# Student Code

## ALCOHOL POLICY

SLT 5.3

**Date of Last Update:**
April 20, 2026

**Approved By:**

- Senior Leadership Team

**Responsible Office:**
Public Safety

### POLICY

Introduction

Grand Valley State University strives to provide a healthy University community free of the abuse of alcohol and illegal or unauthorized use of alcohol. The university also seeks to ensure the safety of the university community in compliance with state law when serving or consuming alcohol on campus property. This commitment to students, faculty, and staff is evidenced by the:

- Publication of standards of conduct and University policies
- Provision of alcohol abuse prevention programs
- Availability of counseling, treatment, and rehabilitation resources
- Enforcement of applicable University policies
- Enforcement of federal and state laws and local ordinances that govern alcohol (including underage drinking, hosting, and furnishing laws)
- Promotion of an environment that supports healthy choices

Refer to SLT 5.1 for information on the Alcohol and Other Drugs Policy. Refer to the Alcohol and Other Drugs Services page and the Related Links below for additional resources.

### POLICY STATEMENT

The unlawful possession and consumption of alcohol by faculty, staff, and students on University owned or controlled property or as part of University activities is prohibited. All University employees will, as a condition of employment, abide by the terms of this policy. Faculty, staff, and students are responsible for making decisions within the context of University policies and federal, state, and local laws related to alcohol.

Possession, as used in this policy, includes but is not limited to, holding, furnishing, storing, supplying, creating, using, and distributing alcohol.

Grand Valley State University generally prohibits the possession and consumption of alcohol on property and in buildings owned or controlled by the University except as otherwise noted in this policy or with an approved exception by the Vice President of Finance and Administration or other delegate authorized in writing by the Vice President of Finance and Administration (“Authorized Delegate”). As a rule:

- The possession of open or uncapped containers of alcoholic beverages and the consumption of alcoholic beverages is prohibited in all buildings and on grounds and property owned or controlled by Grand Valley State University, except as outlined in this policy or where an exception has been approved in writing by the Vice-President for Finance and Administration or an Authorized Delegate.

Students and employees failing to comply with this policy are subject to disciplinary actions up to and including dismissal.

Grand Valley State University Department of Public Safety personnel are authorized to escort individuals who are found to be in

violation of this policy off of University owned or controlled property.

There are occasions where alcohol may be possessed or consumed on the property grounds and within buildings of the University. The following outlines where, when, and how alcohol may be consumed.

**Where Alcohol is Permitted to be Possessed and Consumed**

*University Events at Which Alcohol will be Provided Without Charge*

Upon the appropriate approval of the Vice-President of Finance and Administration or an Authorized Delegate, the University may provide alcohol at no charge as part of an event or reception such as a guest lecture, donor, or alumni event. However, alcohol served at a licensed facility must comply with all relevant laws and regulations regarding the distribution of alcohol in those spaces. All approved events must take place in a building, space, or area, during a time appropriate for the type of event and location.

1. The request for approval under this exception should be submitted to the Vice-President of Finance and Administration or an Authorized Delegate at least four (4) weeks prior to the event.
2. The request for approval must be submitted in the Workday form: "Alcohol Exemption Request" (Appendix A).
3. The following conditions must apply to the event:
   a. Only certified servers will distribute alcohol.
   b. The primary purpose of the event is something other than the availability of alcohol, and alcohol is not used as an inducement to participate in the event.
   c. The event will be held in a manner that is consistent with the standards of conduct appropriate for an academic community.
   d. The event must take place on the date, time and at the location specified on the request.
   e. Appropriate precautions will be taken to prevent underage drinking and other law or University policy violations.
   f. It must be anticipated that the majority of the participants at the event will be of legal drinking age.

*Sale of Alcohol at a Licensed Facility*

Alcohol may be sold (not gifted or sold below cost) at licensed facility locations on University owned or controlled property. Only certified servers are permitted to sell alcohol on property owned or controlled by the University. The University maintains licensure through the Michigan Liquor Control Commission for alcohol sales in the locations listed in ***Appendix B***. Alcohol may also be sold at a licensed location on the campus for rented space at non-University sponsored events. Such events may include weddings which may provide guests or attendees alcohol free of charge while the person renting the space pays for all the alcohol sold.

1. Alcohol may only be dispensed at these locations by vendors authorized by the University. Vendors may only be authorized by the Vice-President for Finance and Administration or an Authorized Delegate. All servers must be certified staff.
2. All participants must comply with the applicable restrictions specified in the license through the Michigan Liquor Control Commission for each licensed facility.
3. Compliance with Michigan laws regarding the serving of alcohol, (including compliance with the rules and regulations of the Michigan Liquor Control Commission (MLCC) regarding liquor licenses), is required and will be enforced at all times. Such laws include, but are not limited to, those laws that require that no one shall be permitted to consume alcohol who is not twenty-one (21) years of age or older nor shall any person who appears visibly intoxicated be served.

*Special License*

Upon the appropriate approval of the Vice-President of Finance and Administration, the University may permit the limited service of alcoholic beverages in conjunction with programs at locations other than the locations identified in appendix B. Any service of alcoholic beverages at a location other than a licensed facility requires obtaining a special (24 hour) license from the MLCC. The rules and regulations of the Michigan Liquor Control Act provide that five special (24 hour) liquor licenses may be issued to a nonprofit, religious, fraternal, civic, or patriotic organization during the calendar year. Alcohol served pursuant to a special license must comply with all guidelines pertaining to the special license.

*Consumption of Alcohol within the University Curriculum*

Some University classes may allow, as a part of the course curriculum, the possession or consumption of alcohol. Faculty teaching those courses must abide by all applicable state laws and regulations as well as the following rules:

1. The possession and/or consumption of alcohol in a University class must be noted in the course syllabus (SG 3.04, section C) that is provided to students at the beginning of the semester.

2. The possession and/or consumption of alcohol in a University class must be approved in writing by the Office of the Provost at the beginning of each semester. The Office of the Provost will provide a form that will include a section to list dates on which alcohol will be possessed and/or consumed. The completed form will be shared with the GVSU Police Department. The University reserves the right to provide on-site oversight to ensure that all rules are being followed. For licensed facilities, alcohol must be purchased through the license for that facility.
3. The instructor will ensure that the consumption of alcohol is restricted to individuals of legal drinking age by checking a valid state-issued driver's license, state identification card, or a valid passport.
4. The instructor will not serve alcohol to a person who appears visibly intoxicated.

*Athletic Events*

Home Football Game Days - Possession and Consumption in Public Areas

The University recognizes the tradition of tailgating on home football game days. The following rules apply:

1. The consumption of alcohol prior to a home football game may occur in certain specific areas on the Allendale Campus, as follows: Alcohol consumption for tailgating purposes shall be allowed in lots C, F, G, and designated blue and gold parking lots at times set on an annual basis. The Director of Athletics will request tailgating times annually to the Vice President for Finance and Administration for approval.
2. Alcohol may not be consumed in any other parking lot, sidewalk, or roadway on the campus.
3. Alcohol consumption must end at kickoff time for the game.
4. The following rules apply to all tailgating areas on campus.
   a. No kegs or excessive quantities of alcohol.
   b. No drinking games, including but not limited to beer pong and flip cup.
   c. No glass containers. All beverages must be in aluminum cans, plastic bottles, paper, or plastic cups.
   d. No open alcohol is permitted outside the tailgate area, unless in a cooler or sealed packaging.
   e. No underage possession or consumption of alcohol is permitted. Pursuant to university policy, any person on property owned or controlled by Grand Valley State University may be required to show identification to any university official upon request.

HOME GAME DAYS- SERVICE, POSSESSION, AND CONSUMPTION OF ALCOHOL IN DESIGNATED LICENSED ATHLETIC FACILITIES

The University has implemented alcohol sales on home game days within designated licensed athletic facilities (Lubbers Stadium and Fieldhouse Arena). The following rules apply:

1. Only certified servers will sell alcohol.
2. Alcohol will not be served to visibly intoxicated patrons.
3. A maximum of two alcoholic beverages per person may be purchased per transaction.
4. Alcohol sales throughout the entire facility will conclude at the start of the fourth quarter of home football games and mid-way through the second half (or start of the fourth quarter) of home basketball games. On double header days, sales will resume shortly before the start of the second game. Alcohol will not be allowed to leave the facility.
5. No alcoholic beverages are allowed to be brought into the designated license athletic facility.
6. No underage possession or consumption of alcohol is permitted. Pursuant to university policy, any person on property owned or controlled by Grand Valley State University may be required to show identification to any university official upon request.
7. All rules pertaining to the Sale of Alcohol at a Licensed Facility outlined in this policy apply.

*Residential Facilities*

the lawful possession and consumption of alcohol in residential facilities owned and controlled by the University is permitted subject to all relevant laws, and University and Housing policies.

The consumption or possession of alcohol is not permitted in freshman housing, unless all occupants of the residence are of legal drinking age.

The consumption or possession of alcohol in all other housing (other than freshman housing) must comply with all applicable laws, including that no occupant will supply, furnish or make alcohol available to any person under the legal drinking age.

*Related Links*

Alcohol and Other Drugs Policy

Travel Policy

Minors on Campus Policy

Housing and Residence Life Alcohol Policy Section 3.6

Alcohol and Substance Abuse Information Page

Amnesty for Alcohol or Drug Violations

Student Code Alcohol Policy

Alcohol and Other Drugs Services Page

Keep Laker's Safe Resource Page

Off Campus Substance Abuse Resource Page

Alcohol and Substance Abuse Information – Alcohol Poisoning

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## GIFT CARDS, GIFTS AND PRIZES POLICY

SLT 6.30

**Date of Last Update:**
March 10, 2025

**Approved By:**

- Senior Leadership Team

**Responsible Office:**
Business and Finance

### POLICY STATEMENT

**Gift Cards:** Tools for recognition and ensuring robust participation in events across the University remain a key element of a positive culture and contribute to robust experience for Students, Faculty, and Staff. To improve internal controls, gift cards purchased by Grand Valley State University are prohibited with the exception of use by the Office of the President for student engagement(s)/events and for Research Administration through the Center for Scholarly and Creative Excellence (CSCE) for research participants, subject to the procedures outlined on the Business and Finance website, section 305 and 305.1 respectively.

Gift cards are any card (electronic, gift certificate etc...) with a specified dollar value, including retail cards, e.g., Meijer, restaurants, VISA or other debit-style cards.

For students, including student employees, Grand Valley State University has established a de minimus threshold of $25 for gifts cards and gift certificates. Any gift card or gift certificate of a value of $25 or below does not need to be tracked for tax or for financial aid reporting purposes. For the purposes of this policy, gift cards or gift certificates are not considered a financial resource towards academic pursuit.

Note: This policy does assume some compliance risk with respect to Federal Financial Aid regulations and Federal tax rules, but the risk is assessed as minimal when considering the administrative burden associated with tracking de minimus items used to provide appropriate performance recognition or random gifts during University events.

**NON-CASH GIFTS AND PRIZES (Excludes Gift Cards)**:

**Non-Cash Gifts and Prizes (excludes Gift Cards):** Grand Valley State University has established a de minimus threshold of $99 per year for non-cash gifts and prizes. Any non-cash gift or prize of a value of $99 or below per person per year does not need to be tracked for tax reporting purposes. If gifts or prizes cumulatively exceed the $99 threshold, the items are considered taxable

wages, or for students, as Financial Aid, and Supervisors or Appointing Officers shall report this to the Payroll Office or the Financial Aid office, respectively.

The rationale for gifts, prizes, and items of recognition for employees and students of $99 or less, constitute de minimis fringe benefits that are considered of such a small value that accounting for them is administratively impracticable.

Departmental apparel or other items that are of a marketing or departmental nature are not considered gifts or prizes for the purposes of this policy and should have a business purpose, such as aiding in the identification of an employee. Such items shall not exceed $90 per year. Gifts purchased for an entire department that fall within the de minimus thresholds are permitted, so long as each faculty/staff member is afforded the opportunity to obtain one, though an individual may decline to accept.

Gifts/flowers purchased for employees, including student employees, and students, for birthdays, weddings, graduations, welcome events, or newborn baby arrivals are not reimbursable.

Bereavement floral arrangements are permitted to be purchased with University funds, up to $100, per IRS guidelines, but any additional flowers or costs sourced from University funds are not reimbursable.

Retirement gifts purchased with University funds are authorized, but only if the employee meets the Official Retiree definition used for eligibility of non-health benefits, which is: the faculty/staff member's years of service at GVSU plus the individual's age at the time of retirement, must be greater than or equal to 75. For retirement gifts, the total expense for a gift purchased with University funds shall not exceed $300.

Campus Dining Cards may be purchased as performance recognition gifts, at incremental values of $25 or less, for students, employees, or student employees. These are to be used infrequently, if at all, to show job performance appreciation and are not to be used as an ongoing gift or award. Campus Dining cards cannot be used as compensation for employment or as Financial Aid. Executive Officers, Appointing Officers and Supervisors shall track and ensure that cumulative de minimus thresholds are not exceeded for individuals and that Campus Dining Cards are not unintentionally being used as a financial aid resource for students.

This policy does not apply to sponsorships or donations.

**For non-employees:** If the total value of the gifts, prizes, awards or other occasion items noted above exceed $600 in any calendar year, a 1099-NEC shall be issued. If the person is a U.S. citizen, a W-9 shall be filled out and submitted to the Accounts Payable Office. If the person is a foreign national or non-resident alien, a W-8BEN shall be filled out and submitted to Accounts Payable.

Any questions on this policy should be directed to the Business and Finance Department at 616-331-2831. Tax reporting questions should be directed to the Payroll Office at 616-331-2255.

Questions concerning Financial Aid reporting should be directed to the Office of Financial Aid and Scholarships at 616-331-3234.

