identification to a person under 21 years of age or a person under 21 years of age who uses fraudulent identification to purchase alcoholic beverage, is guilty

of a misdemeanor punishable by imprisonment for not more than 93 days and/or a fine of not more than \$100. In addition to penalties pursuant to the misdemeanor, the driver's license of a person convicted of using fraudulent identification shall be suspended for 90 days.

Transportation of Alcoholic Beverage (Open or Uncapped)

It is unlawful to transport or possess any alcoholic beverage in a container which is open, uncapped, or upon which the seal is broken, within the passenger compartment of a motor vehicle on the highways of Michigan. In addition, open or uncapped alcoholic beverage cannot be in the passenger compartment of a moving vehicle in any place open to the general public or generally accessible to motor vehicles, including parking lots.

If the vehicle does not have a trunk or compartment separate from the passenger compartment, the container must be enclosed or encased and not readily accessible to the occupants of the vehicle.

A person who violates this section is guilty of a misdemeanor. As part of the sentence, the person may be ordered to perform community service and undergo substance abuse screening and assessment at his or her own expense.

Sell or Furnish Alcohol (Non-Retail Situation) to a Minor

Knowingly selling or furnishing alcohol to a person under the age of 21 or failing to make diligent inquiry whether the person is less than 21 years of age is a misdemeanor.

First violation. Up to 60 days in jail and/or \$1,000 fine.

Second violation. Up to 90 days in jail and/or \$2,500 fine.

Sell or Furnish Alcohol – Causing Death.

Knowingly selling or furnishing alcohol to a person under the age of 21 or failing to make diligent inquiry whether the person is less than 21 years of age, and the subsequent consumption of alcohol by the minor is a direct and substantial cause of that person's death or an accidental injury that cause that person's death is a felony. The penalty is 10 years imprisonment and/or \$5,000.

Requirement of License to Sell.

Under Michigan law, the sale or trade of alcoholic beverage, including alcoholic beverage for personal use, requires a license or other prior written authorization from the Liquor Control Commission. This includes "passing the hat" or a "cover" charge. A person who conducts any activity for which a liquor license is required without first obtaining the requisite license is guilty of a felony, punishable by imprisonment for not more than one year, and/or by a fine of not more than \$1,000.

ALCOHOL: LEGAL SANCTIONS FOR THOSE UNDER 21

Minor In Possession (MIP)

In Michigan it is illegal for a person under the age of 21 years to purchase (or attempt to), consume (or attempt to) or possess (or attempt to) alcoholic beverage.

The law does not prohibit a person less than 21 years of age from possessing alcoholic beverage during regular working hours and in the course of his/her employment if employed by an organization possessing a liquor license, by the Liquor Control Commission, or by the Commission's agents if the alcoholic beverage is not possessed for his/her personal consumption.

The law does not prohibit the consumption of alcoholic beverage by a person less than 21 years of age who is enrolled in a course offered by an accredited college or university in an academic building and under the supervision of a faculty member if the purpose is solely education and a requirement of the course.

A minor who violates this law is guilty of a misdemeanor punishable by:

First violation. A fine of not more than \$100. May be ordered to participate in substance abuse prevention services or substance abuse treatment and rehabilitation services, and may be ordered to perform community service and to undergo substance abuse screening and assessment at his/her own expense. Judges have the discretion to order up to 30 days in jail if the person fails to meet sentencing or probation conditions.

Second violation. A fine of not more than \$200 and/or 30 days in jail. May be ordered to participate in substance abuse prevention or substance abuse treatment and rehabilitation services, to perform community service, and to undergo substance abuse screening and assessment at his/her own expense. The person's driver's license will also be suspended for 90 days, with a restricted license available after 30 days.

Third (or subsequent) violation. A fine of not more than \$500 and/or 60 days in jail. May be ordered to participate in substance abuse prevention or substance abuse treatment and rehabilitation services, to perform community service, and to undergo substance abuse screening and assessment at his/her own expense. The person's driver's license will also be suspended for one year, with a restricted license available after 60 days.

Under 21 Operating a Motor Vehicle at 0.02 or 0.08

A person less than 21 years of age can not operate a vehicle upon a highway or other place open to the general public, including parking lots, with any bodily alcohol content. "Any bodily alcohol content" means alcohol content of 0.02 grams or more but less than 0.08 grams per 100 milliliters of blood.

A person who violates this law is guilty of a misdemeanor punishable by:

First violation. A fine of not more than \$250 and/or community service for not more than 360 hours. The person's driver's license will be suspended for 30 days.

Second (and subsequent) Violation (when occurring within seven years of one or more prior convictions). A fine of not more than \$500 and/or up to 60 days of community service. The person's driver's license will be suspended for 90 days.

Possessing or Transporting Alcohol in a Motor Vehicle by a Minor

It is a misdemeanor for a person under 21 years of age to knowingly transport or possess alcoholic beverage in a motor vehicle, unless such activities are in connection with the minor's employment pursuant to a liquor license or other authorized agent of the Liquor Control Commission. Charges apply equally to drivers and passengers. The penalty for the misdemeanor conviction is 90 days in jail and/or a \$500 fine. The court may impose community service and a substance abuse assessment.

SUMMARY OF ALCOHOL SANCTIONS

All Ages	Under 21
<p>■ Driving While Intoxicated at 0.08 or Above A person convicted on this charge is guilty of a misdemeanor punishable by one or more of the following: 1) community service for a maximum of 360 hours; 2) imprisonment for a maximum of 93 days; and/or 3) a \$100 to \$500 fine. The court may also order vehicle immobilization. A second conviction within seven years will result in a fine of \$200 to \$1,000 and one or more of the following: 1) imprisonment for five days to one year, and/or 2) community service for 30 to 90 days. The court will order immobilization of the vehicle. A third conviction, regardless of the number of years since the prior conviction, is a felony punishable by a \$500 to \$5,000 fine and either</p>	<p>■ Minor In Possession (MIP)</p> <ul style="list-style-type: none"> ○ First violation. A fine of not more than \$100. May be ordered to participate in substance abuse prevention services or substance abuse treatment and rehabilitation services, and may be ordered to perform community service and to undergo substance abuse screening and assessment at his/her own expense. Judges have the discretion to order up to 30 days in jail if the person fails to meet sentencing or probation conditions. ○ Second violation. A fine of not more than \$200 and/or 30 days in jail. May be ordered to participate in substance abuse prevention or substance abuse treatment and rehabilitation services, to perform community

of the following: 1) state prison for one to five years, or 2) probation with imprisonment in the county jail for 30 days to one year and community service for 60 to 180 days. The court will order immobilization of the vehicle.

■ **Fraudulent Identification**

The penalty is imprisonment for not more than 93 days and/or a fine of not more than \$100. In addition, the driver's license of a person convicted of using fraudulent identification shall be suspended for 90 days.

■ **Sell or Furnish Alcohol (Non-Retail Situation) to a Minor**

○ **First violation.** Up to 60 days in jail and/or \$1,000 fine.

○ **Second violation.** Up to 90 days in jail and/or \$2,500 fine.

○ **Sell or Furnish Alcohol – Causing Death.** The penalty is 10 years imprisonment and/or \$5,000.

○ **Requirement of License to Sell.** The penalty is imprisonment for not more than one year, and/or by a fine of not more than \$1,000.

■ **Transportation of Alcoholic Beverage (Open or Uncapped)**

As part of the sentence, the person may be ordered to perform community service and undergo substance abuse screening and assessment at his or her own expense.

service, and to undergo substance abuse screening and assessment at his/her own expense. The person's driver's license will also be suspended for 90 days, with a restricted license available after 30 days.

○ **Third (or subsequent) violation.** A fine of not more than \$500 and/or 60 days in jail. May be ordered to participate in substance abuse prevention or substance abuse treatment and rehabilitation services, to perform community service, and to undergo substance abuse screening and assessment at his/her own expense. The person's driver's license will also be suspended for one year, with a restricted license available after 60 days.

■ **Possessing or Transporting Alcohol in a Motor Vehicle by a Minor**

Charges apply equally to drivers and passengers. The penalty for the misdemeanor conviction is 90 days in jail and/or a \$500 fine. The court may impose community service and a substance abuse assessment.

■ **Under 21 Operating a Motor Vehicle at 0.02 to 0.08**

A person who violates this law is guilty of a misdemeanor punishable by:

○ **First violation.** A fine of not more than \$250 and/or community service for not more than 360 hours. The person's driver's license will be suspended for 30 days.

○ **Second (and subsequent) Violation** (*when occurring within seven years of one or more prior convictions*). A fine of not more than \$500 and/or up to 60 days of community service. The person's driver's license will be suspended for 90 days.

(Current as of May 2008)

MICHIGAN ANTI-HAZING LAW AND SANCTIONS

"Hazing" means an intentional, knowing, or reckless act by a person acting alone or acting with others that is directed against an individual and that the person knew or should have known endangers the physical health or safety of the individual, and that is done for the purpose of pledging, being initiated into, affiliating with, participating in, holding office in, or maintaining membership in any organization. Hazing includes any of the following:

Physical brutality, such as whipping, beating, striking, branding, electronic shocking, placing of a harmful substance on the body, or similar activity.

Activity involving consumption of a food, liquid, alcoholic beverage, liquor, drug, or other substance that subjects the individual to an unreasonable risk of harm or that adversely affects the physical health or safety of the individual.

Legal Sanctions

A person who attends, is employed by, or is a volunteer of an educational institution shall not engage in or participate in the hazing of an individual. A person in violation is guilty of a crime

punishable as follows:

If the violation results in physical injury, the person is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$1,000, or both.

If the violation results in serious impairment of a body function, the person is guilty of a felony punishable by imprisonment for not more than five years or a fine of not more than \$2,500, or both.

If the violation results in death, the person is guilty of a felony punishable by imprisonment for not more than 15 years or a fine of not more than \$10,000, or both.

UNIVERSITY SANCTIONS FOR STUDENTS

University Response to Incidents Requiring Medical Assistance

In cases of intoxication for alcohol poisoning, the primary concern is the health and safety of the individual(s) involved. Individuals are strongly encouraged to call for medical assistance for him or herself or for a friend/acquaintance who is dangerously intoxicated. Unless there are extenuating circumstances, no student seeking medical treatment for an alcohol overdose on campus will

be subject to legal sanctions by the GVSU Department of Public Safety for the sole violation of using or possessing alcohol. This policy shall extend to another student seeking help for the intoxicated student, unless there are extenuating circumstances. However, students will face university sanctions as a result of this incident.

Students or other individuals who become incapacitated as a result of drinking, drug usage, or a medical condition who require emergency medical care will be financially responsible for the costs of the medical care including ambulance and/or hospitalization costs.

Referral Guidelines for Alcohol Offenses

Regardless of whether or not an MIP or other legal action is taken, the following referrals are to be made for all students as described below. However, depending on the severity of the incident, a lower level referral may be skipped over or combined with a higher level of referral. Also, referral sources (most typically a Housing & Residence Life Staff member) may require additional sanctions as well (e.g., writing a paper, doing a bulletin board, attending a campus program, etc.)

General Rules for Alcohol Use at On-Campus Events

As a member of the GVSU community there are specific values that student, staff, and fac-

ulty need to honor and observe, especially in the use of alcohol at campus events. Foremost at these events, each individual, including guests, is personally responsible for his/her own conduct.

While various venues and departments may have their own additional rules regarding alcohol use at functions, ALL events involving alcoholic beverage shall be conducted according to the following rules:

Planning

1. Sale or furnishing of alcoholic beverage on university property is permitted only when properly licensed, if legally required, and approved pursuant to university policy.
2. The sale, furnishing, possession and/or consumption of alcoholic beverage, which includes beer and wine, is permitted only at events properly registered with, and approved in advance by the appropriate administrator.
3. It may be required that individuals or groups sponsoring an event where alcoholic beverage will be available to hire additional police service. This service shall be coordinated through the University's Department of Public Safety (331-3255, www.gvsu.edu/publicsafety).

First Offense	Second Offense	Third or More Offense
<p>All first offenders of the University's alcohol policy are to attend an ACE (Alcohol Campus Education) Group within 30 days of meeting with the referring party regardless of law enforcement involvement.</p> <ul style="list-style-type: none"> ■ ACE Group is a ONE TIME ONLY educational workshop. ■ Duration: 3 hours ■ Frequency: One (or more) groups are scheduled every week at various dates and times. ■ Cost: Free ■ Focuses on alcohol awareness topics such as: <ul style="list-style-type: none"> o Legal academic, and future impact of an MIP o Responsible vs. dangerous drinking o Risk reduction o Health and safety o Sexual assault 	<p>All second offenders, higher risk first offenders, or students who have already had multiple interactions with law enforcement (e.g., medical transports, arrived on campus with previous charges, etc.) are referred to ACE Individual.</p> <ul style="list-style-type: none"> ■ ACE Individual is an alcohol/substance abuse assessment with a Counseling Center substance abuse specialist. ■ Duration: 1 hour ■ Frequency: Minimum one session assessment with possible recommendations for further treatment or intervention options (e.g., Holland Hospital's sponsored 5-week educational program, 12-Step Meetings) ■ Cost: Free if it is only for an on-campus internal student referral. If it is also as a result of a court order or probation requirement there is a \$100 fee. An assessment that is for a court order or a probation requirement is \$100. If referred to the Holland Hospital's 5-week program there is a \$25 fee/week, payable to Holland Hospital. 	<p>All third offender referrals or incidents of a higher risk nature can receive this level of referral.</p> <ul style="list-style-type: none"> ■ At this level there will be stronger, multiple, and more structured consequences. These will be determined by the referral sources and other necessary parties. ■ Intervention and potential actions that could be taken at this level include: <ul style="list-style-type: none"> o Judicial referral o Meeting with Dean of Students Office o Individual assessment with a substance abuse specialist for recommendation of clinical interventions o Placement on a Behavioral Plan o Holland Hospital Intensive Outpatient Services or 5-week educational group, 12-Steps Meetings. o Other sanctions as appropriate (e.g., medical withdrawal, etc.). <p>(Current as of May 2008)</p>

4. An approved university representative shall be present at all times during the event.
 5. Individuals or groups sponsoring an event where alcoholic beverage will be available shall implement precautionary measures to assure that alcoholic beverage is not accessible or served to any person under the legal drinking age or to any person who appears intoxicated. This shall include, but not be limited to, checking identification and training serving people and bartenders in alcohol management techniques.
 6. Individuals or groups sponsoring an event where alcoholic beverage will be available shall take responsibility to be fully informed of liability laws, University regulations, and any applicable insurance requirements.
 7. Compliance with the terms of university insurance coverage is required. Questions regarding insurance coverage should be referred to the Director of Business Services (331-2284).
 8. Advertisements for any university event where alcoholic beverage is served shall not focus on the availability of alcoholic beverage.
 9. Each request to sponsor an event where alcoholic beverage will be available must provide a description of the food to be provided at the event. The Dean of Students and/or designee may reject any request which does not provide food for consumption.
 10. Consumption of alcoholic beverage shall be permitted only within the approved area for the event.
2. Newspaper, radio, and television operations within the University's domain shall comply with all Michigan Liquor Control Commission advertising guidelines and are encouraged to follow the marketing guidelines contained in the policy.
 3. All other on-campus media and promotional materials, excluding those listed above, shall conform to the marketing guidelines contained in the policy. Any exceptions must have the written consent of the President or designee.
 4. All outlets broadcasting University events must be made aware of and be encouraged to follow the guidelines for alcohol beverage marketing as outlined in the policy.
 5. Any sign, billboards, scoreboards, posters, etc., erected on campus shall conform to the alcohol beverage marketing guidelines as outlined in this policy unless prior written approval is received from the Dean of Students (331-3585).
 6. Alcoholic beverage marketing programs specifically targeted for students and/or held on campus should conform to GVSU's Student Code, and should avoid demeaning, sexual, or discriminatory portrayal of individuals.
 7. Promotion and/or advertising to encourage use of alcohol is discouraged.
 8. Alcoholic beverage should not be provided as free awards to individual students or campus organizations.
 9. Alcoholic beverage sampling or "drinking contests" as part of campus marketing programs will not be permitted.
 10. Promotional activities should not be associated with otherwise existing campus events or programs without written consent of the Dean of Students (331-3585).
 11. Display or availability of promotional materials should be determined in consultation with the Dean of Students (331-3585).
 12. Informational marketing programs should have educational value and subscribe to the philosophy of responsible and legal use of the products represented.
 13. Alcoholic beverage marketers should support campus alcohol awareness programs that encourage informed and responsible decisions about the use or non-use of beer, wine, or distilled spirits.
 14. If permitted, alcoholic beverage advertising on campus or in institutional media, including that which promotes events as well as product advertising, should not portray drinking as a solution to personal or academic

During the Event

1. Each individual is responsible for his/her own conduct.
2. Non-alcoholic beverages shall be made available and identified at the same place as the alcoholic beverage and be featured equally and at least as prominently as the alcoholic beverage.
3. Individual drinking containers are limited to 12 ounces maximum.
4. No event shall include any form of "drinking contests" or "drinking games."
5. Food must be made available during the event as long as alcohol is being served.

GUIDELINES FOR ALCOHOLIC BEVERAGE MARKETING ON CAMPUSES

1. Michigan Liquor Control Commission guidelines for marketing alcoholic beverages on university campuses must be adhered to (http://www.state.mi.us/orr/emi/admincode.asp?AdminCode=Single&Admin_Num=43601301&Dpt=LG&RngHigh=).

problems of students or as necessary to social, sexual, or academic success.

DRUG AND ALCOHOL PREVENTION, COUNSELING, REHABILITATION, AND RE-ENTRY PROGRAMS

Recognizing that alcohol or drug abuse may be treatable, GVSU is supportive of students, faculty, staff and their families in finding the best possible treatment.

GVSU encourages students, faculty, and staff with alcohol or other drug dependency problems to use the services of the University or community counseling services for assistances. The following is a list of those services:

For Students

The GVSU Counseling and Career Development Center provides personal counseling, which can include services for those with drinking and/or other drug issues. The Counseling and Career Development Center houses the ACES program. This program coordinates education, intervention, and recovery programs on campus. Individual alcohol assessments and outpatient counseling are available for those with substance abuse or dependency issues. Fees will be charged for court ordered assessments.

ACES (Alcohol Campus Education and Services), 616-331-2537, www.gvsu.edu/aces
Counseling and Career Development Center, 616-331-3266, www.gvsu.edu/counsel.

The ACE Group is a three-hour workshop for those who have been referred due to violating the campus alcohol policy for the first time. If students have violated the campus alcohol policy two or more times, they are referred for a substance/alcohol assessment with a substance abuse counselor (in addition to other sanctions imposed by housing or the judicial process). Fees may be charged for court-ordered evaluations (and services).

If treatment for drug and/or alcohol dependency is needed, students on the Allendale campus are encouraged to contact ACES at 331-2537 or the Counseling Center at 331-3266. Students on the Pew campus are encouraged to contact ACES at 331-2537 or the Counseling Center at 331-7596.

12-Step Groups

Students may also find information and a current schedule of on-campus 12-Step Groups by visiting the ACES website (www.gvsu.edu/aces).

For Faculty, Staff, and Their Families

The Employee Assistance Program (EAP), also known as Encompass, is GVSU's resource which provides five free counseling sessions for faculty, staff and their families to deal with a variety of life issues. These include everything from issues with elder care, child care, the birth of a child or the death of a loved one, and alcohol and other drugs assessment and treatment. Resources and referrals are also available for those who are experiencing financial or legal problems.

Work Life Connections is a GVSU program

designed to assist faculty and staff in getting the information and answers needed, through on-campus education and programming, on a wide variety of topics related to life, health and wellness opportunities and general support to help faculty/staff maintain a healthy work life balance. For further information on GVSU Work Life Connections and Encompass, visit www.gvsu.edu/healthwellness.