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## DISORDERLY CONDUCT POLICY

SLT 6.31

**Date of Last Update:**
February 23, 2021

**Approved By:**

- Senior Leadership Team

**Responsible Office:**
Public Safety

### POLICY STATEMENT

The University has adopted this policy in furtherance of the University's mission, for the protection of individuals and the University and to mitigate improper interferences with University activities.

This policy applies to all buildings, grounds, and other spaces owned or controlled by the University.

1. Unlawful Individual Activities. No person shall engage in any activity, individually or in concert with others, which causes or constitutes a disruption of University operations or activities, including obstruction of teaching, research, administration, or other activities, either outdoors or inside a classroom, office, or other place on which University operations or activities are conducted or held (hereafter “Campus”), nor shall any person in any way intimidate, harass, threaten, or assault any person engaged in lawful activities on the campus. This includes, but is not limited to, violations of the Grounds and Facility Use Policy.
2. Conduct at Performances. No person shall disrupt or interfere with any authorized performance before an audience on the Campus, including concerts, plays, lectures, scientific demonstrations, athletic contests, and similar activities, by making of noise, blocking the view of others at the performance with signs or other items, engaging in disruptive behavior, throwing or dropping projectiles, entering upon the stage, playing field, or other performance area, or by any other means.
3. Public Events. No person shall enter or attempt to enter into any concert, theatrical performance, lecture, dance, athletic contest or other event contrary to the rules or qualification for eligibility for entry as established by the sponsors, or without a ticket, where required.
4. Loitering. No person shall loiter in an area of Campus that is not open to the public without prior authorization, or meddle with, tamper with, interfere with, move, damage or disconnect any property not their own.

**If anyone believes someone’s behavior violates this policy, they should contact the Department of Public Safety immediately.**

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## VIOLATION OF LOCAL, STATE OR FEDERAL LAW

SLT 6.32

**Date of Last Update:**
February 23, 2021

**Approved By:**

- Senior Leadership Team

**Responsible Office:**
Public Safety

### POLICY STATEMENT

No person on University owned or controlled property shall engage in any conduct that is or could be chargeable under any provision of local, state, or federal law.

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## TRAFFIC ORDINANCE

SLT 6.33

**Date of Last Update:**
October 07, 2026

**Approved By:**

- Senior Leadership Team

**Responsible Office:**
Public Safety

### POLICY STATEMENT

**Section 1.0. Definitions**

As used in this ordinance:

**a. Authorized Service Vehicles:** Shall mean those vehicles owned, leased, or operated by the University, or in use by vendors or contractors with proper authorization by the University.

**b. Campus:** Unless otherwise noted in this ordinance, Campus shall mean property owned or controlled by Grand Valley State University (GVSU or the University).

**c. Crosswalk:** 1) That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs, or in the absence of curbs from the edges of the traversable highway, and 2) Any portion of a highway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface

**d. Department of Public Safety:** Shall mean the GVSU Department of Public Safety, which is a full-service law enforcement agency charged with responsibility for enforcing University ordinances, rules, and regulations, and state and local law. The Department includes Police, Security, and Emergency Management units.

**e. Pedestrian:** Shall mean any person afoot. Pedestrian includes an individual with a mobility disability who is using a power or non-power driven mobility device.

**f. Police Chief:** Refers to the GVSU Police Chief/Director of Public Safety.

**g. Police Officer/Police:** Shall mean the sworn law enforcement officer(s) employed by the GVSU Department of Public Safety or any other sworn law enforcement agent(s).

**h. Private Road:** Shall mean a privately owned and maintained road, allowing access to more than 1 residence or place of business, which is normally open to the public and upon which persons other than the owners located thereon may also travel. All roads owned and/or controlled by the University are private roads.

**i. Traffic Control Signal:** Means any device whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and to proceed.

**j. Vehicle**: Shall mean every device in, upon, or by which any person or property is or may be transported or drawn upon a roadway, except mobility devices or those devices moved by human power.

If any word or phrase used is not defined above, but is defined in the Michigan Vehicle Code, PA 300, MCL 257.1 to 257.923, or the Michigan Uniform Traffic Code for Cities, Townships, and Villages, then the definition in the Vehicle Code or Traffic Code shall apply.

**Section 02. Traffic - Administration and Authority**

**a. Enforcement:** It shall be the duty of the Police Chief and Police Officers to enforce the provisions of this ordinance and the State vehicle laws applicable to traffic, to make arrests when authorized by law, to assist in the prosecution of persons charged with violations, to investigate accidents, to cooperate with other law enforcement and University officials in the administration of the traffic regulations, and to develop ways to improve traffic and pedestrian conditions on University property, and to carry out those duties especially imposed by this ordinance and any future amendments.

b. **Traffic Engineer:** It is the general duty of the Police Chief to collaborate with other University officials to determine the installation, proper timing, and maintenance of traffic control devices; to plan and direct the operation of traffic on roadways on the Campus, to establish parking areas, designating limitation and use; and to certify the installation, removal, and/or authorization of traffic control devices and signs. The Police Chief is responsible for establishment, development and maintenance of University Traffic Control Orders.

**c. Restriction Upon Access or Use:** It shall be the duty of the Police Chief to establish restrictions upon access to or use of the University owned or controlled roadways, sidewalks, parking lots, or other property of the University or portions thereof

as may be deemed necessary or desirable for the safe, lawful, and effective conduct of the affairs of the University; provided that the Police Chief or the Police Chief's authorized representatives shall make restrictions known by use of signs, barricades, posting of Police or other authorized persons possessing official identification, or establishing lines beyond which unauthorized persons are not permitted to pass

**d. Authority of Police Directing Traffic**: Police Officers and/or such Officers as are assigned by the Police Chief are hereby authorized to direct all traffic by voice, hand, or signal in conformance with traffic laws, provided that, in the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, Officers may direct traffic as conditions may require notwithstanding the provisions of the traffic laws.

**e. Authority to Appoint Designated Employees:** The Police Chief is hereby empowered to authorize the employment of students or other designated employees to be assigned to the control and direction of traffic in/out of parking lots and at crosswalks. While engaged in directing traffic and while wearing reflective safety apparel, devices, and emblems distinctively identifying them as authorized employees of the University, no motorist or pedestrian shall disregard the directions of such employees while they are directing or controlling traffic.

**Section 03. Drivers' Rights and Responsibilities**

a. Any motor vehicle driven, parked or possessed upon the premises of Grand Valley State University shall have affixed to said motor vehicle a current registration plate or plates as issued by the State of residence of the registered owner. Any motor vehicle parked or possessed upon the premises of Grand Valley State University which does not have a current registration plate attached to the said motor vehicle shall be presumed to be abandoned, and the Police Chief/Director of the Department of Public Safety is authorized to arrange to have the said motor vehicle removed from the premises of Grand Valley State University at the owner's expense.

b. The driver of any vehicle shall obey the instructions of any official traffic-control device that is placed in accordance with a traffic control order or a traffic ordinance of the University unless otherwise directed by a Police Officer.

c. No person shall operate a motor vehicle over or upon property owned by the University unless the property has been designated as a roadway, or parking area. Authorized Service Vehicles, police vehicles, and emergency vehicles are exempt.

d. Except as provided in Section 03.c), no vehicle shall be driven on a sidewalk, unless the driver has been directed to do so by a Police Officer or Designated Employee (Section 02.e)). Authorized Service Vehicles, police vehicles, and emergency vehicles are exempt.

e. When any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass the stopped vehicle.

f. When traffic-control signals are not in place or are not in operation, the driver of a vehicle shall yield the right-of-way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is on the half of the roadway on which the vehicle is traveling or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger.

g. Any driver of a vehicle who approaches within 10 feet of a person who is wholly or partially blind, who is carrying a cane or walking stick that is white or white tipped with red, or who is being led by a guide dog wearing a harness and walking on either side, or slightly in front, of the blind person shall immediately come to a full stop and shall take precautions before proceeding as may be necessary to avoid accident or injury to the wholly or partially blind person. A person who violates this rule is guilty of a misdemeanor.

h. Notwithstanding the foregoing provisions, every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian on any roadway, shall give warning by sounding the horn when necessary, and shall exercise proper precaution upon observing any child or any confused or incapacitated person on a roadway.

**Section 04. Mobility Devices**

No person shall operate a skateboard, bicycle, roller skates, or roller blades in University parking structures or buildings. In addition, no person shall operate roller skates, roller blades, a Segway, an electric scooter, a hoverboard, a self-balancing scooter, bicycle, or an electric bicycle in any manner that poses a threat of harm to pedestrians or damage to University property and buildings, including, but not limited to, failing to yield the right-of-way to any pedestrian, maintaining a safe distance from pedestrians or other road or sidewalk users, operating such vehicles at an unsafe speed, and performing tricks or stunts.

**Section 05. Parking**

The department of Facilities Services – Grand Rapids and Regional Centers serves as the University parking administrator.

**Section 06. Impound and Abandoned Vehicles and Other Items**

a. The Police Chief and Officers of the Department of Public Safety are hereby authorized to remove vehicles from property owned or controlled by the University, in accordance with the Michigan Vehicle Code.

b. The reasonable cost of removal and storage shall be borne by the owner.

c. In addition to vehicles, items deemed abandoned by the Department of Public Safety, such as bicycles, skateboards, and scooters, are subject to impound by the University.

d. It shall be unlawful for any person to remove, without the special authorization of the Police Chief/Director of Public Safety or the Police Chief's designee, any vehicle, trailer or other object that has been placed in an impound lot, storage facility, or bicycle pen that has been designated and posted, until the prescribed fees have been paid.

**Section 07. Overnight Vehicular Access**

**1. Purpose.**
To promote the safety and security of the University community and University property, the University may restrict vehicular access to Campus, or designated areas of Campus, during designated overnight hours. Any restriction imposed under this Section shall apply to vehicular traffic only and shall not restrict pedestrian access to Campus or otherwise alter access to public forums under the University's Grounds and Facility Use Policy.

**2. Restricted Hours and Locations.**
The Police Chief/Director of Public Safety, or designee, may designate reasonable overnight hours during which vehicular access to some or all University-owned or controlled roadways may be restricted. The Department of Public Safety shall provide reasonable notice of the applicable restricted hours and locations through signage, electronic or other notifications, publication, or other appropriate means.

**3. Authorized Vehicular Access.**
During designated restricted hours, vehicular access to restricted areas of Campus may be limited to vehicles that are operated/occupied by individuals that fall into one or more of the below listed categories:

a. University Community Members. Students, faculty, and staff possessing a valid Grand Valley State University identification card or other valid University-issued credential;

b. Registered or Authorized Guests. Guests of students, faculty, or staff who have been registered or otherwise authorized in accordance with applicable University procedures;

c. University-Related/Business Reason. Individuals who have a legitimate University-related or business reason to enter Campus, including, but not limited to, persons attending or participating in a University-sanctioned or authorized event, program, or activity; contractors; vendors; service providers; delivery personnel; rideshare drivers; and other persons conducting business with or on behalf of the University;

d. Emergency and Public Safety Personnel. Law enforcement, fire, emergency medical, and other emergency response personnel acting in their official capacities;

e. Rapid/Laker Line Buses. Rapid Buses (including the “Laker Line”), as well as any successor or future University-authorized bussing program and their passengers, who ordinarily access and/or stop on Campus; and

f. Other Authorized Persons. Individuals whose vehicular access is authorized by the Department of Public Safety or another University official with authority to grant such access.

The University may require a person seeking vehicular access during restricted hours to provide reasonable identification or information sufficient to establish that the person/persons in the vehicle fall within one of the categories above.

**4. Pedestrian Access and Expressive Activity.**
Nothing in this Section restricts pedestrian access to Campus. This Section does not close Campus to the public and does not restrict access to or use of any public forum designated under the University's Grounds and Facility Use Policy. Individuals who are not authorized to enter Campus by vehicle during restricted hours may access areas otherwise open to them by pedestrian means, subject to generally applicable University policies.

Nothing in this Section shall be interpreted or enforced based upon the content or viewpoint of an individual's speech, expressive activity, association, or purpose for accessing a public forum.

**5. Administration and Temporary Exceptions.**
The Police Chief/Director of Public Safety, or designee, is authorized to administer this Section and establish reasonable procedures necessary for its implementation, including procedures for verifying authorized access.

The Police Chief/Director of Public Safety may temporarily modify or suspend vehicular access restrictions when reasonably necessary to accommodate University events, emergencies, construction, traffic conditions, or other operational needs.

**6. Enforcement.**
A person operating a vehicle who enters or attempts to enter an area of Campus during designated restricted hours without authorization under this Section may be denied vehicular access and directed to leave the restricted roadway or area. Violations of this Section may be addressed in accordance with this Ordinance and other applicable University policies and law.

**7. Reasonable Accommodations.**
Nothing in this Section shall limit reasonable accommodations provided pursuant to University policy or applicable law.

**Section 08. Enforcement and Penalties**

A violation shall constitute a civil infraction unless noted otherwise and be enforced through the Michigan Vehicle Code, Michigan Uniform Traffic Code, and/or adjudicated through University policies and procedures.

**Section 09. Other Applicable Laws**

Nothing contained in this ordinance is intended to limit the power of any governmental unit or law enforcement agency to enforce on Grand Valley State University property any laws, ordinances, or regulations which otherwise would be enforceable on such property

**Section 10. Severability**

If any part or parts of this ordinance are for any reason held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance.

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## ANTI-HAZING POLICY

SLT 6.34

**Date of Last Update:**
June 23, 2025

**Approved By:**

- Senior Leadership Team

**Responsible Office:**

Public Safety

## POLICY STATEMENT

I. Policy Statement

Grand Valley State University (“GVSU”) is committed to providing a safe, inclusive, and respectful learning environment for all students. Hazing in any form, by any person or group, is strictly prohibited and is inconsistent with the values of our community. In addition to complying with the Jeanne Clery Campus Safety Act (“Clery Act”) and Michigan state law (MCL 750.411t), GVSU enforces a zero-tolerance policy with respect to hazing and requires all student organizations and affiliated groups to uphold this standard.