REGISTERED STUDENT ORGANIZATION ALCOHOL POLICY AND EVENT REGULATIONS

Recognizing the considerable independence and autonomy of student organizations while at the same time recognizing the increased consumption of alcohol on college campuses, and in many instances increased occurrences of alcohol abuse and malicious destruction of property, driving accidents, personal injury, and other related activities, GVSU has adopted the following guidelines pertaining to alcohol use by Registered Student Organizations:

- Registered Student Organizations are encouraged to promote alcohol awareness programs and to help promote such programs on campus.
- Organizational leadership and members must become educated about the signs and symptoms of alcohol problems, how to refer individuals with possible alcohol problems, and local sources of assistance.
- Organizations must educate their members regarding liability and responsibilities associated with the use of alcohol at activities.
- Organizations must not promote irresponsible and/or illegal use of alcoholic beverages.
- Organizations must not portray drinking as a solution to personal or academic problems (e.g., through posters, t-shirts, fliers, etc).
- Organizations must not portray alcohol consumption as being necessary for social, sexual, personal, or academic success (e.g., through posters, t-shirts, fliers, etc).
- Organizations must adhere to the General Rules for Alcohol Use at On-Campus Events.
- Activities must not be scheduled in which alcoholic beverages are offered as prizes or incentives or at which alcoholic beverages are served to persons under 21 years of age.
- Activities must not be scheduled which promote drinking contests or alcohol abuse.
- Alcohol must not be part of new membership recruitment programs.

ALCOHOL BEVERAGE APPLICATION AND SERVICE POLICY FOR REGISTERED STUDENT ORGANIZATION Introduction

The following policy regulations clarify the specific requirements and application process for the use of alcoholic beverages by registered student organizations at GVSU facilities. These regulations are in addition to the established policies and procedures already established for each facility.

Facility Options Available

Registered student organizations sponsoring events that include alcoholic beverage service may only schedule these events in the licensed rooms within the Kirkhof Center, the Alumni House, the Meadows, the DeVos Center and the Eberhard Center. All alcoholic beverage service for student organizations must utilize the option for cash bar service. Complete information regarding costs for service is available through each facility.

Application Process

Registered Student Organization officers considering an event with alcoholic beverages must first schedule a meeting with the Director of Student Life to review the application process and all policy requirements of event sponsors. A completed "Application for Alcoholic Beverage Service for Registered Student Organizations" must be submitted to the Director of Student Life a minimum of 30 days prior to the requested event date. The application must include the rationale for having alcohol beverages at the event and include a detailed plan for monitoring the student use of alcohol at the event. The application is reviewed by the Director of Student Life and if approved is then sent to the Dean of Students for review and final approval. Upon submission of an application the student organization will be notified within five work days if they have been approved for alcoholic beverage service. The Director of Student Life may appoint another department staff member to coordinate the application process in the event of his/her absence from campus.

Staffing and Security Requirements

Events are required to have a professional staff member from the Office of Student Life present for the entire event. This staff member will be assigned by the Director of Student Life. The sponsoring organization may also be required to hire additional police or security coverage as determined by the Director of Student Life. Police coverage will be coordinated with the University's Department of Public Safety for events held on the Allendale Campus or Pew Campus Security for events held on the Pew Campus in Grand Rapids.

Identification Requirements

All individuals attending must present a current picture ID such as a state driver's license or state ID card and possess this identification throughout the event.

Wristbands

Those individuals who are at least 21 years of

age will receive a plastic wristband on their right wrist. This will be placed on the wrist, secured, and trimmed by the staff member supervising the entrance to the event. Wristbands will be available through the Office of Student Life.

Drink Tickets

Those individuals who have received a plastic wrist band will be eligible to purchase drink tickets from the cash bar ticket seller. Tickets will be color coded for various beverage price options. An individual will be limited to purchasing one alcoholic beverage ticket at a time. Beverage tickets are then presented to the bartender for service.

Advance Sales/Guests Lists

Student organization events that will have alcoholic beverage service must 1) be by invitation only, or 2) sell tickets in advance of the event. "At the door" sales are prohibited. An official typed final guest list of those individuals attending the event must be submitted to the Office of Student Life Professional Staff member working the event at least one hour prior to the start of the event. Individuals without tickets sold in advance or formal invitation will not be permitted to enter the room containing the alcoholic beverage service. Alcoholic beverage service is only available for a scheduled event, and is not open to the general public. The regulations of advance sales and guest list are not required at the Meadows, as the license type for this facility is not "conference facility."

Food Service Requirements

Student organizations sponsoring events where alcoholic beverage service will be available must provide appropriate food items (e.g., meal or hors d'oeuvres) through Campus Dining Services. All food requirements will be reviewed and approved by the Director of Student Life.

Costs Associated With Event

Various additional costs will be charged for events using alcoholic beverage service. These may include (but not limited to) food service, security, insurance, alcohol service fee, wristbands, and bartenders. These costs will be calculated during the application process and indicated on the Event Management System (EMS) room confirmation.

UNIVERSITY POLICIES ON ALCOHOL USE ON UNIVERSITY OWNED OR CONTROLLED PROPERTY

Licensed University Facilities

The University is authorized by the Michigan Liquor Control Commission (MLCC) to provide beverage services at certain licensed University locations. Cocktails, beer and wine may be made available to patrons of scheduled events at these licensed facilities. Beverages are provided in conformance and compliance with the requirements of the MLCC and the laws of the State of Michigan. The University is responsible for all liquor provision and sales; no liquor may otherwise be made available or brought onto the licensed premises. The University reserves the right to withhold alcoholic beverage service to any individual.

Regardless of the location, it may be required that those sponsoring an event arrange for police or security services when alcoholic beverages are available. This shall be coordinated through the University's Department of Public Safety (331-3255, www.gvsu.edu/publicsafety) as part of the contract and will be at the sponsoring organization's expense.

Licensed facilities have their own rules and procedures concerning the serving and consumption of alcohol. If you wish to book space in any of these facilities, you will need to contact the facility representative to obtain their site policy and procedures.

1. Kirkhof Center
Allendale Campus
616-331-2350
2. Meadows Club and Gazebo
Allendale Campus
616-895-1000
3. Alumni House and Visitor Center
Allendale Campus
616-331-3590
4. DeVos Center
Pew Campus
616-331-6620
5. Eberhard Center
Pew Campus
616-331-6620
6. Holland Campus
Meijer Campus
616-331-6660
7. Annis Water Resources Institute
Muskegon
616-331-3749
8. Michigan Alternative and Renewable Energy Center (MAREC)
Muskegon
616-331-6900
9. Muskegon Community College
Muskegon Campus
616-331-7360
10. Northwestern Michigan College
Traverse City Campus
231-995-1215

Other University Locations/Programs University Housing

Alcoholic beverages and containers, including paraphernalia, are prohibited in first year living centers and apartments. The designated "first year" living centers and apartments are alcohol-free environments regardless of the age of the residents. In designated apartment areas, anyone who is under 21 years of age in possession of alcohol or anyone consuming alcohol in a public area, or anyone 21 or older consuming alcohol with a minor present is in violation of this policy.

Beer kegs or other pressurized containers are not permitted.

Allendale Campus, Allendale, MI

Alcoholic beverages may be permitted in other areas of the campus with the prior approval of the Dean of Students or his/her designee. Call 331-3585 for further information.

Pew Campus, Grand Rapids, MI

Alcoholic beverages may be permitted in certain areas of the campus with the prior approval. For more information call 331-6660.

All events are staffed by Conference and Event Planning, who have a Client Services Manager present for all functions. Alcohol is served by professional bartending staff; no alcohol is dispensed directly by customers.

For functions where alcohol is served, Pew Campus Security is alerted. Security then determines if they will staff the event or just include the event on their rounds, depending on the size and scope of the event.

Meijer Campus, Holland, MI

Alcoholic beverages may be permitted in certain areas of the campus with the prior approval of the appropriate administrator. Any Continuing Education event held on or off the Holland site proposing to serve alcohol must be approved by the Executive Director of Continuing Education (616-331-7360).

Annis Water Resource Institute

On occasion, alcoholic beverages may be permitted in certain areas of the Water Resource Institute with prior approval. Contact the Office Coordinator (616-331-3749) to schedule space. Contact the Client Services Coordinator for Lake Michigan Center (Conference Services) at 616-331-6624 to make further arrangements, including alcoholic beverages approval.

Michigan Alternative and Renewable Energy Center (MAREC)

On occasion, alcoholic beverages may be permitted in certain areas of the MAREC with prior approval. Begin process by contacting MAREC at 616-331-6900.

Muskegon Campus (at Muskegon Community College)

Serving alcohol for any reason on the Muskegon Community College (MCC) campus is prohibited. If any Continuing Education event held off the MCC site proposes to serve alcohol, this must be approved by GVSU's Executive Director of Continuing Education, (616-331-7360).

Traverse City Campus (at Northwestern Michigan College)

Serving alcohol for any reason on the campus of Northwestern Michigan College (NMC) must be approved by the NMC Director of Facilities (231-995-1215). If any Continuing Education event held off the NMC site proposes to serve alcohol, this must be approved by GVSU's Executive Director of Continuing Education (616-331-7360). In the event that a function is sponsored by another university unit (e.g., President's Office, Alumni Relations), the policy enacted by that unit would apply.

Kirkhof Center Alcohol Beverage Service Policy

Alcoholic beverage service in the Kirkhof Center is regulated by the Michigan Liquor Control

Commission and the GVSU Drug and Alcohol Policy.

- All alcoholic beverages must be provided by GVSU that are purchased from authorized and licensed distributors.
- No alcoholic beverages are permitted in the Kirkhof Center other than those offered by GVSU.
- Alcoholic beverage service is licensed only for the Grand River Room (KC 2250), Pere Marquette (KC 2204), KC 2201, KC 2215/2216, Thornapple Room (0058), and the KC Lounge, Solarium, and Deck. Alcoholic beverages are not permitted in other areas of the building. Alcoholic beverages may be consumed only in the above approved scheduled areas.
- Alcoholic beverage service is available for scheduled events only with specific invitation for invited guests of the function, and are not open to the general public.
- Sponsoring groups have two options for alcoholic beverage service which are 1) a traditional cash bar where each guest pays for individual drinks, or 2) the sponsor may elect to provide alcoholic beverages to guests by paying for the alcoholic beverages.
- All alcoholic beverage service must be paid for at the close of the event.
- Alcoholic beverages, whole or in part, may not be removed from the Kirkhof Center.
- Alcoholic beverages shall not be sold or furnished to a person unless the person has attained 21 years of age. Proper picture identification is required.
- Michigan sales tax of 6% will be charged for all alcoholic beverages.
- GVSU reserves the right to withhold alcoholic beverage service to any individual.
- Bartender service is scheduled at a ratio of one bartender for each 100 guests expected.
- Alcoholic beverage service must end by 12:30 am.
- Designated Driver Programs are encouraged.
- Individual drink limited to 12 oz maximum.
- All functions which serve alcohol must arrange for food to be served while alcohol is being served.

For more details, contact Event Services, 1110 Kirkhof Center, (616) 331- 2350 (Office), (616) 331- 2355 (Fax).

Leased Sites

Occasionally, the University leases additional space. Alcoholic beverages may be served in designated, approved areas in conjunction with University Policy, State Law and the policies of the landlord or owner of the property.

President's Residence

Alcoholic beverages may only be served in conjunction with State Law.

International Programs

Alcohol and drugs impair the ability to function clearly. Impaired abilities combined with an unfamiliar location have caused tragedies to student travelers in the past. Situations can turn very bad very fast, leaving a person vulnerable. For your safety, respect cultural norms, avoid excessive drinking and indulging in unbecoming activities.

Remember that:

1. You are subject to the local laws regarding your personal conduct and behavior.
2. You are subject to the GVSU Student Code of Conduct.
3. Disruption of the learning environment for other students—whether because of alcohol or drug abuse or other reasons—is grounds for dismissal from the program (without refund).
4. Your status as a U.S. student will not protect you from prosecution if you are found in violation of local laws.
5. Anti-drug laws in your host country may be more strict than in the U.S., and penalties may be more severe.
6. As a GVSU student, you are expected to exercise good judgment and behave responsibly at all times - not simply during the week while in class. Remember; you are perceived by others as an ambassador for yourself, for GVSU, and your country.

Please contact the Padnos International Center (331-3898) with specific questions.

FOOTBALL TAILGATING POLICY

Location

Alcohol consumption is allowed only in designated areas: Lot A (VIP), Lot B, Lot C, Lot F, Lot G, and the Irwin Club Lot adjacent to the Stadium.

Hours

Alcohol consumption is permitted from three hours prior to kickoff until kickoff. There may not be any alcohol consumption during the game or at halftime. Tailgating and alcohol consumption is allowed after the completion of the game for no longer than one hour.

If You Choose to Consume Alcoholic Beverages

- You must be able to prove that you are over 21 (no underage drinking). Campus Police may request tailgaters, who appear to be consuming alcoholic beverage, to produce identification. They will conduct random checks of people who appear to be below the legal drinking age.
- You must respect the rights of others who choose not to drink.
- You should utilize a non-drinking designated driver.
- No drinking games/contests.
- No kegs, party balls, pooling or mass purchase of alcohol. No glass containers. All beverages should be in aluminum cans, plastic bottles, paper or plastic cups.

- No alcohol outside the tailgate area.
- Alcoholic containers or packages may not be carried on campus grounds unless in cooler or in sealed packaging to a designated tailgate area. Campus Police will cite violators for open alcohol and consumption of alcohol on campus grounds.
- Individual drink containers are limited to 12 oz. maximum.

Serving to Other Parties

It is risky to serve alcoholic beverages to anyone other than yourself and your immediate party. Michigan law requires a license before a person can sell, trade or give away alcoholic beverages. A violation of this law is a felony. A social host does not need a license to serve his/her invited guests who fall within the usual understanding of friends and personal visitors. A social host may be liable for guests and others for injuries resulting from serving alcohol, especially to a minor.

No Unauthorized Stand-Alone Tents

Only campus departments/offices and corporate tents will be considered for authorization. For authorization, contact the Athletics' Marketing and Promotions Office (616) 331-3264.

All Tailgaters MUST Clean Up Their Trash

Dumpsters are provided in the immediate area of the tailgate lots.

Violation of Policy

Any violation of tailgating policies may result in immediate termination of tailgating privileges and criminal prosecution or disciplinary action through the GVSU Dean of Students Office.

RESOURCES AND INFORMATIONAL WEBSITE LINKS

For the most up-to-date local resources, visit these organizations national websites or www.gvsu.edu/aces.

Online Screenings for Alcohol and Other Issues for Students, Faculty, and Staff

Counseling and Career Development Center (www.gvsu.edu/counsel) - Click "Alcohol/Drug Services." At bottom of web page, select "Online Alcohol Assessment Tools."

Resources for Those Seeking Help for Their Self, Family, and/or Friends

Alcoholics Anonymous (www.aa.org)
 Al-Anon/Alateen (www.al-anon.alateen.org)
 Narcotics Anonymous (www.michigan-na.org/michigan_region/)
 Marijuana Anonymous (www.marijuana-anonymous.org/) 1-800-766-6779
 Students Against Drunk Driving (SADD) (www.sadd.org/)

Alcohol Resources for Further Information and Research

Center for Disease Control – Alcohol (www.cdc.gov/alcohol/index.htm)
 Center for Disease Control – Substance Abuse (www.cdc.gov/nchs/fastats/druguse.htm)
 SAMHSA (www.samhsa.gov/)

NIAAA (www.niaaa.nih.gov/)
 Go Ask Alice! (goaskalice.com/Cat2.html)

APPENDIX F

CAMPUS SECURITY INFORMATION

CAMPUS SECURITY INFORMATION — GRAND VALLEY STATE

Grand Valley State University, a community of approximately 26,000 people, consists of a 1,303-acre campus in Allendale, a 37-acre campus in downtown Grand Rapids, a 20-acre campus in Holland, and approximately one acre of waterfront property in Muskegon. The campuses are considered to be safe. They are, however, subject to many of the same problems that occur in the surrounding communities.

Grand Valley's crime rate is very low in comparison to the national average, as well as to other state universities.

Grand Valley is concerned about the well-being of everyone on its campus and has prepared this information to increase your awareness of the current programs that exist for your protection.

The university employs a professionally trained, licensed police force. We also encourage students to take responsibility for their own belongings and safety.

Emergency Contact

Occasionally the university needs to inform students, faculty, and staff of urgent information, such as closure due to inclement weather and issues related to public safety or health. It is important that each student submits their contact information at www.gvsu.edu/emergencycontact/.

Messages will be sent only when the university believes that the information is vital and that it must be disclosed immediately. If you have questions about the emergency notification service, please contact the GVSU Telephone Business Office at (616) 331-2145.

Timely Warning Policy

In the event a situation arises, either on or off a university campus that, in the judgment of the Director of Public Safety or designee (after consultation with the Crisis Response Coordinators if time and availability permit), constitutes an ongoing or continuing threat, a university-wide "timely warning" will be issued. The warning will be issued via the university website, www.gvsu.edu, email and other means deemed appropriate. Depending on the particular circumstances of the crime or threat, additional notices may be posted in each residential facility and within academic buildings.

Anyone with information warranting a timely warning should report the circumstances to the Department of Public Safety by telephone (616) 331-3255 or in person at the Service Building on

the Allendale campus or the Pew Security Office at 102 Eberhard Center on the Pew campus.

CRIME RATES AND STATISTICS

In compliance with the Student Right-to-Know and Campus Security Act of 1990, GVSU annually provides information on security procedures and crime statistics to all its employees and enrolled students.

The university Department of Public Safety reports all incidents to the Uniform Crime Reporting program. The department makes reasonable efforts to monitor and record, through local police agencies, criminal activity of students at off-campus locations of student organizations recognized by the University. This includes student organizations with off-campus housing facilities. Crime statistics for the most recent three-year period are shown below.

Grand Valley State University - Allendale Campus

Criminal Offenses - On-Campus

	2008	2009	2010
a. Murder/Non-negligent manslaughter	0	0	0
b. Negligent manslaughter	0	0	0
c. Sex offenses - Forcible	1	2	1
d. Sex offenses - Non-forcible (incest and statutory rape only)	0	0	0
e. Robbery	0	0	0
f. Aggravated assault	0	0	0
g. Burglary	7	1	1
h. Motor vehicle theft	0	0	0
i. Arson	0	0	0
j. Larceny	119	83	129

Criminal Offenses - On-Campus Residence Halls (Residence Halls are a subset of On-Campus)

	2008	2009	2010
a. Murder/Non-negligent manslaughter	0	0	0
b. Negligent manslaughter	0	0	0
c. Sex offenses - Forcible	1	1	1
d. Sex offenses - Non-forcible (incest and statutory rape only)	0	0	0
e. Robbery	0	0	0
f. Aggravated assault	0	0	0
g. Burglary	3	1	1
h. Motor vehicle theft	0	0	0
i. Arson	0	0	0
j. Larceny	22	21	38

Criminal Offenses - Public Property

	2007	2009	2010
a. Murder/Non-negligent manslaughter	0	0	0
b. Negligent manslaughter	0	0	0
c. Sex offenses - Forcible	0	1*	0
d. Sex offenses - Non-forcible (incest and statutory rape only)	0	0	0
e. Robbery	0	0	0
f. Aggravated assault	0	0	0
g. Burglary	1	0	0
h. Motor vehicle theft	0	0	0
i. Arson	0	0	0
j. Larceny	0	0	0

Hate Offenses - On-Campus

	2008	2009	2010
NO HATE OFFENSES REPORTED	0	0	0

Hate Offenses - On-Campus Residence Halls (Residence Halls are a subset of On-Campus)

	2008	2009	2010
NO HATE OFFENSES REPORTED	0	0	0

Hate Offenses - Public Property

	2008	2009	2010
NO HATE OFFENSES REPORTED	0	0	0

Arrests - On-Campus

	2008	2009	2010
a. Illegal weapons possession	0	0	0
b. Drug law violations	29	34	56
c. Liquor law violations	207	191	157