II. Definitions

A. Hazing is defined as any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or persons to participate, whether physical, mental, emotional, or psychological, that

1. is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and
2. causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury.

B. Hazing includes, but is not limited to:

1. whipping, beating, striking, branding, electronic shocking, placing of a harmful substance on someone’s body, or similar activity;
2. causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
3. causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
4. causing, coercing, or otherwise inducing another person to perform sexual acts;
5. any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
6. any activity against another person that includes a criminal violation of local, State, Tribal, or Federal law; and
7. any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law.

C. Student organization is defined (for the purposes of this policy) as an organization at GVSU (such as a club, society, association, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band, order, corporation, service group, student government, or similar group) in which two or more of the members are students enrolled at GVSU, whether or not the organization is established or recognized.

III. Scope

This policy applies to all members of the GVSU community, including students, student organizations (recognized and unrecognized), visitors, volunteers, faculty, and staff. This policy also applies to events occurring on or off campus and/or online if the conduct objectively interferes with the individual’s ability to access GVSU’s programs or activities.

IV. Reporting and Transparency Requirements (in accordance with Clery Act guidelines)

A. Annual Security Report (ASR) Compliance: GVSU will include all reported hazing statistics in its Annual Security Report.

B. Public Hazing Violation Disclosure: GVSU will maintain a publicly accessible, online Campus Hazing Transparency Report which discloses findings of recognized student organization hazing violations.

C. Retention of Hazing Records: Reports will remain publicly accessible for no fewer than five calendar years from the date of publication.

V. Prevention and Education

In compliance with the Clery Act, GVSU will provide research-informed hazing education and prevention programming designed to reach students, staff, faculty, and advisors involved with student organizations intended to stop hazing before hazing occurs, which may include skill building for bystander intervention, information about ethical leadership, and the promotion of strategies for building group cohesion without hazing.

VI. Anyone may report hazing anonymously or directly to GVSU through the below channels. All employees of GVSU are considered mandatory reporters. Reported incidents will be investigated through the applicable GVSU department process.

A. Department of Public Safety: Call (616) 331-3255 to report incidents of hazing involving criminal conduct or visitors. Call 911 for emergencies

B. Office of Student Conduct and Conflict Resolution: Call (616) 331-3585 to report incidents of hazing involving students or student organizations.

C. Office of Civil Rights and Title IX: Call (616) 331-9530 to report incidents of hazing on the basis of a protected characteristic.

D. Human Resources: Call (616) 331-2215 to report incidents of hazing involving GVSU employees or volunteers.

Incidents may be reported online via Maxient or through Anonymous Reporting through the following links:

Maxient: https://cm.maxient.com/reportingform.php?GrandValley&layout_id=0

Anonymous Reporting: https://www.gvsu.edu/legal/anonymous-reporting-60.htm

Reports are taken seriously and will be investigated promptly and thoroughly through the applicable department's conduct process. Retaliation against any person who reports hazing is strictly prohibited.

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## HIPAA PRIVACY, SECURITY AND BREACH NOTIFICATION POLICY

SLT 8.6

**Date of Last Update:**
March 13, 2026

**Approved By:**

- Senior Leadership Team

**Responsible Office:**
Human Resources

### POLICY STATEMENT

Grand Valley State University ("the University") is a Hybrid Entity with designated Health Care Components, as defined under the Health Insurance Portability and Accountability Act ("HIPAA"). This Policy establishes a Breach Notification Policy for use in the event of a potential Breach or other security incident related to personal health information, as required under HIPAA and related amendments and implementing federal regulations.

The list of University designated Health Care Components, and definitions also applicable to this Policy, can be found here: University Disclosures. Only Covered Components can engage in HIPAA covered activity. Any University personnel or unit that is not designated as a Covered Component must obtain approval from the HIPAA Privacy Officer before engaging in any covered activity. The Designation List will be reviewed and updated at least every two years or as needed by the Office of General Counsel.

This Policy applies to all University personnel who work in, for, or with GVSU units that are designated as a Health Care Component.

**POLICY**

**I. Organizational Guidelines**

A. University personnel will maintain the privacy and security of PHI. The University will implement policies and procedures as necessary to comply with HIPAA and related laws, rules, or regulations.

B. The HIPAA Privacy Officer is the University's chief point of contact with the U.S. Department of Health and Human Services (HHS) Office for Civil Rights (OCR) for all HIPAA complaints, investigations, and related matters.

C. The HIPAA Security Officer will work with Covered Components to develop, implement, and maintain policies and procedures necessary for Covered Components to comply with the HIPAA Security Rule, including those necessary to establish and maintain administrative, physical, and technical security safeguards and to prevent, detect, contain, and correct security violations.

D. The Office of General Counsel, in consultation with HIPAA Privacy Officer, will periodically evaluate Covered Components, with input from appropriate stakeholders, to ensure that designations remain proper and any additional designations are made in a timely manner.

E. Other University units that provide health care services, while not subject to HIPAA privacy and security requirements, must comply with the University's privacy and confidentiality policies. In the event any other University unit receives notification of a potential HIPAA violation or violation of this policy, the unit shall promptly notify the HIPAA Privacy Officer.

**II. Investigation**

A. If a Covered Component identifies or is informed of a potential Breach or Security incident, they will promptly inform the HIPAA Privacy Officer and will cooperate with the HIPAA Privacy Officer, or their designee, throughout the initial fact-finding investigation and will provide all potentially relevant documents.

B. The HIPAA Privacy Officer and HIPAA Security Officer will evaluate the results of the initial investigation and work together to recommend appropriate corrective actions as necessary, including but not limited to notification under HIPAA or state or federal law. The HIPAA Privacy Officer may involve other University units as appropriate to conduct a full investigation, including, but not limited to legal counsel, employees, agents, contractors, or consultants.

C. All Workforce members will cooperate in such investigations and promptly respond to inquiries from the HIPAA Privacy Officer or HIPAA Security Officer, or to any other such requests from units assisting with or coordinating the investigation.

**III. Breach Determination**

A. For purposes of this Policy, a Breach is presumed if there is unauthorized access, acquisition, use, or disclosure of unsecured PHI. The presumption is rebutted if the University can demonstrate that (1) there is a low probability that the information was compromised based on a risk assessment of certain factors set forth in the University's HIPAA procedures, or (2) the situation fits within one of the following circumstances or exceptions to the Breach notification rule identified above.

B. If the HIPAA Privacy Officer determines the information did not meet one of the circumstances or exceptions listed above, the HIPAA Privacy Officer must conduct a risk assessment. There is a presumption that an impermissible use or disclosure is a Breach unless it can be determined through a risk assessment that there is a low probability that the PHI has been compromised. If the HIPAA Privacy Officer concludes there is a low probability the PHI has been compromised, then notification is not required.

C. The University has designated a Breach Notification Team to assist the HIPAA Privacy Officer in evaluating the University's breach notification requirements. The team consists of:

1. Director (or equivalent) of the Covered Component where the violation may have occurred;

2. HIPAA Security Officer and member(s) of the Information Technology Security Team;

3. Representative from the Office of the Vice President for Business and Finance;

4. Representative from the Office of the General Counsel;

5. HIPAA Privacy Officer; and

6. Vice President, or their authorized representative, of the University Division where the potential violation occurred (if not already represented).

D. If the Breach Notification Team determines that the University must provide notification of an incident, the HIPAA Privacy Officer will prepare and send appropriate notification as set forth in the Breach Notification Procedures.

E. In determining whether notification is required, the HIPAA Privacy Officer may consult with legal counsel, employees, agents, contractors, consultants as reasonably necessary to determine the University's notification obligations.

**IV. Business Associates**

A. The University must have current, signed Business Associate Agreements (BAAs) with all entities that use or disclose PHI on behalf of the University or that provide services to a Covered Component.

B. Only the HIPAA Privacy Officer has authority to sign BAAs on behalf of the University's Covered Components.

C. The University shall seek to require any Business Associate to notify the University of a potential breach within five business days of discovery and provide information about the individuals involved in the potential breach within thirty days of discovery.

D. In certain circumstances, Business Associate's knowledge of a breach may be imputed on the University. Therefore, the deadline for providing notice will be based upon when the Business Associate knew or should have known about the breach.

**V. Reporting Violations**

A. If any Workforce Member becomes aware of an actual or alleged violation of HIPAA requirements or this Policy, the individual shall report the actual or alleged violation as set forth in the Breach Notification Procedures. Any member of the public may notify the HIPAA Privacy Officer of an actual or alleged violation of HIPAA requirements or of this Policy.

B. The HIPAA Privacy Officer will make the final determination regarding whether a reported violation constitutes a Breach.

C. As required by applicable law, the University will mitigate any Breach, violation of this Policy or applicable HIPAA requirements.

**VI. Exceptions**

A. There are no exceptions to this Policy for Covered Components or Workforce Members.

B. Student health information obtained or created as part of the student's academic career is generally covered under the privacy provisions of the Family Educational Rights and Privacy Act (FERPA) and is kept separate from their medical records. This Policy in no way affects the applicability of FERPA regulations to student records, including student health records originally created as a result of health care services provided by the Campus Health Center or other campus clinics, programs, or centers, but that have been subsequently associated with the student's academic or conduct files.

**VII. Accountability**

A. Failure to follow this Policy and any associated procedures, including cooperating with any investigation or notice requirements, may subject University employees to disciplinary action, up to and including dismissal from employment by the University, consistent with applicable University policies and procedures.

B. Students in violation of this Policy may be subject to disciplinary action under the applicable student policies and procedures.

C. Individuals who are in violation of HIPAA regulations may be subject to civil and criminal penalties as provided by law.

D. Retaliation of any kind (including but not limited to threats, intimidation, coercion, harassment or discrimination) against an individual who reports potential violations of this policy and/or HIPAA is prohibited. Individuals who believe that they have been retaliated against may submit a report here: Anonymous Report and/or file a complaint with any of the following:

1. U.S. Department of Health and Human Services Office for Civil Rights
2. U.S. Equal Employment Opportunity Commission

## DEFINITIONS

I. Unless otherwise defined herein or in GVSU's designation page, all capitalized terms in this Policy have the same definitions found in HIPAA.

**A. Breach:** the acquisition, access, use, or disclosure of protected health information in a manner not permitted under 45 CFR 164 subpart E which compromises the security or privacy of the protected health information.

1. Breach Excludes:

a. Any unintentional acquisition, access, or use of protected health information by a workforce member or person acting under the authority of a covered entity or a business associate, if such acquisition, access, or use was made in good faith and within the scope of authority and does not result in further use or disclosure in a manner not permitted under 45 CFR 164 subpart E.

b. Any inadvertent disclosure by a person who is authorized to access protected health information at a covered entity or business associate to another person authorized to access protected health information at the same covered entity or business associate, or organized health care arrangement in which the covered entity participates, and the information received as a result of such disclosure is not further used or disclosed in a manner not permitted under 45 CFR 164 subpart E.

c. A disclosure of protected health information where a covered entity or business associate has a good faith belief that an unauthorized person to whom the disclosure was made would not reasonably have been able to retain such information.

2. Except as provided in paragraph (1) of this definition, an acquisition, access, use, or disclosure of protected health information in a manner not permitted under 45 CFR 164 subpart E is presumed to be a breach unless the covered entity or business associate, as applicable, demonstrates that there is a low probability that the protected health information has been compromised based on a risk assessment of at least the following factors:

a. The nature and extent of the protected health information involved, including the types of identifiers and the likelihood of re-identification;

b. The unauthorized person who used the protected health information or to whom the disclosure was made;

c. Whether the protected health information was actually acquired or viewed; and

d. The extent to which the risk to the protected health information has been mitigated.

**B. Business Associate:** A person or entity, other than a member of a Covered Entity's workforce, that performs a function or service on behalf of a Covered Entity that involves the use or disclosure of PHI. A Business Associate may be a department within the entity or an unaffiliated third party.

**C. Covered Entity:** A health plan, a health care clearinghouse, or a health care provider that transmits PHI in electronic form to conduct one or more of the following transactions: (i) claims, (ii) benefit eligibility, (iii) referral authorization, (iv) enrollment, (v) claim status, (vi) health care premium payments, or (vii) coordination of benefits.

**D. HIPAA Privacy Officer:** designated individual who works with Covered Components to oversee ongoing activities related to the University's implementation of this Policy.

**E. HIPAA Security Officer:** Individual or team who is responsible for ensuring compliance with the Security and Breach Notification Rules established at 45 CFR Parts 162 164, Subparts C and D.

**F. Protected Health Information ("PHI"):** individually identifiable health information held or transmitted by a covered entity or its business associate, in any form or media, whether electronic, paper, or oral.

**G. University Designated Health Care Components ("Covered Component"):** Any University unit, or portion thereof, that meets the HIPAA definition of a Covered Entity or Business Associate if it were a separate legal entity shall be designated as a Covered Component. The University's Designation of HIPAA Health Care Components identifies the Covered Components.

**H. Unsecured protected health information** means protected health information that is not rendered unusable, unreadable, or indecipherable to unauthorized persons through the use of a technology or methodology specified by the Secretary in the guidance issued under section 13402(h)(2) of Public Law 111-5.

**I. Workforce Member:** any University employee, partner, volunteer, trainee, and/or agent of a University designated HIPAA Covered Component.