Arrests - On-Campus Residence Halls (Residence Halls are a subset of On-Campus)

	2008	2009	2010
a. Illegal weapons possession	0	0	0
b. Drug law violations	19	26	28
c. Liquor law violations	151	146	122

Disciplinary Actions/Judicial Referrals - On-Campus

	2008	2009	2010
a. Illegal weapons possession	0	0	0
b. Drug law violations	0	1	0
c. Liquor law violations	0	0	0

Arrests - Public Property

	2008	2009	2010
a. Illegal weapons possession	0	0	0
b. Drug law violations	1	0	0
c. Liquor law violations	5	1	12

Disciplinary Actions/Judicial Referrals - Public Property

	2008	2009	2010
a. Illegal weapons possession	0	0	0
b. Drug law violations	0	0	0
c. Liquor law violations	0	0	0

Grand Valley State University - Pew Campus

Criminal Offenses - On-Campus

	2008	2009	2010
a. Murder/Non-negligent manslaughter	0	0	0
b. Negligent manslaughter	0	0	0
c. Sex offenses - Forcible	0	0	0
d. Sex offenses - Non-forcible (incest and statutory rape only)	0	0	0
e. Robbery	0	0	0
f. Aggravated assault	0	0	0
g. Burglary	0	0	0
h. Motor vehicle theft	0	0	1
i. Arson	0	0	0
j. Larceny	40	25	20

Criminal Offenses - Noncampus

	2008	2009	2010
NO CRIMINAL OFFENSES REPORTED	0	0	0

Criminal Offenses - On-Campus Residence Halls

* Incidents reported in this report occurred in 2007

(Residence Halls are a subset of On-Campus)
 2008 2009 2010

Larceny 2 1 1

Criminal Offenses - Public Property
 2008 2009 2010

a. Murder/Non-negligent manslaughter 0 0 0
 b. Negligent manslaughter 0 0 0
 c. Sex offenses - Forcible 0 0 0
 d. Sex offenses - Non-forcible (incest and statutory rape only) 0 0 0
 e. Robbery 0 1 0
 f. Aggravated assault 0 0 0
 g. Burglary 0 0 0
 h. Motor vehicle theft 0 0 1
 i. Arson 0 0 0
 j. Larceny 1 0 0

Hate Offenses - On-Campus
 2008 2009 2010

NO HATE OFFENSES REPORTED 0 0 0

Hate Offenses - On-Campus Residence Halls (Residence Halls are a subset of On-Campus)
 2008 2009 2010

NO HATE OFFENSES REPORTED 0 0 0

Hate Offenses - Noncampus
 2008 2009 2010

NO HATE OFFENSES REPORTED 0 0 0

Hate Offenses - Public Property
 2008 2009 2010

NO HATE OFFENSES REPORTED 0 0 0

Arrests - On-Campus
 2008 2009 2010

a. Illegal weapons possession 0 0 0
 b. Drug law violations 1 0 0
 c. Liquor law violations 0 0 0

Arrests - On-Campus Residence Halls (Residence Halls are a subset of On-Campus)
 2008 2009 2010

a. Illegal weapons possession 0 0 0
 b. Drug law violations 1 0 0
 c. Liquor law violations 0 0 0

Disciplinary Actions/Judicial Referrals - On-Campus
 2008 2009 2010

a. Illegal weapons possession 0 0 0
 b. Drug law violations 0 0 0
 c. Liquor law violations 0 0 0

Arrests - Non-Campus
 2008 2009 2010

a. Illegal weapons possession 0 0 0
 b. Drug law violations 0 0 0
 c. Liquor law violations 0 0 0

Disciplinary Actions/Judicial Referrals - Non-Campus
 2008 2009 2010

a. Illegal weapons possession 0 0 0
 b. Drug law violations 0 0 0
 c. Liquor law violations 0 0 0

Arrests - Public Property
 2008 2009 2010
 a. Illegal weapons possession 0 0 0
 b. Drug law violations 0 0 0
 c. Liquor law violations 0 0 0

Disciplinary Actions/Judicial Referrals - Public Property
 2008 2009 2010
 a. Illegal weapons possession 0 0 0
 b. Drug law violations 0 0 0
 c. Liquor law violations 0 0 0

Grand Valley State University - Holland Campus

Criminal Offenses - On-Campus
 2008 2009 2010

NO CRIMINAL OFFENSES REPORTED 0 0 0

Criminal Offenses - On-Campus Residence Halls (Residence Halls are a subset of On-Campus)
 2008 2009 2010

NO CRIMINAL OFFENSES REPORTED 0 0 0

Criminal Offenses - Public Property
 2008 2009 2010

NO CRIMINAL OFFENSES REPORTED 0 0 0

Hate Offenses - On-Campus
 2008 2009 2010

NO HATE OFFENSES REPORTED 0 0 0

Hate Offenses - On-Campus Residence Halls (Residence Halls are a subset of On-Campus)
 2008 2009 2010

NO HATE OFFENSES REPORTED 0 0 0

Hate Offenses - Public Property
 2008 2009 2010

NO HATE OFFENSES REPORTED 0 0 0

Arrests - On-Campus
 2008 2009 2010

NO ARRESTS 0 0 0

Arrests - On-Campus Residence Halls (Residence Halls are a subset of On-Campus)
 2008 2009 2010

NO ARRESTS 0 0 0

Disciplinary Actions/Judicial Referrals - On-Campus
 2008 2009 2010
 NO DISCIPLINARY ACTIONS 0 0 0

Arrests - Public Property
 2008 2009 2010

NO ARRESTS 0 0 0

Disciplinary Actions/Judicial Referrals - Public Property
 2008 2009 2010
 NO DISCIPLINARY ACTIONS 0 0 0

Grand Valley State University - Muskegon Campus

Criminal Offenses - On-Campus
 2008 2009 2010

Larceny 0 0 0

Criminal Offenses - On-Campus Residence Halls (Residence Halls are a subset of On-Campus)

	2008	2009	2010
NO CRIMINAL OFFENSES REPORTED	0	0	0

Criminal Offenses - Public Property

	2008	2009	2010
NO CRIMINAL OFFENSES REPORTED	0	0	0

Hate Offenses - On-Campus

	2008	2009	2010
NO HATE OFFENSES REPORTED	0	0	0

Hate Offenses - On-Campus Residence Halls (Residence Halls are a subset of On-Campus)

	2008	2009	2010
NO HATE OFFENSES REPORTED	0	0	0

Hate Offenses - Public Property

	2008	2009	2010
NO HATE OFFENSES REPORTED	0	0	0

Arrests - On-Campus

	2008	2009	2010
NO ARRESTS	0	0	0

Arrests - On-Campus Residence Halls (Residence Halls are a subset of On-Campus)

	2008	2009	2010
NO ARRESTS	0	0	0

Disciplinary Actions/Judicial Referrals - On-Campus

	2008	2009	2010
NO DISCIPLINARY ACTIONS	0	0	0

Arrests - Public Property

	2008	2009	2010
NO ARRESTS	0	0	0

Disciplinary Actions/Judicial Referrals - Public Property

	2008	2009	2010
NO DISCIPLINARY ACTIONS	0	0	0

Grand Valley State University - Traverse City Campus

Criminal Offenses - On-Campus

	2008	2009	2010
NO CRIMINAL OFFENSES REPORTED	0	0	0

Criminal Offenses - On-Campus Residence Halls (Residence Halls are a subset of On-Campus)

	2008	2009	2010
NO CRIMINAL OFFENSES REPORTED	0	0	0

Criminal Offenses - Public Property

	2008	2009	2010
NO CRIMINAL OFFENSES REPORTED	0	0	0

Hate Offenses - On-Campus

	2008	2009	2010
NO HATE OFFENSES REPORTED	0	0	0

Hate Offenses - On-Campus Residence Halls (Residence Halls are a subset of On-Campus)

	2008	2009	2010
NO HATE OFFENSES REPORTED	0	0	0

Hate Offenses - Public Property

	2008	2009	2010
NO HATE OFFENSES REPORTED	0	0	0

Arrests - On-Campus

	2008	2009	2010
NO ARRESTS	0	0	0

Arrests - On-Campus Residence Halls (Residence Halls are a subset of On-Campus)

	2008	2009	2010
NO ARRESTS	0	0	0

Disciplinary Actions/Judicial Referrals - On-Campus

	2008	2009	2010
NO DISCIPLINARY ACTIONS	0	0	0

Arrests - Public Property

	2008	2009	2010
NO ARRESTS	0	0	0

Disciplinary Actions/Judicial Referrals - Public Property

	2008	2009	2010
NO DISCIPLINARY ACTIONS	0	0	0

FBI Definitions of Crime Categories

Murder: The willful (non-negligent) killing of one human being by another.

Negligent Manslaughter: The killing of another person through gross negligence.

Non-Negligent Manslaughter: The willful non-negligent killing of a human being by another. As a general rule, any death due to injuries received in a fight, argument, quarrel, assault, or commitment of a crime.

Forcible Sex Offense: Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent due to age and mental impairment.

Non-Forcible Sex Offense: Unlawful, non-forcible sexual intercourse consisting of person(s) who are related to each other or who are under statutory age of consent.

Robbery: The taking of money and/or other valuables under the threat of physical harm or force, with or without a threat.

Aggravated Assault: An unlawful attack by a person(s) upon another for the purpose of inflicting severe or aggravated bodily injury.

Arson: Any willful or malicious burning or attempting to burn with or without intent to defraud a dwelling, house, public building, motor vehicle, aircraft, or personal property of another.

Burglary: The breaking and entering, with no personal threat involved and usually no confrontation between burglar and victim.

Larceny: The act of stealing in which neither illegal entry nor the threat or use of force is present.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle.

Liquor Law Incidents: Prohibits the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages.

Drug Abuse Incidents: Prohibits the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use.

Weapons Possessions: The violation of laws prohibiting the possession, concealment, and use of a firearm or other deadly weapon.

Hate Crimes: Any of the above crimes that manifest evidence of prejudice based on race, religion, sexual orientation, or ethnicity.

EMERGENCY RESPONSE AND EVACUATION

Grand Valley State University maintains a Crisis Communication Plan to direct the notification

process in case of emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on a University campus(s). The Vice President for University Relations and an additional Vice President (to be determined based on the nature of the emergency) are the Crisis Response Directors. Crisis Response Coordinators include the Vice Provost and Dean of Students, Director of Public Safety and Assistant Vice President for News and Information Services. These Directors and Coordinators will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless the notification will, in the professional judgment of responsible authorities, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency. They will also direct the dissemination of emergency information to the larger community. A copy of the Crisis Communication Plan is available in the Grand Valley Manual (www.gvsu.edu/gvmanual). The University tests the emergency response and the evacuation procedures annually and will publish a summary of the procedures in conjunction with at least one test each calendar year.

MISSING STUDENT NOTIFICATION POLICY

The policy below applies to all Grand Valley State University students who reside in on-campus housing, including Allendale Campus and Pew Campus facilities. All questions about this policy should be directed to the Director of Housing & Residence Life at (616) 331-2120.

During the housing check-in process, students may provide a confidential emergency contact person to be notified in the case that the student is determined to have been missing for 24 hours. The designation will remain in effect until changed or revoked by the student. If a student does not designate an emergency contact and the student is at least 18 years of age, GVSU Public Safety law enforcement staff will serve as the default contact person(s). If a missing student is less than 18 years of age and not legally emancipated, the emergency contact will be the student's parent or legal guardian. A student's confidential emergency contact information will be accessible only by authorized campus officials and law enforcement officers in furtherance of a missing person investigation or as otherwise required by law.

Public Safety will be notified when a student in on-campus housing is reported missing, regardless of the student's age or emancipation status or if the student resides on the Allendale or Pew Campus, and whether or not designated emergency contact information is on file. Public Safety will make the final determination that a student is missing and has been missing for more than 24 hours for all resident housing facilities.

Any individual on campus with reason to believe that a resident student is missing must immediately notify GVSU Public Safety, Service Building

(616) 331-3255 or Pew Campus Security, 102 Eberhard Center (616) 331-6677, depending on location of the missing student's residence. (Pew Campus Security will notify and work with Public Safety upon receipt of a missing student report.) If Housing & Residence Life or the Dean of Students Office receives a report of a potentially missing resident student, staff will immediately notify Public Safety and/or Pew Campus Security (for students residing on Pew Campus) and assist as requested.

Public Safety will generate a missing person report and conduct an investigation, working with other appropriate campus staff and local law enforcement agencies as needed to aid in the search for the student. No later than 24 hours after Public Safety determines that the student is missing and has been missing for more than 24 hours, the Director of Public Safety or designee will notify the student's emergency contact (for students 18 years of age or older and emancipated minors) or parent/legal guardian (for students under the age of 18 and not legally emancipated). The Director of Public Safety or designee will maintain communication with the emergency contact throughout the investigation. This policy does not preclude implementing procedures in less than 24 hours if circumstances warrant faster implementation.

Refer all inquiries regarding the status of a missing student resident to News & Information Services at (616) 331-2221. The Assistant Vice President for News & Information Services or designee will coordinate communication in consultation with the Vice President for University Relations, Director of Public Safety, Director of Pew Campus Security and the Vice Provost and Dean of Students.

SEXUAL ASSAULT PROCEDURES

Grand Valley State University recognizes the importance of support and encouragement in dealing with instances of sexual assault. A variety of support services are available at the university and in the community to assist students in dealing with sexual assault. The following information outlines a variety of options that are open to victims of sexual assault.

Law Enforcement Options/Considerations

Victims of sexual assault are encouraged to contact the Campus Police. Officers can assist victims in connecting with a variety of services including contacting the Counseling Center, transportation to a nurse examiner program, obtaining a personal protection order, or contacting other police agencies in the event that the assault did not occur on campus.

Victims should be aware that just because they contact the Campus Police Department, this does not mandate they make an official police report. Officers will assist victims by notifying them of various options they have in reporting the incident and will respect the choices made by the victim, including non-reporting. If the victim wants an

investigation, officers will contact appropriate personnel to assist. If the victim prefers to speak with a female officer, every reasonable attempt will be made to make one available.

The university will make all reasonable efforts to ensure the preservation of confidentiality, restricting information to those with a legitimate need for it. The university Counseling Center may notify the victim about university and community resources and students are strongly encouraged to connect with this support.

Health/Personal Safety Considerations

It is highly recommended that victims seek medical treatment from a nurse examiner program following a sexual assault. Nurse examiner programs have the ability to collect the evidence that is necessary for medical and/or forensic evaluation and court testimony if the accused is prosecuted. Both Ottawa and Kent Counties have nurse examiner programs (see addresses below). In some cases, a victim may prefer to be treated at a hospital closer to their home.

Hospital treatment is recommended in situations where there is serious physical harm including loss of consciousness or blow to the head, continual vaginal bleeding following the assault, possible broken bones, a laceration requiring stitches, abdominal or chest pain present, pregnancy, or other serious medical or emergency conditions.

Although it is not an absolute deadline, it is strongly encouraged that physical evidence be collected within 48 hours or as soon as is reasonably possible. The collection of medical evidence does not presume that charges will be filed against the assailant; the filing of a criminal charge is always the choice of the victim. To protect important physical evidence, victims should not shower, bathe, brush their teeth, or change clothing prior to going to a nurse examiner program or the hospital. If possible, the student should maintain the scene exactly as it was at the occurrence of the assault if they intend to report the incident to the police.

Even if a victim has showered or a time lapse of five days has occurred, it is still strongly encouraged that an assault victim seek medical treatment.

Nurse Examiner Programs

Victims are encouraged to call in advance before going to either location. Someone is on call 24-hours a day.

YWCA of Grand Rapids

25 Sheldon Blvd.
Grand Rapids, MI 49503
(616) 776-RAPE (776-7273)
(24-hour crisis hotline)

Center for Women in Transition

411 Butternut Drive
Holland, MI 49424
(616) 392-1970 or (800) 848-5991

University Judicial Options/Considerations

Victims of sexual assault that occur on university property and/or by another GVSU student may file a judicial referral with the Coordinator for University Judiciary. This referral can be filed regardless of whether the victim decides to file criminal charges. With regard to the University Judicial Process, victims will be treated with respect and sensitivity at all times.

When a victim expresses a concern about sexual assault, they will be informed of the availability of a university employee, designated to provide support. The role of the sexual assault support person includes the following: to share resources (both on and off campus), to explain the university's sexual assault policy; to assist with the filing of a complaint (internal and external to the university); to accompany the individual to any meetings related to the complaint; and to help the individual sort through their options and choices.

If the accused student denies the charges and requests a hearing, the victim will be notified of the hearing. The victim may present written evidence to be used at the hearing, may testify at the hearing, and is entitled to a copy of the written decision and sanction. If the incident was reported to the Campus Police, an officer may attend the hearing and assist in presenting facts learned during the investigation.

The accused student and the victim may each have one advisor present at the hearing. If the accused student admits the policy violation, the victim is entitled to a copy of the written sanction. The victim or the accused student may appeal the decision and/or sanction.

Sanctions for students found responsible through the University Judicial Process for committing sexual assault may include one or more of the following: warning; restitution; work assignment/community service; probation; loss of privileges; loss of the right to live in university housing; counseling; denial or revocation of a university honor; scholarship or degree; suspension; and/or dismissal from the university.

Michigan Law

Under Michigan law, sexual assault is called "criminal sexual conduct" (CSC). There are four degrees or categories. First, second, and third degree CSC are felonies. Fourth degree CSC is a misdemeanor. Assault with intent to commit criminal sexual conduct is a felony. Conviction of any CSC charge can carry a substantial prison term. However, severity of the sentencing depends on a number of factors. These laws can be very complicated. Additional information about Michigan Law can be found at <http://www.michiganlegislature.org>. Sections 750.520A-750.520L are specific to sexual assault.

Sexual Assault Programs

Programs dealing with rape, acquaintance rape, and other sex offenses are presented on a regu-

lar basis at a variety of student educational activities, including orientation prior to classes, on-campus residential life programs and first-year orientation classes. Most of the programs are sponsored by the Counseling Center, the Office of Housing and Residential Life, the Women's Center, Public Safety Services or Eyes Wide Open Peer Sexual Assault Education Student Group. In addition, self-defense classes are offered each semester through a program called R.A.D. (Rape Aggression Defense System). The sessions are taught by community police officers and other employees who are nationally certified R.A.D. instructors.

The Grand Valley State University Counseling Center provides counseling for victims of sexual assault. Students are also made aware of counseling and support services in the community for victims of sexual assault. Sex registry information is available at www.mipsor.state.mi.us/.

SAFETY AND SECURITY SERVICES

The primary responsibility for law enforcement on the Allendale campus rests with Grand Valley State University's Department of Public Safety Services (DPS). All Grand Rapids facilities owned or controlled by Grand Valley are served by the Grand Rapids Police Department. The Holland, Muskegon, and Traverse City police departments serve Holland, Muskegon, and Traverse City facilities owned or controlled by Grand Valley.

All Grand Valley State University Department of Public Safety Services officers are licensed by the Michigan Commission on Law Enforcement Standards. Public Safety officers have full law enforcement authority and responsibilities. They work closely with the Ottawa County Sheriff's Department, Michigan State Police, and other law enforcement agencies.

Grand Valley employs a fully-equipped and trained university police department, providing 24-hour police services and assistance. The Department of Public Safety Services maintains a non-emergency dispatch service and office hours on the Allendale campus and relies on 24-hour emergency service from the Ottawa County Central Dispatch Authority.

In addition to law enforcement officers, DPS employs a number of student security personnel on a part-time basis. Student security personnel provide crowd control, monitor pedestrian crosswalks, direct traffic, and enforce parking ordinances.