**RELATED LINKS**

GVSU Designation of HIPAA Health Care Components

Standards of Conduct Policy for Employees

Student Code: The Anchor of Student Rights and Responsibilities

Privacy of Individually Identifiable Health Information, 45 CFR 164 subpart E

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## POLICY PROHIBITING DISCRIMINATION, HARASSMENT, AND MISCONDUCT

SLT 9.1

**Date of Last Update:**
October 14, 2026

**Approved By:**

- Senior Leadership Team

**Responsible Office:**
Civil Rights and Title IX

### POLICY STATEMENT

**1. Purpose**

GVSU is committed to providing an educational and employment environment that is free from discrimination and harassment based on Protected Characteristics, and free from retaliation for engaging in protected activity.

GVSU values and upholds the equal dignity of all members of its community and strives to balance the rights of the Parties in the Resolution Process during what is often a difficult time for all involved.

To ensure compliance with federal, state, and local civil rights laws and regulations, and to affirm its commitment to promoting the goals of fairness and equity in all aspects of its education programs and activities, GVSU has developed this Policy and related procedures that provide for prompt, fair, and impartial resolution of allegations of discrimination, harassment or misconduct based on Protected Characteristics.

**2. Notice of Discrimination, Harassment, and Misconduct Based on Protected Characteristics**

GVSU seeks to comply with all federal, state, and local laws, regulations, and ordinances prohibiting discrimination, harassment, and misconduct in public post-secondary education institutions.

GVSU does not discriminate against any employee, applicant for employment, student, or applicant for admission on the basis of actual or perceived Protected Characteristics.

This Policy covers alleged discrimination, harassment and misconduct in employment and in access to educational opportunities, and prohibits such misconduct. Therefore, any member of the GVSU community whose acts objectively deny, deprive, unreasonably interfere with or limit the education or employment, residential and/or social access, benefits, and/or opportunities of any member of GVSU's community, guest, or visitor on the basis of that person's actual or perceived Protected Characteristic(s), is in violation of this Policy.

Actual or perceived Protected Characteristics as referenced in this Policy include:

- Age

- Color
- Disability (physical or mental)
- Ethnicity
- Familial Status (including Parental Status)
- Gender expression
- Gender identity
- Height
- Marital status
- National origin (including Shared Ancestry)
- Political affiliation
- Pregnancy or Related conditions
- Race
- Religion
- Sex
- Sexual orientation
- Veteran or active-duty military status (including disabled veteran; recently separated veteran; active-duty, wartime, or campaign badge veteran; and Armed Forces Service Medal veteran)
- Weight

GVSU will promptly and effectively address any such discrimination, harassment or misconduct of which it has knowledge or Notice using the resolution process outlined in the Resolution Process for Alleged Violations of GVSU Policy Prohibiting Discrimination, Harassment and Misconduct.

**3. Contacts**

GVSU has appointed the following individual(s), to coordinate GVSU's compliance with this policy and federal, state, and local civil rights laws and ordinances:

***For sex discrimination, sex-based harassment, and other sexual misconduct allegations:***

***Title IX Coordinator***

Kathleen VanderVeen
Associate Vice President of Civil Rights and Title IX
Title IX and ADA Coordinator
Office of Civil Rights and Title IX
Zumberge
1 Campus Drive
616.331.9532
vandervk@gvsu.edu
www.gvsu.edu/titleix

***For other forms of discrimination, harassment, and misconduct allegations:***

Office of Civil Rights and Title IX (OCRTIX)
Zumberge
1 Campus Drive
616.331.9532
www.gvsu.edu/titleix

The Title IX Coordinator and other members of the Office of Civil Rights and Title IX (OCRTIX) are responsible for providing comprehensive education and training; coordinating GVSU's timely, thorough, and fair response, investigation, and resolution of all alleged prohibited conduct under this Policy; and monitoring the effectiveness of this Policy and related procedures to ensure an education and employment environment free from discrimination, harassment, and misconduct.

GVSU recognizes that allegations under this Policy may include multiple forms of discrimination, harassment or misconduct, as well as violations of other GVSU policies; may involve various combinations of students, employees, and other members of the GVSU

community; and may require the simultaneous attention of multiple GVSU departments.

Accordingly, all GVSU departments will share information, combine efforts, and otherwise collaborate, to the maximum extent permitted by law, and consistent with other applicable GVSU policies, to provide uniform, consistent, efficient, and effective responses to alleged discrimination, harassment, or misconduct.

**4. External Contact Information**

Concerns about GVSU's application of this Policy and compliance with certain federal civil rights laws may also be addressed to:

Office for Civil Rights (OCR)
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C.  20202-1100
Customer Service Hotline #: (800) 421-3481
Facsimile: (202) 453-6012
TDD#: (877) 521-2172
Email: OCR@ed.gov
Web: http://www.ed.gov/ocr

Office for Civil Rights (OCR)
U.S. Department of Education
1244 Speer Boulevard, Suite 310
Denver, CO 80204-3582

Email: OCR.Denver@ed.gov
For Complaints involving employee-on-employee conduct: Equal Employment Opportunity Commission (EEOC)

EEOC Regional Office
Patrick V. McNamara Building, 477 Michigan Avenue, Room 865
Detroit, MI, 48226

**5. Definitions (Appendix A)**

Please see Appendix A for a list of definitions pertaining to the Policy and related procedures.

**6. Mandatory Reporters**

All GVSU faculty and employees (including student-employees), Resident Assistants, and Graduate Assistants, other than those deemed Confidential Employees, are Mandatory Reporters and are expected to promptly report all known details of actual or suspected discrimination, harassment, or misconduct to appropriate officials immediately, although there is a Limited Event Exception as defined in Appendix A. Supportive Measures may be offered as the result of such disclosures without formal GVSU action.

Complainants may want to carefully consider whether they share personally identifiable details with Mandatory Reporters, as those details must be shared with the OCRTIX.

If a Complainant seeks formal action in response to their allegations, reporting to any Mandatory Reporter can connect them with resources to report alleged crimes and/or Policy violations. These employees will immediately pass Notice to the OCRTIX (and/or GVPD, if desired by the Complainant or required by law), who will then act in accordance with their procedures.

Failure of a Mandatory Reporter, as described above in this section, to report an incident of discrimination, harassment or misconduct of which they become aware is a violation of GVSU Policy and can be subject to disciplinary action for failure to comply or failure to report.

A Mandatory Reporter who is themselves a target of discrimination, harassment, or other misconduct under this Policy is not required to report their own experience, though they are, of course, encouraged to do so.

If a student (or a student's parent or other legal representative) informs a GVSU employee of the student's pregnancy or related conditions, in the absence of an associated report of discrimination, harassment, or other misconduct, Mandatory Reporters need

not inform OCRTIX. However, the employee must provide the reporting person with information as outlined in the Pregnancy-Based Grievances and Complaints provision of this Policy.

**7. Confidential Reporting Options**

The following sections describe GVSU's confidential reporting options for a Complainant (including parents or legal guardians when appropriate):

If a Complainant would like to confidentially access support and resources, the Complainant may speak with Confidential Employees. Confidential Employees are not required to notify the OCRTIX about prohibited conduct under this policy, but will provide information to the reporting individual regarding how to contact OCRTIX, how to make a Complaint, and how OCRTIX can help.

There are three categories of Confidential Employees: A) Those with confidentiality bestowed by law or professional ethics, such as lawyers, medical professionals, clergy, and mental health counselors; B) Those whom GVSU has specifically designated as Confidential Resources for purposes of providing support and resources to the Complainant; and C) Those conducting human subjects research as part of a study approved by GVSU's Institutional Review Board (IRB).

**A. Confidential Employees by Law or Ethics**

For those in category A), above, to be able to respect confidentiality, they must be in a confidential relationship with the person reporting, such that they are within the scope of their licensure, professional ethics, or confidential role at the time of receiving the Notice. These individuals will maintain confidentiality except in extreme cases of immediacy of threat or danger or abuse of a minor, elder, or individual with a disability, or when required to disclose by law or court order. These employees include the following

- On-campus licensed professional counselors and staff
- On-campus health service providers and staff

**B. Designated Confidential Resources**

To enable Complainants to access support and resources without filing a Report or Complaint, if they so choose, GVSU has designated specific employees as Confidential Resources. Confidential Resources are not required to report actual or suspected discrimination, harassment, or misconduct in a way that identifies the Parties. They will, however, provide the Complainant with the OCRTIX's contact information and offer options and resources. Confidential Resources do not have any obligation to inform an outside agency or GVSU official of identifying information or the details of the allegations unless a Complainant has requested the information be shared. These employees include the following:

- On-campus Victim Advocates
- Employee Ombuds
- Student Ombuds

**C. Confidential Employees Conducting Human Subjects Research**

Those persons conducting IRB-approved human subjects research at GVSU who, during the course of the research, learn of allegations of discrimination, harassment or misconduct, are considered Confidential Employees while conducting the approved study. They are not required to notify the OCRTIX about prohibited conduct under this policy, but will provide information to the reporting individual regarding how to contact OCRTIX, how to make a Complaint, and how OCRTIX can help.

In addition, Complainants may speak with individuals unaffiliated with GVSU without concern that this Policy will require them to disclose information to the institution without permission:

- Licensed professional counselors and other medical providers
- Local rape crisis counselors
- Domestic violence resources
- Local or state assistance agencies
- Clergy/Chaplains
- Attorneys

**8. Methods of Notice**

If a Complainant would like to provide the details of an incident under this Policy, the Notice may be provided directly to the OCRTIX or to a Mandatory Reporter who will notify the OCRTIX through one of the following methods:

**A. Making a Report**

A Report provides Notice to GVSU of an allegation or concern about discrimination, harassment or misconduct, and provides an opportunity for the OCRTIX to provide information, resources, and Supportive Measures. Such a Report may be made verbally or in writing at any time (including during non-business hours) by using the telephone number, email address, or mailing address of the OCRTIX.

If a Complainant makes a Report but does not wish to file a Complaint, GVSU will maintain the privacy of information to the extent possible. Therefore, a Complainant should not withhold Notice for fear of a loss of confidentiality. By giving Notice, GVSU can discuss the incident and/or provide Supportive Measures as needed to those involved. For more information regarding Confidential Reporting Options, refer to that provision of this policy.

**B. Making a Complaint**

A Formal Complaint ("Complaint") provides written Notice to GVSU that the Complainant would like to initiate an investigation or other appropriate resolution procedures. Such a Complaint must be submitted in writing, using the OCRTIX Complaint Form. The Complaint Form may be submitted at any time (including during non-business hours) in person, online, by email address or by mailing address to the OCRTIX.

A Complainant may initially make a Report and may decide at a later time to make a Complaint.

A Complainant does not have to be a member of the GVSU community to file a Complaint under the Jurisdiction of this Policy. At the time of filing the Complaint, a Complainant must be participating in or attempting to participate in a GVSU education program or activity.

**C. Online Submission**

A Complainant may submit online Notice at https://cm.maxient.com/reporting.php?GrandValley.

Anonymous Notice is accepted**.** However, please note that in order to properly address or investigate the allegations, the Notice may give rise to a need to try to determine the Parties' identities. Please also be aware that Anonymous Notice may limit GVSU's ability to investigate, respond, and provide remedies. It also may not be possible to provide Supportive Measures to Complainants who are the subject of Anonymous Notice.

Measures intended to protect the community or redress or mitigate harm may be enacted in response to an Anonymous Notice.

Reporting carries no obligation to initiate a Complaint, and in most situations, GVSU is able to respect a Complainant's request to not initiate a Resolution Process. However, there may be circumstances, such as pattern behavior, allegations of severe misconduct, or a serious threat to health and/or safety, where GVSU may need to initiate a Resolution Process, signing and submitting its own Complaint Form through the OCRTIX.

**9. Time Limits on Reporting**

There is no time limitation on providing Reports or Complaints to the OCRTIX. However, if the Respondent is no longer subject to GVSU's jurisdiction and/or significant time has passed, the ability to investigate, respond, and/or provide remedies may be more limited or rendered impossible.

The OCRTIX will review all Reports or Complaints significantly impacted by the passage of time (including, but not limited to, impacts caused by the rescission or revision of Policy) for determination of whether to act upon it. The OCRTIX may document allegations for future reference, offer Supportive Measures, and/or engage in informal or formal action, as appropriate.

**10. Prompt & Effective Response to Allegations**

After receipt of Notice through Report or Complaint of prohibited conduct under this policy, GVSU will:

1. Treat the Complainant and Respondent equitably.
2. Offer and coordinate Supportive Measures, as appropriate, for the Complainant.
3. Offer and coordinate Supportive Measures as appropriate, for the Respondent, if GVSU initiates Formal Resolution (Grievance

Procedures) or offers an Informal Resolution process to the Respondent.

4. Notify the Complainant, or if the Complainant is unknown, the individual who reported the conduct, of the process for filing a written Complaint if desired, the Grievance Procedures, and the Informal Resolution process, if available and appropriate.
5. If a Complaint is made, notify the Respondent of the Grievance Procedures and the Informal Resolution process, if available and appropriate.
6. In response to a Complaint, initiate GVSU's Grievance Procedures or Informal Resolution process, if available and appropriate.
7. In the absence of a Complaint, or in the case of withdrawal of any or all of the allegations in a Complaint, and/or in the absence or termination of an Informal Resolution process, make a fact-specific determination regarding whether the OCRTIX will initiate a Complaint itself.
8. If the OCRTIX initiates a Complaint itself, make reasonable efforts to notify the Complainant prior to doing so and appropriately address reasonable concerns about the Complainant's safety or the safety of others.
9. Regardless of whether a Complaint is initiated, take other appropriate prompt and effective steps in effort to ensure that conduct prohibited by this Policy does not continue or recur within GVSU's education program or activity, in addition to providing remedies to an individual Complainant.

For additional information regarding the Resolution Process under this Policy, please review the Resolution Process for Alleged Violations of GVSU Policy Prohibiting Discrimination, Harassment and Misconduct.

**11. Disability-Based Grievances and Complaints**

Allegations of discrimination, harassment or misconduct on the basis of an actual or perceived disability, including instances in which the provision of reasonable accommodations has allegedly had a discriminatory effect, will be resolved under this Policy and related procedures.

However, grievances or complaints related to one's disability status and/or type of accommodation provided, are addressed as outlined in GVSU's ADA Accommodation Policy for Faculty, Staff and Students with Disabilities.

**12. Pregnancy-Based Grievances and Complaints**

Allegations of discrimination, harassment or misconduct on the basis of an actual or perceived pregnancy, including instances in which the provision of reasonable accommodations has allegedly had a discriminatory effect, will be resolved under this Policy and related procedures.

However, grievances or complaints related to one's pregnancy status and/or type of accommodation provided, are addressed as outlined in GVSU's Pregnancy, Childbirth and Pregnancy Related Conditions Policy.

When a student (or a student's parent or other legal representative) informs a GVSU employee of the student's pregnancy or related conditions, in the absence of an associated report of discrimination, harassment, or other misconduct, Mandatory Reporters need not inform OCRTIX. However, the employee must provide the reporting person with the OCRTIX's contact information and inform that person that the OCRTIX can do the following in effort to prevent sex discrimination or hostile environment based on the student's Pregnancy or Related Condition(1):

- Inform the student of their rights under this Policy;
- Provide reasonable accommodations, including private space and a reasonable break for lactation;
- Allow voluntary leave of absence, as medically necessary, and reinstatement upon return;
- Ensure individualized reasonable modifications are provided as needed (and as defined in the related Pregnancy Policy);
- Refrain from requesting supporting documentation when a) it has already been provided, 2) it relates to lactation needs, c) it is obvious, d) it constitutes a routine or simple modification, or e) other non-pregnancy related students receiving the accommodation obtain it without supporting documentation.

**13. Scope**

This Policy is not meant to inhibit or prohibit educational content or discussions inside or outside of the classroom that include germane, but controversial or sensitive, subject matters protected by academic freedom.

This Policy prohibits all forms of discrimination, harassment or misconduct on the basis of the identified Protected Characteristic(s), and may be applied to incidents, to patterns, and/or to the institutional culture or climate, all of which may be addressed in accordance with this Policy.

This Policy is only applicable to alleged incidents of discrimination, harassment or misconduct that occur on or after August 14, 2020. For alleged incidents occurring prior to August 14, 2020, the federal regulations in place at the time of the alleged incident apply.

This Policy applies to all faculty, employees, students, and other individuals participating in or attempting to participate in GVSU's program or activities, including education and employment.

**14. Jurisdiction**

This Policy applies to alleged discrimination, harassment or misconduct occurring in circumstances where GVSU has disciplinary authority at or during GVSU's education programs and activities (including locations, events, or circumstances in which GVSU exercises substantial control).

This Policy applies to alleged incidents occurring within any building owned or controlled by a GVSU-recognized student organization.

This Policy also applies to alleged off-campus misconduct if the effects of that conduct are to objectively limit or deny a person's access to GVSU's education program or activities.

GVSU may also extend jurisdiction to online conduct occurring on campus or off-campus when the conduct affects a substantial GVSU interest. For more information regarding online conduct, refer to the Online Discrimination, Harassment or Misconduct provision of this policy.

A substantial GVSU interest includes, but is not limited to, prohibiting the following related conduct:

1. Any action that constitutes a criminal offense as defined by law. This includes, but is not limited to, single or repeat violations of any local, state, or federal law.
2. Any situation in which it is determined by GVSU that the Respondent poses an imminent and serious threat to the health or safety of any student, employee, or other individual.
3. Any situation that significantly and objectively impinges upon the rights, property, or achievements of others, significantly breaches the peace, and/or causes social disorder.
4. Any situation that substantially interferes with GVSU's educational interests or mission.
5. Any situation that is sufficiently serious that it objectively denies or limits a GVSU community member's ability to participate in or benefit from GVSU's programs or activities. Objectivity is based on a reasonably prudent person in like circumstances.

For disciplinary action to be issued under this Policy, the Respondent must be a GVSU faculty member, student, or employee at the time of the alleged incident. If the Respondent is unknown or is not a member of GVSU community, the OCRTIX will offer to assist the Complainant in identifying appropriate institutional and local resources and support options, and GVSU will implement appropriate Supportive Measures and/or remedial actions where necessary. GVSU can also assist the Complainant in contacting local or institutional law enforcement if the individual would like to file a police report about criminal conduct.

All vendor employees serving GVSU through third-party contracts are subject to these policies and procedures given their employer's agreement to be bound through the respective contracts.

When a party is participating in a dual enrollment/early college program, GVSU will coordinate with the party's home institution to determine jurisdiction and coordinate providing Supportive Measures and responding to the Report or Complaint under the appropriate policy and procedures based on the allegations and identities of the Parties.

When the Respondent is enrolled in or employed by another institution, the OCRTIX can assist the Complainant in contacting the appropriate individual at that institution, as it may be possible to initiate a process under that institution's policies.

Similarly, the OCRTIX may be able to assist and support, through remedial measures, a GVSU student or employee Complainant who experiences discrimination elsewhere (such as in an externship, study abroad program, or other environment external to GVSU where sexual harassment or nondiscrimination policies and procedures of the facilitating or host organization may give the Complainant recourse).

GVSU does not have jurisdiction to handle the matter through its grievance process if the conduct did not occur against a person in the United States.

**15. Supportive Measures**

GVSU will offer and implement appropriate and reasonable Supportive Measures to the Parties upon Notice of alleged discrimination, harassment or misconduct. Supportive Measures are non-disciplinary, non-punitive individualized services offered as appropriate and reasonably available. They are offered, without fee or charge to the Parties, to restore or preserve access to GVSU's education program or activity, including measures designed to protect the safety of all Parties and/or GVSU's educational environment and/or to deter discrimination, harassment, and misconduct.

The OCRTIX promptly offers to make Supportive Measures available to the Parties upon receiving Notice. At the time that Supportive Measures are offered, if a Complaint has not been filed, GVSU will inform the Complainant, in writing, that they may file a Complaint with GVSU either at that time or in the future. The OCRTIX will work with a party to ensure that their wishes are considered with respect to any planned and implemented Supportive Measures.

GVSU will maintain the confidentiality of the Supportive Measures, provided that confidentiality does not impair GVSU's ability to provide those Supportive Measures or investigate and resolve the allegations. GVSU will act to ensure as minimal an academic or occupational impact on the Parties as possible and appropriate. GVSU will implement measures in a way that does not unreasonably burden any party.

These Supportive Measures may include, but are not limited to:

- Referral to counseling, medical, and/or other healthcare services
- Referral to the Employee Assistance Program
- Referral to community-based service providers
- Education to the institutional community or community subgroup(s)
- Altering campus housing assignment(s)
- Altering work arrangements for employees or student-employees
- Safety planning
- Implementing contact restrictions (no contact orders) between the parties
- Academic support, extensions of deadlines, or other course/program-related adjustments
- Assistance with obtaining a PPO or Cease and Desist through referral to GVPD.
- Class schedule modifications, withdrawals, or leaves of absence
- Any other actions deemed appropriate by the OCRTIX to address the objective harm

Violations of no contact orders or other restrictions may be referred to appropriate student or employee conduct processes for enforcement or added as Collateral Misconduct allegations to an ongoing Complaint under this Policy.

The Parties are provided with a timely opportunity to seek modification or reversal of GVSU's decision to provide, deny, modify, or terminate Supportive Measures applicable to them. A request to do so should be made in writing to the OCRTIX. An impartial employee, other than the employee who implemented the Supportive Measures, who has authority to modify or reverse the decision, will determine whether the decision is sufficiently inconsistent with the definition of Supportive Measures to warrant modification or reversal. GVSU will also provide the Parties with the opportunity to seek additional modification or termination of Supportive Measures applicable to them if circumstances materially change. GVSU typically renders decisions on Supportive Measures within seven (7) business days of receiving a request and provides a written determination to the impacted party(ies) and the OCRTIX.

**16. Online Discrimination, Harassment or Misconduct**

GVSU policies are written and interpreted broadly to include online manifestations of any of the behaviors prohibited by this Policy, when those behaviors occur in or have an effect on GVSU's education program and activities, or when they involve the use of GVSU networks, technology, or equipment.

Although GVSU may not control websites, social media, and other venues through which the alleged discriminatory or harassing communications are made, when such communications are reported to GVSU, it will seek to address and mitigate the effects. This effort may include use of the Resolution Process to address off-campus, online conduct that objectively interferes with a person's access to or participation in GVSU's education programs or activities.

**17. Inclusion related to Gender Identity/Expression**

GVSU strives to ensure that all individuals are safe, included, and respected in their education and employment environments, regardless of their actual or perceived Gender Identity or Expression, including intersex, nonbinary, transgender, agender, two-spirit, gender-expansive, and gender-diverse students and employees.

Discrimination, harassment or misconduct on the basis of Gender Identity or Expression is not tolerated by GVSU. If a member of the GVSU community believes they have been subjected to prohibited conduct under this Policy, they should follow the appropriate reporting process described herein. Intentional misgendering, deadnaming, or mispronouning may be considered a violation of this policy.

This Policy should be interpreted consistent with the goals of maximizing  inclusion for all, including students and employees with varying gender identities, including:

- Maintaining the privacy of all individuals consistent with law;
- Ensuring all students have equal access to educational programming and activities consistent with the law;
- Facilitating participation in programs and activities by providing all students access to appropriate facilities, including restrooms and locker rooms. For a list of gender-inclusive restrooms and locker rooms on campus see our Facilities Services page;
- Ensuring all employees have equal access to employment opportunities and work, service, or health-related facilities;
- Providing professional development for employees and education for students on topics related to gender inclusion;
- Encouraging all students and employees to respect the pronoun usage and identities of all members of the GVSU community.

**18. Prohibited Conduct-Discrimination or Harassment Offenses**

Students and employees are entitled to an educational and employment environment that is free from discrimination and harassment.

The sections below describe the specific forms of legally prohibited discrimination and harassment on the basis of actual or perceived Protected Characteristics, that are also prohibited under GVSU Policy.

When speech or conduct is constitutionally protected, it will not be considered a violation of GVSU Policy, though Supportive Measures will be offered to those impacted.

All offense definitions below encompass actual and/or attempted offenses.

Any of the following offenses can be charged as or combined as pattern offenses, in which case the Notice of Investigation and Allegation (NOIA) will clearly indicate that both individual incidents and a pattern of conduct are being investigated. A pattern may exist and be charged when there is a potential substantial similarity to incidents where the proof of one could make it more likely that the other(s) occurred, and vice-versa. Patterns may exist based on target selection, similarity of offense, or other factors. Where a pattern is found, it can be the basis to enhance sanctions, accordingly.

Violation of any other GVSU policies may constitute discrimination or harassment when motivated by actual or perceived Protected Characteristic(s), and the result is a limitation or denial of employment or educational access, benefits, or opportunities.

**A. Discrimination**

Discrimination is different treatment with respect to a person's employment or participation in an education program or activity based, in whole or in part, upon the person's actual or perceived Protected Characteristic. Discrimination also includes a failure to provide reasonable accommodations as required by law or policy, such as for a person's disability, religion, or creed.

Discrimination can take two primary forms:

**1. Disparate Treatment Discrimination:**
Any intentional differential treatment of a person or persons that is based on a person's actual or perceived Protected Characteristic and that:

- - excludes an individual from participation in;
  - denies the individual benefits of; or
  - otherwise adversely affects a term or condition of an individual's participation in a GVSU program or activity.

Differential treatment means others have received more favorable treatment and there is no legitimate nondiscriminatory reason

for the more favorable treatment.

**2. Disparate Impact Discrimination:**

Disparate impact occurs when policies or practices that appear to be neutral unintentionally result in a disproportionate impact on a protected group or person that:

- excludes an individual from participation in;
- denies the individual benefits of; or
- otherwise adversely affects a term or condition of an individual's participation in a GVSU program or activity.

Disproportionate impact means others have not been impacted negatively and there is no legitimate nondiscriminatory reason for the more positive impact.

**B. Discriminatory Harassment**

Discriminatory Harassment includes all of the following:

- unwelcome conduct on the basis of actual or perceived Protected Characteristic(s), that
- based on the totality of the circumstances,
- is subjectively and objectively offensive, and
- is so severe or pervasive,
- that it objectively limits or denies a person's ability to participate in or benefit from GVSU's education programs or activities

**C. Sex-based Harassment**

Sex-based Harassment is a form of sex discrimination and means sexual harassment and other harassment on the basis of sex, *(2)* including sex stereotypes, sex characteristics, and Pregnancy or Related conditions.

**1. Quid Pro Quo Harassment:**

- an employee agent, or other person authorized by GVSU
- to provide an aid, benefit, or service under GVSU's education program or activity,
- explicitly or impliedly conditions the provision of such aid, benefit, or service,
- on a person's participation in unwelcome sexual conduct.

**2. Hostile Environment Harassment:**

- unwelcome sex-based conduct, that
- based on the totality of the circumstances,
- is objectively offensive, and
- is so severe and pervasive,
- that it effectively denies a person equal access to participate in or benefit from GVSU's education program or activity

**3. Sexual Assault** *(3)* The following definitions describe prohibited conduct that constitutes sexual assault

**(a) Rape is defined as:**

- Penetration, no matter how slight,
- of the vagina or anus of the Complainant,
- with any body part of the Respondent or by Respondent's use of an object, or
- oral penetration of the Complainant by a sex organ of Respondent, or by the Respondent's use of a sex-related object
- without the consent of the Complainant *(4)*.

**(b) Fondling (Criminal Sexual Contact) is defined as:**

- The intentional touching of the clothed or unclothed body parts of the Complainant by the Respondent,
- (or the forced touching of the clothed or unclothed body parts of the Respondent by the Complainant)
- for the purpose of sexual degradation, gratification, or sexual humiliation
- without the consent of the Complainant,
- including instances where the Complainant is incapable of giving consent because of their age or because of a temporary or permanent mental incapacity.