Criminal incidents and emergencies at the Pew campus are reported to the Grand Rapids Police Department and Pew Campus Security. Criminal incidents and emergencies at the Holland, Muskegon, and Traverse City campuses are reported to the Holland, Muskegon, and Traverse City police departments as well as to Pew Campus Security.

Policies and Procedures

Approximately 1,985 faculty and staff and 24,540 students work and study at Grand Valley. More than 5,500 students live in housing on the Allendale Campus. Students and employees have access to campus facilities. Students may have guests visit in their room or apartment, provided they have made specific arrangements with the roommate(s) and have received their permission. Visitation does not mean cohabitation and a guest's stay should never exceed two nights in a given week. The university reserves the right to limit the frequency of guest visits. Guest must observe all university regulations and must be accompanied by his/her host at all times. The student whom the guest is staying with is responsible for any infractions or damage caused by his/her guest. Guests may also be asked to leave the community if their behavior is inappropriate. Guests are welcome on the university's campuses. Visitors have access to buildings that are open to the public and to those in which events are scheduled.

The Grand Valley State University DPS enforces laws concerning alcohol consumption and the use of controlled substances. The unlawful possession, use or distribution of illegal narcotic or hallucinogenic drugs or alcohol by faculty, staff, and students on Grand Valley property or as a part of a university activity is specifically prohibited by Grand Valley policy and by state and federal law. Grand Valley will impose sanctions for violation of the Standards of Conduct consistent with state and federal law (see Student Code).

Any student, faculty, or staff member should promptly report criminal incidents by calling Grand Valley's Department of Public Safety Services at (616) 331-3255. It is important that accurate information be given. Medical, police, and fire emergencies should be reported by calling 911. Public Safety officers are dispatched by the Ottawa County Central Dispatch Authority (911), as well as through the Department of Public Safety Services office. Criminal activities may be reported anonymously to Silent Observer at (800) 825-0221.

Counseling Services

The Grand Valley Counseling Center provides individual and group counseling throughout the academic year on such topics as alcohol and substance abuse, rape, personal and relationship concerns, and career planning. More information can be obtained from the Counseling Center or by calling (616) 331-3266.

Security on Campus

The Allendale campus has three traditional-style living centers housing approximately 866 students, 11 suite-style living centers housing 987 students, seven apartment style living centers housing 1,034 students and the Ravines, Laker Village, Calder Art, Murray, VanSteeleland, South C, D,E, Grand Valley Apartments and the Glenn A. Niemeyer Learning and Living Center, which accommodate 2,629 students. Secchia and Winter Hall on the Pew Grand Rapids Campus

house 379 students. Off-campus housing consists of private apartment complexes located near both the Allendale and Grand Rapids campuses.

Non-academic living center entrances are always locked. The Glenn A. Niemeyer Learning and Living Center is open for classes inside the building Monday through Friday, 8:00 a.m. until 8:00 p.m. Residents of the Ravines, Laker Village, and Grand Valley apartments are responsible for locking their own doors. Secchia and Winter Hall entrances are locked at all times. Students living in the living centers are allowed to have visitors of the opposite gender during visiting hours, which are 10 a.m. to 2 a.m., Sunday through Thursday and open visitation in all areas with their roommates' consent on Friday and Saturday. In other housing facilities, residents are allowed open visitation with the roommates' consent.

Special security procedures are in effect during low-occupancy periods. Students staying in on-campus housing over Thanksgiving, winter holiday, and spring break periods must register with a Housing and Resident Life staff member to do so. (For more information on housing security, refer to www.gvsu.edu/housing/.)

The Department of Facilities Services maintains the university buildings and grounds, with concern for safety and security. Parking lots are illuminated at night, as are all main campus walkways and building entrances. Overnight parking is prohibited except in residence lots. Landscape plantings are arranged and maintained so that building entrances are easily visible from a distance.

Individual Responsibility

A safety program such as the one at Grand Valley could not reach its highest potential without student cooperation. Students must take responsibility for themselves and their belongings by using common sense and by taking advantage of the programs that are available to them.

Larceny is the most frequent crime on campus, many of which could be prevented. Do not leave book bags, books, purses, bikes, or other personal effects unattended in the living centers, classrooms, or other public areas. When parking on campus close your vehicle's windows and lock your doors.

The information in this catalog is accurate as of the date of printing. This catalog is intended to be informational and is not a guarantee of services. The university reserves the right to modify its programs, services, and levels of staffing.

Phone numbers to call to receive assistance:

Police, Fire, Emergency	911
Public Safety Services	331-3255
Pew Campus Security	331-6677
University Judiciary	331-3585
Grand Valley Women's Center	331-2748
Counseling Center	331-3266
Assault Center	776-7273
A Center for Women in Transition	392-2829

APPENDIX G

BIAS INCIDENT PROTOCOL

(Reprinted from the Grand Valley Manual www.gvsu.edu/gvmanual.)

Policy Statement

While Grand Valley safeguards individuals' constitutional rights and protected speech, the university is also committed to inclusion and equity. Grand Valley exercises the right to engage in educational dialogue and seeks constructive responses to address bias incidents.

Accordingly, Grand Valley prohibits acts of harassment and discrimination, as outlined in the Anti-Harassment Policy. A copy of this policy is available on the Human Resources Web site (www.gvsu.edu/gvmanual) under Policies and Procedures.

Policy & Procedure

Report Bias Incidents

Anytime you or anyone in the Grand Valley community feels belittled, disrespected, threatened, or unsafe because of who you are, the entire university community is diminished. That's why it's important to report all bias incidents — even those intended as jokes.

How do I recognize a bias incident?

Bias incidents take many forms — words, signs, symbols, threats or actions — electronic or real time. They include intimidation, vandalism, destruction of property, harassment, and expressions of hate or hostility; they have an adverse impact on a learning environment that is inclusive of all. Bias incidents are distinguished in the following ways.

Bias incidents can cause alarm, anger, fear, or resentment in others or endanger the health, safety, or welfare of anyone in the university community. They are directed toward an individual or group because of their race, color, national origin, sexual orientation, sex/gender, gender identity, gender expression, political affiliation, religion, familial status, marital status, disability, age, height, weight or veteran status.

How Do I Report a Bias Incident?

If you have observed or experienced a bias incident, don't wait. Contact a faculty or staff member with whom you are comfortable, call one of the following offices, or submit your Bias Incident report online at: http://www.gvsu.edu/inclusion/?action=home.bias_incidents

At the Allendale Campus

- Public Safety (<http://www.gvsu.edu/publicsafety/>) 331-3255 (7 days, 24 hour service)
- Office of Inclusion and Equity (<http://www.gvsu.edu/inclusion/>) 331-3296
 - o Affirmative Action Office 331-2242
 - o Disability Support Services (<http://www.gvsu.edu/dss>) 331-2490
- Counseling Center (<http://www.gvsu.edu/counsel>) 331-3266

- Dean of Students Office (<http://www.gvsu.edu/dos>) 331-3585
- LGBT Resource Center (<http://www.gvsu.edu/lgbtrc>) 331-2530
- Housing and Residence Life (<http://www.gvsu.edu/housing>) 331-2120
- Human Resources (<http://www.gvsu.edu/hro>) 331-2215
- Office of Multicultural Affairs (<http://www.gvsu.edu/oma>) 331-2177
- Women's Center (http://www.gvsu.edu/women_cen) 331-2748

At the Pew Grand Rapids Campus

- Pew Campus Security (<http://www.gvsu.edu/pewsecurity/>) 331-6677 (7 days, 24 hour service)
- Graduate Studies (<http://www.gvsu.edu/gs/>) 331-7105
- Pew Student Services (<http://www.gvsu.edu/pewcampus/>) 331-7188

At the Regional Centers

- Meijer Campus in Holland (<http://www.gvsu.edu/learn/holland/>) (616) 394-4848
- Traverse City (<http://www.gvsu.edu/learn/traverse/>) (231) 995-1785
- Muskegon (<http://www.gvsu.edu/learn/muskegon/>) (231) 777-0505

No matter where individuals first report the incident, a report should also be filed with Public Safety in Allendale (331-3255), Pew Campus Security in Grand Rapids (331-6677), or the regional centers (331-6677). This report may be made directly or may be done with the assistance of a faculty or staff member at the university.

Responses by the University

Response to victim(s)

- Once it learns of the incident, the Dean of Students Office (student victim) or the Office of Inclusion and Equity (faculty/staff victim) will communicate promptly with the victim and offer services related to safety, counseling or other supports that may be appropriate.
- The Dean of Students Office (or designee) (student victim) or the Office of Inclusion and Equity (faculty/staff victim) will consult and/or assemble a critical incidents team including, but not limited to, the Vice Provost/Dean of Students, Director of Public Safety, Director of Pew Campus Security, Assistant Vice President for News and Information Services, and the Vice President for Inclusion and Equity.
- The Dean of Students Office (or designee) (student victim) or the Office of Inclusion and Equity (faculty/staff victim) will promptly document the victim's report of the incident (i.e. who, what, when and where). Additionally, those directly concerned with the incident should take care to retain physical evidence.
- The victim will be asked what role s/he would like to play in responding to the incident.

- The victim will be assured that his or her physical and emotional needs are important and appropriate actions are being taken (i.e. consider relocation, academic accommodations, counseling, etc.) by appropriate GVSU staff.
- Bi-weekly reviews of any reported incidents will occur involving representatives from Public Safety, Pew Campus Security, Housing and Residence Life, Dean of Students Office, the Counseling Center and the Office of Inclusion and Equity to ensure that services and follow-up are occurring on a coordinated and timely basis. Human Resources will be included when the victim is a faculty or staff member.
- When appropriate, enhanced public safety measures (patrols, surveillance, etc.) may begin promptly and will be directed by Public Safety or Pew Campus Security.