**(c) Incest is defined as:**

- Nonforcible sexual intercourse,
- between persons who are related to each other,
- within the degrees wherein marriage is prohibited by law.

**(d) Statutory Rape is defined as:**

- Nonforcible sexual intercourse,
- with a person who is under the statutory age of consent.

**4. Dating Violence is defined as:**

- violence,
- committed by a person,
- who is in or has been in a social relationship of a romantic or intimate nature with the Complainant.
    - The existence of such a relationship shall be determined based on consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition—
        - Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
        - Dating violence does not include acts covered under the definition of domestic violence.

**5. Domestic Violence**(5) **is defined as:**

- Violence that constitutes a felony or misdemeanor crime committed by a current or former spouse of intimate partner of the victim under the family or domestic violence laws of Michigan, or,
- use or attempted use of physical abuse or sexual abuse, or a pattern of any other coercive behavior committed, enable, or solicited to gain or maintain power and control over a victim, including verbal, psychological, economic, or technological abuse that may or may not constitute criminal behavior,
- committed by a person who
    - is a current or former spouse or intimate partner of the Complainant, or person similarly situation to a spouse of the victim;
    - is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner
    - shares a child in common with the Complainant, or
    - commits acts against an adult or youth Complainant who is protected from that person's acts under the domestic or family violence laws of MI.

**6. Stalking is defined as:**

- engaging in a course of conduct,
- directed at the Complainant,
- that would cause a reasonable person
- to fear for the person's safety or the safety of others, or
- Suffer substantial emotional distress.

For the purpose of this definition-

- Course of conduct means two or more acts, including, but not limited to, acts in which the Respondent directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- Reasonable person means a reasonable person under similar circumstances and with similar identities to the Complainant.
- Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

GVSU reserves the right to address sex-based conduct and/or harassment that (1) does not rise to the level of creating a hostile environment, or (2) that is of a generic nature and not based on a Protected Characteristic. Addressing such conduct will not result in the imposition of discipline under this Policy, but may be referred to other appropriate student or employee conduct processes.

For assistance with Informal Resolution techniques under these circumstances, contact the Office of Civil Rights and Title IX.

Separate treatment on the basis of sex in the context of sex-separate living facilities and sex-separate athletic teams is not discrimination.

**D. Gender-Identity or Sexual Orientation-based Harassment**

Gender Identity-based Harassment and Sexual Orientation-based Harassment are forms of discrimination and include harassment on the basis of gender identity or sexual orientation *(6)*, including related stereotypes or characteristics.

**1) Quid Pro Quo Harassment:**

- an employee agent, or other person authorized by GVSU
- to provide an aid, benefit, or service under GVSU's education program or activity,
- explicitly or impliedly conditions the provision of such aid, benefit, or service,
- on a person's participation in unwelcome sexual conduct because of their actual or perceived gender identity or sexual orientation.

**2) Hostile Environment Harassment:**

- unwelcome gender identity or sexual orientation- based conduct, that
- based on the totality of the circumstances,
- is objectively offensive, and
- is so severe and pervasive,
- that it effectively denies a person equal access to participate in or benefit from GVSU's education program or activity

GVSU reserves the right to address offensive conduct and/or harassment on the basis of gender identity and sexual orientation that (1) does not rise to the level of creating a hostile environment, or (2) that is of a generic nature and not based on a Protected Characteristic. Addressing such conduct will not result in the imposition of discipline under this Policy, but may be referred to other appropriate student or employee conduct processes.

For assistance with Informal Resolution techniques under these circumstances, contact the OCRTIX.

**19. Prohibited Misconduct- Sexual Exploitation**

The following definition describes prohibited sexual misconduct that constitutes sexual exploitation:

**A. Sexual exploitation is defined as:**

- A person taking non-consensual or abusive sexual advantage of another, that does not constitute Sex-based Harassment as defined above,
- for their own benefit or for the benefit of anyone other than the person being exploited.

Examples of Sexual Exploitation include, but are not limited to:

1. Sexual voyeurism (such as observing or allowing others to observe a person undressing or using the bathroom or engaging in sexual acts, without the consent of the person being observed)
2. Invasion of sexual privacy (e.g., doxxing)
3. Knowingly making an unwelcome disclosure of (or threatening to disclose) a person's sexual orientation, gender identity, or gender expression
4. Taking pictures, video, or audio recording of another person in a sexual act, or in any other sexually related activity when there is a reasonable expectation of privacy during the activity, without the consent of all involved in the activity; or exceeding the boundaries of consent (such as allowing another person to hide in a closet and observe sexual activity, or disseminating sexual pictures without the photographed person's consent), including the making or posting of non-consensual pornography
5. Prostituting another person
6. Engaging in sexual activity with another person while knowingly infected with human immunodeficiency virus (HIV) or a sexually transmitted disease (STD) or infection (STI), without informing the other person of the virus, disease, or infection

7. Causing or attempting to cause the incapacitation of another person (through alcohol, drugs, or any other means) for the purpose of compromising that person's ability to give consent to sexual activity, or for the purpose of making that person vulnerable to non-consensual sexual activity
8. Misappropriation of another person's identity on apps, websites, or other venues designed for dating or sexual connections (e.g., spoofing)
9. Forcing a person to take an action against that person's will by threatening to show, post, or share information, video, audio, or an image that depicts the person's nudity or sexual activity
10. Knowingly soliciting a minor for sexual activity
11. Engaging in sex trafficking
12. Knowingly creating, possessing, or disseminating child sexual abuse images or recordings
13. Creating or disseminating synthetic media, including images, videos, or audio representations of individuals doing or saying sexually-related things that never happened, or placing identifiable real people in fictitious pornographic or nude situations without their consent (i.e., Deepfakes)

**20. Prohibited Misconduct-Retaliation**

The following definition describes prohibited conduct that constitutes retaliation:

**A. Retaliation is defined as:**

- Adverse action, including intimidation, threats, coercion or discrimination
- against any person,
- by GVSU, a student, employee, or a person authorized by GVSU to provide aid, benefit, or service under GVSU's education program or activity,
- for the purpose of interfering with any right or privilege secured by law or Policy, or
- because the person has engaged in protected activity, including reporting information, making a Complaint, testifying, assisting, or participating or refusing to participate in any manner in an investigation or Resolution Process under the GVSU Policy Prohibiting Discrimination, Harassment And Misconduct Procedures, including an Informal Resolution process, or in any other appropriate steps taken by GVSU to promptly and effectively end any discrimination or harassment in its education program or activity, prevent its recurrence, and remedy its effects.

The exercise of rights protected under the First Amendment does not constitute retaliation *(7)*.

It is also not retaliation for GVSU to pursue Policy violations against those who make materially false statements in bad faith in the course of a resolution under the GVSU Policy Prohibiting Discrimination, Harassment and Misconduct. However, the determination of responsibility, by itself, is not sufficient to conclude that any party has made a materially false statement in bad faith..

Peer to Peer Retaliation is also prohibited.

**21. Other Prohibited Misconduct**

The following definitions describe other conduct prohibited under this Policy, if such conduct is on the basis of Protected Characteristics and does not otherwise meet a definition of prohibited misconduct under the Policy:

**A. Bullying is defined as:**

- repeated and/or severe aggressive behavior,
- that is objectively likely to intimidate or intentionally hurt, control, or physically or mentally diminish the Complainant, that is not speech or conduct that is otherwise protected by the First Amendment.

**B. Endangerment is defined as**:

- threatening or causing physical harm,
- extreme verbal, emotional, or psychological abuse, or
- other conduct which threatens or endangers the health or safety of any person or damages their property

**C. Hazing is defined as:**

- any intentional, knowing, or reckless act
- committed by a person (whether individually or in concert with other persons)

- against another person or persons
- regardless of the willingness of such other person or persons to participate, that-

(I) is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and

(II) causes or creates a risk, above the reasonable risk encountered in the course of participation in the University's programs or activities (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury including but not limited to those behaviors identified in relevant laws or campus policies.

For the purposes of this definition:

- It is not necessary that a person's initiation or continued membership be contingent upon participation in the activity, or that the activity was sanctioned or approved by the student group or student organization, for an allegation of hazing to be upheld.
- It shall not constitute an excuse or defense to a hazing allegation that the participants took part voluntarily, gave consent to the conduct, voluntarily assumed the risks or hardship of the activity, or that no injury was suffered or sustained.
- The actions of alumni, active, new, and/or prospective members of a student group or student organization may be considered hazing.
- Hazing is not confined to the student group or student organization with which the person subjected to the hazing is associated.

**22. Unauthorized Disclosure:** *(8)*

Distributing or otherwise publicizing materials created or produced during an investigation or Resolution Process is prohibited except as required by law or as expressly permitted by GVSU.

Publicly disclosing institutional work product (produced, compiled, or written by GVSU for purposes of its investigation and resolution of a Complaint) that contains personally identifiable information without authorization or consent is also prohibited.

Parties and Advisors are prohibited from disclosing information obtained by GVSU through the Resolution Process, to the extent that information is the work product of GVSU or contains personally identifiable information, without authorization.

Violation of this Policy provision may be subject to significant sanctions

**23. Failure to Comply or Process Interference**

Intentional failure to comply with the following OCRTIX actions is a violation of this Policy:

- reasonable directives of OCRTIX in the performance of their official duties, including with the terms of a no contact order;
- emergency removal or interim suspension terms;
- sanctions;
- terms of an Informal Resolution Agreement;
- mandated reporting duties as defined in this Policy

Intentional interference with the Resolution Process is a violation of this Policy. Such interference can include but is not limited to:

- Destruction of or concealing of evidence;
- Actual or attempted solicitation of knowingly false testimony or providing false testimony or evidence;
- Intimidating or bribing a witness or party

**24. Consent, Force, and Incapacitation**

As used in this Policy, the following definitions and understandings of Consent, Force and Incapacitation apply:

1. **Consent** is defined as *(9)*:

- knowing, and
- voluntary, and
- clear permission
- expressed by word or action
- prior to engaging in and during sexual activity.

Consent is active, not passive. Silence, or lack of resistance, in and of itself, cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable clear permission regarding willingness to engage in sexual activity.

Consent to any one form of sexual activity cannot automatically imply consent to any other forms of sexual activity. Consent may be withdrawn at any time as long as the withdrawal is reasonably and clearly communicated by word or action. If consent is withdrawn, that sexual activity should stop.

Previous relationships or prior consent cannot imply consent to future sexual acts. Consent cannot be given by an individual who one knows to be – or based on the circumstances should reasonably have known to be – incapacitated.

Individuals may experience the same interaction in different ways. Therefore, it is the responsibility of each party to determine that the other has consented before engaging in the activity.

An individual cannot consent who has been coerced, including being compelled by force, threat of force, or deception; who is unaware that the act is being committed; or who is coerced by a Supervisory or disciplinary authority.

Consent may not be given by a person who has not reached the legal age of consent under applicable law. Being impaired by alcohol or drugs will never function as a defense for any behavior that violates this Policy.

Proof of consent or non-consent is not a burden placed on either party involved in a Complaint. Instead, the burden remains on GVSU to determine whether its Policy has been violated. The existence of consent is based on the totality of the circumstances evaluated from the perspective of a reasonable person in the same or similar circumstances, including the context in which the alleged misconduct occurred and any similar and previous patterns that may be evidenced.

Going beyond the boundaries of consent is prohibited misconduct. Thus, unless a sexual partner has consented to slapping, hitting, hair pulling, strangulation, or other physical roughness during otherwise consensual sex, those acts may constitute dating violence or sexual assault *(10)*

**2. Force is defined as:**

- the use of physical violence, and/or
- physical imposition
- to gain sexual access.

Sexual activity that is forced is, by definition, non-consensual, but non-consensual sexual activity is not necessarily forced. Force is conduct that, if sufficiently severe, can negate consent.

Force also includes threats, intimidation (implied threats), and coercion that is intended to overcome resistance or produce consent (e.g., “Have sex with me or I’ll hit you,” which elicits the response, “Okay, don’t hit me. I’ll do what you want.”).

Coercion is unreasonable pressure for sexual activity. Coercive conduct, if sufficiently severe, can render a person’s consent ineffective, because it is not voluntary. When someone makes clear that they do not want to engage in sexual activity, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive. Coercion is evaluated based on the frequency, intensity, isolation, and duration of the pressure involved.

**3. Incapacitation is defined as:**

- a state where a person is incapable of giving consent.

An incapacitated person cannot make rational, reasonable decisions because they lack the capacity to give knowing/informed consent (e.g., to understand the “who, what, when, where, why, and how” of their sexual interaction).

A person cannot consent if they are unable to understand what is happening or are disoriented, helpless, asleep, or unconscious for any reason, including because of alcohol or other drug consumption.

This Policy also covers a person whose incapacity results from a temporary or permanent physical or mental health condition, involuntary physical restraint, and/or the consumption of incapacitating substances.

Incapacitation is determined through consideration of all relevant indicators of a person’s state and is not synonymous with intoxication, impairment, blackout, and/or being drunk.

If the Respondent neither knew nor should have known the Complainant to be physically or mentally incapacitated, the Respondent is not in violation of this Policy. “Should have known” is an objective, reasonable person standard that assumes that a reasonable person is both sober and exercising sound judgment.

**25. Standard of Proof**

GVSU uses the preponderance of the evidence standard of proof when determining whether a Policy violation occurred. This means that GVSU will decide whether it is more likely than not, based upon the available information at the time of the decision, that the Respondent is in violation of the Policy as alleged. The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on GVSU and not on the parties. However, GVSU cannot obtain protected health information without a signed release from the treated individual for use of the health information in the grievance process.