Response to accused

- The Dean of Students Office (or designee) (student victim) or the Office of Inclusion and Equity (faculty/staff victim) will communicate with the accused promptly to acknowledge the filing of a report.
- Investigation will begin promptly and will be directed by the appropriate office (Public Safety, Pew Campus Security, Human Resources, the Office of Inclusion and Equity, or another related office) and an investigative report will be generated. If the act involves a crime, appropriate referral and request for prosecution will be initiated.
- The University Judicial System will be activated if the accused is suspected of violating the Student Code and a judicial referral will be filed with the Dean of Students Office. A judicial referral may be made by anyone in the university community.
- If the accused is faculty or staff, the investigative report will be sent to the appointing officer and the appropriate Vice President. The appointing officer shall provide a copy of the report to the accused. The appointing officer shall take appropriate action.

Response to the campus community

The Team Against Bias (TAB) is comprised of a diverse group of faculty, staff and a student senate designee. The group is designed to review available information regarding biased incidents and implement strategies to educate and/or engage the campus community as appropriate. This group does not take the place of front-line staff that may be dealing with student concerns. The work of the TAB group is both preventative and responsive. The team consists of core members, but remains flexible to pull others in as needed.

Communication to Grand Valley Community

All incidents reported to Public Safety or Pew Campus Security will be included in Public Safety's weekly incidents report. All such information will be available on the Grand Valley Web site (www.gvsu.edu/publicsafety).

Pursuant to the Crisis Communications Plan, the

Crisis Response Director and Coordinators will coordinate additional communications as appropriate with:

- Senior Management Teams, deans, and department heads
- Lanthorn (student newspaper)
- Forum (staff/faculty newsletter)
- GVNow (the university's news Web site)
- E-mail to student leadership through Housing
- E-newsletter sent to student organizations

Follow-up Actions

- Dean of Students Office (student victim) and Human Resources (faculty/staff victim) will provide monthly updates on incidents and their follow-up to Crisis Communication Director.

A Campus Summary Report (<http://www.gvsu.edu/inclusion/?id=7F647890-DB9A-4161-0F7421AB870663C0>) on the resolution of bias incidents will be provided at least once per semester and more often as appropriate to the campus community.

APPENDIX H

DRUG AND ALCOHOL POLICY

Philosophy

Consistent with Grand Valley State University's commitment to provide the safest environment for the highest quality education, the university has set forth a policy regarding the use of alcohol and other drugs on all properties and in all facilities owned or operated by Grand Valley.

The university upholds and enforces local, state, and federal laws and the alcohol and drug policies of all collegiate governing bodies that are responsible for the activities of their Grand Valley affiliates. Grand Valley State University encourages a campus environment where healthy lifestyle choices are made and where the use of alcohol or other drugs will not be permitted to interfere with learning.

The university recognizes the right of legal adults to choose to use or abstain from alcoholic beverages. However, abusive consumption of alcohol is discouraged because it can pose a threat to property and the health and safety of others.

Chemical-free activities are encouraged and programs that lead to informed decision-making are supported. Recognizing that an individual with an alcohol and drug problem may be rehabilitated, Grand Valley State University offers counseling and referral to its faculty, staff, and students.

Standards of Conduct

The unlawful manufacture, possession, use, distribution, or dispensation of illicit drugs and the unlawful possession, use, or distribution of alcohol by faculty, staff, and students on Grand Valley property or as part of a university activity is specifically prohibited by Grand Valley policy and by state and federal law.

I. LEGAL SANCTIONS AND SUMMARY OF LAWS

Local, state, and federal laws make unlawful manufacture, possession, use, distribution, or dispensation of drugs and alcohol serious crimes. Violations of local, state, or federal law may result in conviction of a misdemeanor and/or felony that can lead to imprisonment, fines, confiscation of real and personal property, and/or assigned community service, or any combination of these penalties. As a general rule, courts do not excuse persons convicted of drug or alcohol abuses from jail to go to college or to get to their jobs. Even more importantly, a record of a felony conviction will prevent an individual from entering many careers. Further, the university may impose sanctions pursuant to its policies.

The following summary covers sections of the Michigan Liquor Control Act, MCLA 436.1 et seq., relating to the possession, consumption, and sale of alcoholic beverages.

Laws and administrative rules governing establishments licensed by the Michigan Liquor Control Commission, as well as sections of the law dealing with licensure, importation, taxation, wholesaling, and manufacture of alcoholic liquor are not included in the summary. Also excluded from this summary are Michigan's drunk driving laws.

It is possible that not all laws relevant to a particular situation are included in this brief summary; therefore, no one should take action in reliance upon it. The summary is intended strictly as an educational tool and should not be construed as legal advice.

A. Alcoholic Liquor Defined

"Alcoholic liquor" means any spirituous, vinous, malt, or fermented liquor, liquids, and compounds, whether or not medicated, proprietary, patented, and by whatever name called, containing one-half of one percent or more of alcohol by volume which are fit for use for beverage purposes. In this document, the terms "alcoholic liquor," "alcoholic beverage," and "beverage alcohol" are used interchangeably.

B. Drinking Laws

It is illegal for a person under 21 years of age to purchase alcoholic liquor, consume alcoholic liquor in a licensed premises, or possess alcoholic liquor except in the following circumstances:

1. The law does not prohibit a person less than 21 years old from possessing alcoholic liquor during regular working hours and in the course of his/her employment if employed by an organization possessing a liquor license, by the Liquor Control Commission, or by the Commission's agents if the alcoholic liquor is not possessed for his/her personal consumption.
2. The law does not prohibit the consumption of alcoholic liquor by a person under the age of 21 years who is enrolled in a course offered by an accredited college or universi

ty in an academic building and under the supervision of a faculty member if the purpose is solely educational and a necessary ingredient of the course.

A person under the age of 21 years who violates this law is liable for misdemeanor penalties, which may include jail. If under 18 years of age, parents will be notified.

- a. First offense: a fine of not more than \$100.00. May be ordered to perform community service and undergo substance abuse screening and assessment. Subjects may petition the court for a deferred judgment
- b. Second offense: a fine of not more than \$200.00. May be placed on probation and ordered to participate in substance abuse prevention or substance abuse treatment and rehabilitation services, to perform community service, and to undergo substance abuse screening and assessment. Judges have discretion to order jail time (no more than 30 days in the event of a prior MIP conviction with violations of probation. The person's driver's license will also be suspended for 90-180 days, with a restricted license available after 30 days.
- c. Third and subsequent offense: a fine of not more than \$500.00. May be ordered to participate in substance abuse prevention or substance abuse treatment and rehabilitation services, to perform community service, and to undergo substance abuse screening and assessment. Judges have discretion to order jail time (no more than 60 days) in the event of a prior MIP conviction with violation of probation. The person's driver's license will also be suspended for 180 days-1 year, with a restricted license available after 60 days.

PBT: A peace officer who has reasonable cause to believe that a person under 21 has consumed alcoholic liquor may ask that person to submit to a preliminary breath test (PBT). If the blood alcohol level is .02 or more, there is a presumption that the person has consumed or possessed alcoholic liquor.

C. Fraudulent Identification

A person who furnishes fraudulent identification to a person less than 21 years old or a person under the age of 21 who uses fraudulent identification to purchase alcoholic liquor is guilty of a misdemeanor. In addition to penalties pursuant to the misdemeanor, the driver's license of a person convicted of using fraudulent identification shall be suspended for 90 days.

D. Regulation of Sale Laws

Under Michigan law, the sale, trade, or giving away of alcoholic liquor, including alcoholic liquor for personal use, requires a license or other prior written authorization from the Liquor Control Commission. A person who conducts any activity for which a liquor license is required without first

obtaining the requisite license is guilty of a felony, punishable by imprisonment for not more than one year, and/or by a fine of not more than \$1,000.

E. Open Container Laws

The consumption of alcoholic liquor on the public highways of Michigan is forbidden by law. It is unlawful to transport or possess any alcoholic liquor in a container which is open, uncapped, or upon which the seal is broken, within the passenger compartment of a motor vehicle on the highways of Michigan.

II. HEALTH RISKS ASSOCIATED WITH THE USE OF ILLICIT DRUGS AND THE ABUSE OF ALCOHOL

Health (and other) risks associated with the use of alcohol and other drugs include, but are not limited to: impaired academic or work performance; lost potential; absenteeism from class or work; financial problems; doing things one later regrets; conflicts with co-workers, classmates, families, friends, and others; sexual assault and other unplanned sexual relationships; unwanted pregnancies; sexually transmitted diseases; unusual or inappropriate risk-taking which may result in physical or emotional injury, or death; blackouts; hangovers; long-term health problems, including cirrhosis of the liver, organic brain damage, high blood pressure, and heart disease; and legal problems, including imprisonment.

III. DRUG AND ALCOHOL PREVENTION, COUNSELING AND REHABILITATION, AND RE-ENTRY PROGRAMS

Grand Valley State University is concerned about the effect of alcohol and/or drugs on students, faculty, and staff members, their families, and the university community as a whole. The university recognizes that an individual with an alcohol and/or drug problem may be rehabilitated. Grand Valley will continue to make efforts to increase the awareness about the dangers of drugs.

Grand Valley encourages students, faculty, and staff with alcohol or other drug dependency problems to use the services of the university or community counseling centers for assistance. Assistance for students is available through the Office of Alcohol Education located in the Counseling Center and for faculty and staff through the Faculty Staff Assistance Program, administered at a confidential off-campus location by the Employee Assistance Center.

If treatment for drug and/or alcohol dependency is needed, students are encouraged to contact the Office of Alcohol Education at (616) 331-3220, and faculty and staff are encouraged to contact the Faculty Staff Assistance Program (EAC) at (616) 458-8540, the Human Resources office at

(616) 331-2215, or their insurance carrier to obtain information concerning coverage.

IV. SANCTIONS

Grand Valley will impose sanctions for violation of the Standards of Conduct consistent with state and federal law, and with applicable university policies, collective bargaining agreements, and faculty and staff handbooks and the Student Code. Violations will result in disciplinary action, up to and including expulsion, termination of employment, and referral for prosecution. Sanctions imposed will depend upon the severity and frequency of the violation. In addition to, or in lieu of, discipline, violators may be required to complete an appropriate rehabilitation program. All university faculty and staff will abide by this policy as a condition of their employment.

If you have any questions or concerns about the university's Drug and Alcohol Policy, please contact the Human Resources Office or the Dean of Students Office.