Absent the necessary proof, a Respondent is not considered in violation of the Policy and is presumed not to have violated the policy unless and until such proofs are made.

**26. False Allegations and Evidence**

Deliberately false and/or malicious accusations under this Policy are a serious offense and will be subject to appropriate disciplinary action. This does not include allegations that are made in good faith but are ultimately shown to be erroneous or do not result in a determination of a Policy violation.

Additionally, witnesses and Parties who knowingly provide false evidence, tamper with or destroy evidence, or deliberately mislead an official conducting an investigation or resolution process including with the use of evidence fabricated with artificial intelligence, can be subject to discipline under appropriate GVSU policies.

**27. Consensual Relationship Policy**

GVSU recognizes there are inherent risks in any romantic or sexual relationships between persons in unequal positions, such as faculty member-student, Resident Assistant-supervisory student, or supervisor-employee. Any persons engaging in such relationships are subject to GVSU’s Consensual Relationship Policy, SLT 9.2.

This Policy (Policy Prohibiting Discrimination, Harassment and Misconduct) will also apply to allegations of prohibited conduct under this Policy within such consensual relationships. Where the alleged prohibited conduct is on the basis of sex and by an Employee against a student, Informal Resolution will not be permitted.

**28. Resolution Process Confidentiality & Privacy**

GVSU makes every effort to preserve the privacy of those involved in a process under this Policy.

Except as permitted or required by law, and applicable regulations, or to fulfill the purposes of this Policy, GVSU will not share the identity of:

1. any individual who has made a Complaint under this Policy;
2. any Complainant;
3. any individual who has been reported to be the perpetrator of discrimination, harassment or misconduct;
4. any Respondent; or
5. any witness

Additional information regarding confidentiality and privacy can be found in GVSU’s Confidentiality, Data & Security Policy and in the Confidential Reporting Options provision of this policy.

For additional information regarding unauthorized disclosure, please refer to the Unauthorized Disclosure provision of this policy.

**29. Interventions to Address Allegations of Discrimination, Harassment or Misconduct.**

GVSU uses a number of interventions to address allegations of discrimination, harassment or misconduct, including offering Supportive Measures, initiating a Formal Resolution Process (Grievance Procedures), or engaging in an Informal Resolution Process. These efforts may include, but are not limited to, problem-solving, assistance, intervention, confrontation, investigation, and/or Policy enforcement.

When conflicts arise between the right of members of the community to be free from discrimination, harassment or misconduct,

and those exercising their right to religious freedom or freedom of expression, GVSU will seek to balance rights and interests to find mutually agreeable outcomes or compromises. When that is not possible, GVSU will offer remedial solutions and/or enforce its Policies while also respecting the rights of all members of its community.

For questions regarding Expressive Activity on GVSU owned and controlled property, please refer to the relevant provisions of GVSU's Grounds and Facility Use Policy.

**30. Emergency Removal, Interim Actions, and Leaves of Absence**

GVSU can act to remove a student Respondent accused of Discrimination, Harassment or Misconduct from its education program or activities, partially or entirely, on an emergency basis if an individualized safety and risk analysis has determined that an imminent and serious threat to the health or safety of any student or other individual justifies removal. This risk analysis is performed by GVSU using its standard risk assessment procedures. For additional information on emergency removal, interim actions and leave of absences, see the relevant Policy procedures.

Employees are subject to existing procedures for interim actions and leaves.

**31. Federal Timely Warning Obligations**

GVSU must issue timely warnings for reported incidents that pose a serious or continuing threat of bodily harm or danger to members of GVSU community pursuant to the Clery Act.

GVSU will ensure that a Complainant's name and other personal identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the potential danger.

**32. Amnesty**

In the interest of safety and compliance with all relevant laws and regulations, GVSU encourages the reporting of misconduct and crimes by Complainants, Respondents and witnesses. Sometimes, individuals are hesitant to give Notice to GVSU officials or participate in resolution processes because they fear that they themselves may be in violation of certain policies, such as underage drinking or use of illicit drugs at the time of the incident.

It is in the best interests of the GVSU community that Complainants choose to give notice of misconduct to GVSU officials, that witnesses come forward to share what they know, and that all Parties be forthcoming during the process.

To encourage reporting and participation in the process, GVSU offers students amnesty from such policy violations as underage alcohol consumption or the use of illicit drugs, when related to the alleged incident of prohibited conduct.

**Student Amnesty**

GVSU maintains an amnesty policy for students. For criteria regarding granting amnesty, please see GVSU policy STU 10.0.

**33. Preservation of Evidence**

The preservation of evidence is critical to any potential criminal prosecution and to obtaining restraining (protective) orders, and it is particularly time sensitive. Therefore, OCRTIX will inform the Complainant of the importance of preserving evidence at the time of initial receipt of a Complaint.

**34. Independence and Conflicts of Interest**

The Coordinator manages the OCRTIX and acts with independence and authority, free from bias and conflicts of interest. The Coordinator oversees all resolutions under this Policy and these procedures. The members of the Resolution Pool are vetted and trained to ensure they are not biased for or against any party in a specific Complaint, or for or against Complainants and/or Respondents, generally.

To raise any concern involving bias, conflict of interest, misconduct, discrimination or harassment by the Coordinator, contact the Vice President for People, Culture, and Equity.

Concerns of bias, misconduct, discrimination, harassment or a potential conflict of interest by any other OCRTIX employee or Resolution Pool member should be raised with the Coordinator.

**35. Revision of Policy**

The Coordinator reviews and updates these policies and procedures regularly. GVSU reserves the right to make changes to this document as necessary, and once those changes are posted online, they are in effect, unless otherwise required by law.

If government laws or regulations change or court decisions alter the requirements in a way that impacts this document, this document will be construed to comply with the most recent government laws, regulations, or court holdings.

This document does not create legally enforceable protections beyond the protections of the laws of the State of Michigan and federal laws that frame the provisions, generally.

This Policy is retroactively effective 08-14-2020, pursuant to guidance from the Department of Education dated February 04, 2025.

### FOOTNOTES

[1] The following are rights that are also applicable to employees of GVSU with Pregnancy or Related Conditions.

[2] Throughout this Policy, “on the basis of sex” or “sex-based conduct” means conduct that is sexual in nature, or that is directed to the Complainant because of his/her/their actual or perceived sex.

[3] This would include having another person touch you sexually, forcibly, and/or without your consent.

[4] This includes Sodomy and/or sexual assault with an object

*[5]* To categorize an incident as Domestic Violence under this Policy, the relationship between the Respondent and the Complainant must be more than just two people living together as roommates. The people cohabitating must be current or former spouses or have an intimate relationship.

[6] Throughout this Policy, “on the basis of gender identity or sexual orientation” means conduct that is directed to the Complainant because of his/her/their actual or perceived gender identity or expression, including intersex, nonbinary, transgender, agender, two-spirit, gender-expansive, and gender-diverse students and employees and/or because of his/her/their actual or perceived sexual orientation, including members of the LGBTQ+ community.

[7] For additional information regarding Expressive Activity refer to GVSU’s Grounds and Facility Use Policy.

[8] Nothing in this section restricts the ability of the Parties to obtain and present evidence, including by speaking to witnesses (as long as it does not constitute intimidation or retaliation under this Policy), consult with the Parties’ own family members, confidential resources, or Advisors; or otherwise prepare for or participate in the Resolution Process.

[9] The definition of consent under Michigan law is applicable to criminal prosecutions for sex offenses. Such definition may differ from the definition used by GVSU to address Policy violations.

[10] Consent in relationships must also be considered in context. When Parties consent to BDSM (bondage, discipline, sadism, masochism) or other forms of kink, non-consent may be shown by the use of a safe word. Resistance, force, violence, or even saying “no” if part of the kink would be consensual.

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## PREGNANCY, CHILDBIRTH AND PREGNANCY-RELATED CONDITIONS POLICY

SLT 9.3

**Date of Last Update:**
September 13, 2024

**Approved By:**

- Senior Leadership Team

**Responsible Office:**
Civil Rights and Title IX

## POLICY STATEMENT

### I. POLICY STATEMENT

Grand Valley State University (“the University”) is committed to the fundamental academic principles of equity and accessibility by providing all faculty, staff, and students with access to the University’s programs, services, events, and activities. This Policy addresses the University’s obligations under federal law as to employees and students affected by pregnancy, childbirth or pregnancy-related conditions, including Title IX of the Education Amendment of 1972 (Title IX), the Pregnancy Discrimination Act of 1978 (which amended Title VII of the Civil Rights Act of 1964), the Pregnant Workers Fairness Act, the Fair Labor Standards Act and the Providing Urgent Maternal Protection (PUMP) for Nursing Mothers Act.

The University prohibits discrimination on the basis of sex. The University prohibits any action that discriminates against or excludes a student, employee, prospective student or job applicant from any of its programs or activities on the basis of pregnancy, childbirth and pregnancy-related conditions. The prohibition extends to any policy, practice, or procedure concerning current, potential, or past parental, family, or marital status that treats the student, employee, or applicant differently on the basis of sex.

For procedures pertaining to this policy please see GVSU’s Pregnancy Accommodation Procedure.

### II.DEFINITIONS

#### A. Definitions for Student Accommodations

- **Interactive Process:** procedure by which information will be gathered from relevant parties including the student, faculty or other employees involved in implementing the accommodation as necessary that will review:
  - Possible accommodations;
  - The essential requirements of the course or educational program;
  - Possible reasonable accommodation, if any, that may be needed.
- **Medical Necessity:** a health care provider’s determination of an individual’s needs for reasonable accommodations related to pregnancy, childbirth or pregnancy-related conditions.
- **Pregnancy, childbirth and pregnancy-related conditions:** include (but are not limited to) pregnancy, childbirth, false pregnancy, miscarriage, termination of pregnancy, abortion services, lactation, conditions arising in connection with pregnancy, and recovery from any of these conditions, in accordance with federal law. Throughout this policy, the use of the phrase “pregnancy, childbirth and pregnancy-related conditions” encompasses all conditions within the non-exhaustive list above.

#### B. Definitions for Employee Accommodations

- **Interactive Process:** discussion of the following with the employee and, as necessary, their supervisor and/or appointing officer:
  - Possible accommodations;
  - The essential job functions of the position;
  - The employee’s ability to perform essential job functions and the application of the definition of qualified employee;
  - Possible reasonable accommodations, if any, that may be needed.
- **Known Limitation:** Physical or mental condition related to, affected by, or arising out of pregnancy, childbirth, or related medical conditions that an employee or employee’s representative has communicated to the University.
- **Pregnancy, childbirth and pregnancy-related conditions:** include (but are not limited to) pregnancy, childbirth, false pregnancy, miscarriage, termination of pregnancy, abortion services, lactation, conditions arising in connection with pregnancy, post-partum conditions, reproductive health conditions, and recovery from any of these conditions, in accordance with federal law. Throughout this policy, the use of the phrase “pregnancy, childbirth and pregnancy-related conditions” encompasses all conditions within the non-exhaustive list above.
- **Qualified Employee:** An applicant, current employee, or when appropriate, a past employee who, with or without reasonable accommodation, can perform the essential functions of the employment position, except that an individual shall be considered qualified if:

1. Any inability to perform an essential function is for a temporary period;
2. The essential function could be performed in the near future; and,
3. The inability to perform the essential function can be reasonably accommodated.

- **Reasonable Accommodation:** Changes to the work environment or the way things are usually done at work.
- **Statement of Pregnancy Employee Accommodation Determination (SPEAD):** A document that conveys to supervisors the pregnancy-related accommodation.
- **Undue Hardship:** With respect to the provision of an accommodation, significant difficulty or expense incurred by the University.

**III. POLICY**

**A. Accommodations for Students Affected by Pregnancy, Childbirth and Other Pregnancy-Related Conditions**

The University provides reasonable accommodations for students affected by pregnancy, childbirth or other pregnancy-related conditions on an individualized and voluntary basis depending on the student's needs when necessary to prevent discrimination and ensure equal access to the recipient's education program or activity.

**1. Reasonable Accommodations**

Any student seeking Reasonable Accommodations must contact the Office of Civil Rights and Title IX (OCRTIX) to discuss appropriate and available accommodations based on their individual needs. Students are encouraged to request accommodations as promptly as possible, although retroactive accommodations may be available in some circumstances. Accommodations are voluntary, and a student can accept or decline the offered accommodations. Not all requests are appropriate for all contexts. Accommodations may include:

- Breaks during class to express breast milk, breastfeed, or attend to health needs associated with pregnancy or related conditions, including eating, drinking, or using the restroom;
- Intermittent absences to attend medical appointments;
- Access to online or homebound education;
- Changes in schedule or course sequence;
- Time extensions for coursework and rescheduling of tests and examinations;
- Allowing a student to sit or stand, or carry or keep water nearby;
- Counseling;
- Changes in physical space or supplies (for example, access to a larger desk or a footrest);
- Elevator access;
- A larger uniform or other required clothing or equipment;
- Other reasonable changes to policies, practices, or procedures will be determined by the OCRTIX.

In situations such as clinical rotations, performances, labs, and group work, the institution will work with the student to devise an alternative path to completion, if possible. In progressive curricular and/or cohort-model programs, medically necessary leaves are sufficient cause to permit the student to shift course order, substitute similar courses, or join a subsequent cohort when returning from leave. Students are encouraged to work with their faculty members and the University's support systems to devise a plan for how to best address the conditions as pregnancy progresses, anticipate the need for leaves, minimize the academic impact of their absence, and get back on track as efficiently and comfortably as possible. The OCRTIX will assist with plan development and implementation as needed.

Supporting documentation for accommodations will only be required when it is necessary and reasonable under the circumstances to determine which accommodations to offer to determine other specific actions to take to ensure equal access.

Information about pregnant students' requests for accommodations will be shared with faculty and staff only to the extent necessary to provide the reasonable accommodation.

Students experiencing pregnancy-related conditions that manifest as a temporary disability under the Americans with Disabilities Act (ADA) or Section 504 of the Rehabilitation Act are eligible for reasonable accommodations just like any other student with a temporary disability. The Student Accessibility Resources will consult with OCRTIX staff to ensure

the student receives reasonable accommodations for their disability as required by law.

**2. Leaves of Absence**

Students are permitted to take a voluntary leave of absence for a reasonable time as deemed medically necessary by their healthcare provider because of pregnancy, pregnancy-related conditions, and/or the birth, adoption, or placement of a child. The leave term may be extended in the case of extenuating circumstances or medical necessity. While registered under that status, students who choose to take a leave of absence under this policy can elect to keep their University's housing, subject to the payment of applicable fees.

To the extent possible, the University will take reasonable steps to ensure that students who take a leave of absence or medical leave return to the same position of academic progress that they were in when they took leave, including access to the same or an equivalent course catalog that was in place when the leave began.

Continuation of students' scholarships, fellowships, or similar University-sponsored funding during the leave term will depend on student registration status and the policies of the funding program regarding registration status. Students will not be negatively impacted by or forfeit their future eligibility for their scholarship, fellowship, or similar Recipient-supported funding by exercising their rights under this policy.

The OCRTIX can and will advocate for students with respect to financial aid agencies and external scholarship providers in the event that a leave of absence places eligibility into question.

In order to initiate a leave of absence, the student must contact the OCRTIX at least 30 calendar days prior to the initiation of leave, or as soon as practicable. The OCRTIX will assist the student in completing any necessary paperwork.

Nothing in this policy will be interpreted to impede or supersede another policy or contractual agreement related to leaves of absence for students.

**3. Certification to Participate**

All students should be informed of health and safety risks related to participation in academic and co-curricular activities, regardless of pregnancy status. A student may not be required to provide health care provider or other certification that the student is physically able to participate in the program or activity, unless:

The certified level of physical ability or health is necessary for participation;

- The institution requires such certification of all students participating; and

The information obtained is not used as a basis for pregnancy-related discrimination

**4. Student Athletes**

In accordance with Title IX, the University's Athletic Department will not exclude a student who is affected by pregnancy, childbirth or pregnancy-related conditions and allow them to fully participate on an athletic team, including all team-related activities. No coach or other athletics department personnel shall suggest to a student-athlete that their continued participation in a team will be affected in any way by pregnancy, childbirth or pregnancy-related conditions, parental status or marital status. The University will allow a pregnant or parenting student-athlete to fully participate on the team, including all team-related activities, unless the student-athlete's physician or other medical provider supplies documentation that participation is not medically safe.

**5. Lactation Spaces**

The University provides students with access to lactation spaces that are functional, appropriate, and safe. Such spaces are regularly cleaned, shielded from view, and free from the intrusion of others. Lactation Spaces

**B. Accommodations for Employees Affected by Pregnancy, Childbirth and Pregnancy-Related Conditions**

**1. Reasonable Accommodations.** The University provides reasonable accommodations to qualified employees who have known limitations related to pregnancy, childbirth, or related medical conditions, unless the accommodation would cause an undue hardship. Accommodation requests will be considered on a case-by-case basis considering the individual employee's needs and the needs of the department through an Interactive Process.

Some examples of accommodations are listed below; this is not intended to be an exhaustive list of all possible accommodations:

- Sip or drink water;
- Receive closer parking;
- Be allowed flexible hours;
- Receive appropriately sized uniforms and safety apparel;
- Receive additional break time to use the bathroom, eat, and rest;
- Take leave or time off to recover from childbirth;
- Be excused from strenuous activities and/or activities that involve exposure to compounds not safe for pregnancy.

**2. Leaves of Absence-** Employees may take a voluntary leave of absence related to pregnancy, childbirth, or related conditions in accordance with the leave policy applicable to their employment status. Pregnancy, childbirth, or a related condition will be regarded as a justification for leave without pay for a reasonable period of time. Employees who take leave under Title IX or other applicable law must be reinstated to the status held when leave began or a comparable position without a negative effect on any employment privilege or right.

**3. Lactation/Breastfeed/Chest feeding Procedures for Employees-** For up to one year after the child's birth, any University employee who is breastfeeding/chest feeding will be provided reasonable times and locations to express breast milk. The University provides employees with access to lactation spaces that are functional, appropriate, and safe. Such spaces are regularly cleaned, shielded from view, and free from the intrusion of others. Lactation Spaces

**C. Referral to Title IX Coordinator**

When an employee learns a student is affected by pregnancy, childbirth or pregnancy-related conditions, they should inform the student how to seek assistance from the Office of Civil Rights and Title IX and provide the following contact information:

Title IX Coordinator
Office of Civil Rights and Title IX Education and Compliance
4015 James H. Zumberge Hall
1 Campus Dr.
Allendale, Mi 49401
(616) 331-9530
titeix@gvsu.edu

**IV. DISABILITY RELATED ACCOMMODATIONS**

While pregnancy is not a disability, pregnancy-related medical impairments that are substantially limiting may be a disability as defined by the ADA. Students and employees who develop a substantially limiting medical impairment due to pregnancy, childbirth or related medical conditions should refer to the ADA Accommodation Policy for Faculty, Staff and Students with Disabilities. The OCRTIX ADA Coordinator, EAR, and SAR may simultaneously engage with students and employees needing reasonable accommodations for a disability-related reason.

**V. VIOLATIONS**

Employees who violate this policy may be subject to discipline. Failure to provide reasonable accommodation for a student or employee who has demonstrated that they are affected by pregnancy, childbirth or pregnancy-related conditions could be considered discrimination on the basis of sex and any such allegations would be evaluated under the University's Policy Prohibiting Discrimination, Harassment and Misconduct for All Faculty, Students, Employees, and Third Parties. Additionally, students or employees who report experiencing harassment, discrimination or misconduct on the basis of sex can report the conduct to OCRTIX by making a report, filing a complaint or submitting an anonymous notice as outlined in Policy Prohibiting Discrimination, Harassment and Misconduct for All Faculty, Students, Employees, and Third Parties.

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## EMAIL SIGNATURE BLOCK POLICY

SLT 11.2.1

**Date of Last Update:**
August 08, 2020

**Approved By:**

- Senior Leadership Team

**Responsible Office:**
Office of General Counsel

## POLICY STATEMENT

All faculty/staff communications from University email accounts should reflect the University's brand. To keep our brand identity strong and consistent, and to enhance credibility for our faculty and staff who communicate via email, all emails created by University employees and delivered via the University's email system should feature email signature blocks consistent with this policy.

An email signature block is text and other University information appended to the end of an email in order to identify the sender and facilitate further contact. Official University email signature blocks establish credibility for our faculty and staff by clearly identifying them and their roles at the University. The official signature block provides contact information for the employee and points email recipients to the University website, a key source of information about the University.

All emails using a University account should have signature blocks consistent with the University brand. The following items are permissible but not required:

- Employee's name

- Employee's official University title(s)

- Employee's department or office name

- Gender pronouns

- Grand Valley State University

- University's website address, www.gvsu.edu

- Department or Program website

- University or departmental trademarks or logos

- the University's general address or employee's University address

- Employee's department and/or office telephone number, and fax number

- Employee's mobile phone number

- Employee's campus email address

- Social media account addresses used solely for advancing scholarly or professional pursuits

- Other University related information may be added such as departmental mission statement, and a link to University created social media account(s)

- A confidentiality statement is permitted for use below the email signature on all outgoing emails, such as:

> The content of this email is confidential and intended only for the recipient(s) specified. If you received this message by mistake, please reply so the sender can correct the error, and then delete this email immediately. Do NOT forward it to a third party without the written consent of the sender.

Employees may not add to their official email signature block any personal information, including links to personal websites or social media accounts that are not used solely for scholarly or professional pursuits related to their position at the University. Except for messages of and concerning the University no mottos, symbols, quotations, taglines or other statements may be added

to the email signature block, as these may be misunderstood as representing the University's official positions, values or views.

All faculty and staff shall comply with this policy by creating an approved email signature block and using it consistently when communicating via their University email accounts. Should there be noncompliance to this policy, the individual's supervisor and/or vice president will enforce compliance through appropriate means.

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## ACCEPTABLE USE POLICY FOR PUBLIC AI SOLUTIONS

SLT 11.16

**Date of Last Update:**
April 14, 2025

**Approved By:**

- Senior Leadership Team

**Responsible Office:**
Information Technology

### POLICY

This policy applies to all members of the GVSU community, including students, faculty, staff, and any external partners engaged in activities involving AI in relation to university projects.

### POLICY STATEMENT

**Introduction**

At Grand Valley State University (GVSU), we recognize the value of artificial intelligence (AI) in contributing to human creativity, accessibility of information, and intellectual growth and are, therefore, committed to the responsible use of AI. This policy provides a framework for the ethical, legal, and responsible use of these technologies, ensuring such use aligns with our institutional mission, vision, and values.

**Purpose**

- To govern the use of AI and AI generative solutions at GVSU.
- To ensure these technologies are used in a way that upholds legal and ethical standards, respects privacy, and promotes transparency.
- To provide clear guidelines for all stakeholders within the GVSU community regarding the use of AI technologies.

**Permitted Uses**

The use of AI and AI generative solutions is generally permitted within the GVSU community, subject to the provisions of this policy and all other applicable University policies governing AI, including but not limited to individual course policies regarding the use of AI by students or other GVSU policies regarding the use of AI by faculty or staff.

Any users of AI or AI generative solutions should ensure such use does not introduce or amplify unjust bias, should disclose such use to recipients of any information generated, must uphold all privacy laws and safeguard data, and comply with all GVSU policies and procedures.

**Prohibited Uses**

The following activities are strictly prohibited when using public AI generative solutions:

1. **Malicious Use:** Users must not use AI generative solutions for any malicious purposes, including but not limited to creating harmful, defamatory, or fraudulent content.
2. **Harassment/Discrimination:** Language that would violate university policies protecting against harassment and discrimination.

a. Policy Prohibiting Title IX Sexual Harassment, Sexual Misconduct, and Discriminatory Harassment

3. **Impersonation:** Generating content that impersonates another individual or entity with the intent to deceive or defraud is prohibited.
4. **Illegal Activities:** Users must not generate content that promotes or facilitates illegal activities or infringes on the intellectual property rights of others.
   a. Information placed into AI must comply with all legal and regulatory requirements and GVSU's information security policy.
   b. Community members should also be aware of how AI models use the data provided to train their models.
5. **Personally Identifiable Information:** The entering into any AI or AI generative solution of any personal protected information, such as information governed by privacy laws including FERPA, which may include but are not limited to name, address, phone numbers, emails, social security numbers, or credit card numbers is strictly prohibited.
6. **Confidential and Proprietary Information:** The entering into any AI or AI generative solution of any confidential, privileged, or proprietary business information is strictly prohibited.

**Reporting and Enforcement**

- Violations of this policy must be reported to IT security for non-academic infringements and should be submitted via the IT Services portal at https://services.gvsu.edu/ and to Human Resources at https://www.gvsu.edu/hro/
- Academic misconduct and misuse, including cheating and plagiarism, are reported using the following GVSU forms:
  - Academic Misconduct Reporting Form:
    - https://cm.maxient.com/reportingform.php?GrandValley&layout_id=1
  - Office of Student Conduct and Conflict Resolution website:
    - https://www.gvsu.edu/osccr/academic-misconduct-policies-and-procedures-14.htm
- Research misconduct is reported to the Office of Research Compliance and Integrity (ORCI) or the GVSU Research Integrity Officer through the ORCI webpage.
  - https://www.gvsu.edu/rci/
  - Examples include academic misconduct committed by a student with no faculty member involvement or when a faculty member violates the policy as part of their scholarly activities.
- The Faculty and Staff Incident & Concern Reporting page may also be relevant:
  - https://www.gvsu.edu/inclusion/faculty-and-staff-incident-concern-reporting-212.htm
- Non-compliance of AI-prohibited uses will be addressed in accordance with university disciplinary procedures and may include sanctions up to and/or including dismissal, termination, or legal action.
- This policy supersedes any other AI policies, further clarification is available by department. Policies must align with this policy but may expand on it for divisions that need further clarification.

**Conclusion**

GVSU is dedicated to advancing AI technologies in a manner that is ethical, responsible, and aligned with our academic and community values. This policy aims to foster a culture of responsible AI use, ensuring these tools enhance our educational and research missions while protecting the rights and safety of all individuals in our community.

This policy is subject to updates and revisions as technology and its applications evolve. Users are responsible for staying informed about and complying with the latest version of this policy.

**Appendix**

1. Academic (6.1) and non-academic (6.2) issues:
   - https://www.gvsu.edu/policies/policy.htm?policyId=89004197-D426-2F19-45B12CC728F057DE
2. What should be followed when IT non-compliance issues are encountered:
   - https://www.gvsu.edu/policies/policy.htm?policyId=8813E892-F1CF-F1E6-E31ADF25052AE994&search=information+techn
   - An overview in PDF format:
     - https://www.gvsu.edu/cms4/asset/7B58A5E7-F4C2-114C-CCDA36F96BD2AF73/general_misconduct_flowchart.pdf
3. Artificial Intelligence use in a Research Project, Thesis, or Dissertation Policy for graduate programs:
   - https://www.gvsu.edu/gs/policies-and-procedures-58.htm
4. OURS Generative AI Policy:
   - https://www.gvsu.edu/ours/ssp/ours-generative-ai-policy-490.htm

5. Graduate School Policies and Procedures (pg. 45 for AI)
    - https://www.gvsu.edu/gs/graduate-education-policies-and-procedures-manual-33#GraduateAcademicPoliciesandRegulatio