

## University Policies for Student Life 2006-2007

This document is available electronically at <http://www.studentprograms.vt.edu/judicial/upsl.php>

### Table of Contents

- Section I - University Policies for Student Life
  - Section I.A. - Philosophy of University Policies for Student Life
  - Section I.B. - Scope and Interpretation of University Policies for Student Life
  - Section I.C. - Revision of University Policies for Student Life
- Section II - Student Code of Conduct
- Section III - The University Judicial System
  - Section III.A. - Jurisdiction
  - Section III.B. - University Judicial Procedures
  - Section III.C. - Provisions for Due Process
  - Section III.D. - Formal University Judicial Sanctions
  - Section III.E. Judicial Appeals
  - Section III.F. - University Judicial Records
  - Section III.G. - Interim Suspension Policy
- Section IV - The Virginia Tech Honor System
- Section V - Student Life Policies
  - Section V.A. - Access to Campus
  - Section V.B. - Advertising on Campus
  - Section V.C. - Acquired Immune Deficiency Syndrome (AIDS)
  - Section V.D. - Alcoholic Beverages and Other Controlled Substances
  - Section V.E. - Class Attendance and Classroom Conduct
  - Section V.F. - Demonstrations and Picketing
  - Section V.G. - Event Approval and Facility Use
  - Section V.H. - Films
  - Section V.I. - Hazing
  - Section V.J. - Intellectual Property
  - Section V.K. - Major Entertainment
  - Section V.L. - Religious and Ethnic Holidays
  - Section V.M. - Sales and Solicitation
  - Section V.N. - Sexual Harassment
  - Section V.O. - Sexual Misconduct
  - Section V.P. - Smoking Policy
  - Section V.Q. - Student Identification Cards
  - Section V.R. - Student Organizations
  - Section V.S. - Student Programming Organizations and University Advisement
  - Section V.T. - Telecommunications and Computer Systems
  - Section V.U. - Traffic and Parking Regulations
  - Section V.V. - University Names and Trademarks
  - Section V.W. - Weapons

## Section I. The University Policies for Student Life 2006-2007

### DISCLAIMER

**University Policies for Student Life (UPSL), published annually, contains current information about the university and regulations that apply to all students. This document is applicable to students matriculated at the Blacksburg campus, as well as those students at branch campuses, higher education centers or other university owned or leased properties. The university reserves the right to change those regulations during the academic year and notification is hereby given of that possibility. All changes will be outlined in a special ad in the Collegiate Times, and publicized by other appropriate means to the university community. The most current version of the University Policies for Student Life can be found online at <http://www.studentprograms.vt.edu/judicial/upsl.php>.**

**Degree requirements and regulations applicable to a particular college are available in the general catalog. The official name of the institution is Virginia Polytechnic Institute and State University. Virginia Tech is a more popular reference for the same institution. Both names are used interchangeably in this document. Complaints about any function of the university are ordinarily handled through the normal administrative chain. Students who wish to file a formal complaint should write a letter to the head of the administrative unit responsible for the area of complaint. The letter should detail the problem being complained of and the**

**redress requested. There are some types of complaints which have additional formal mechanisms for redress which are explained in University Policies for Student Life and other university documents. Students who desire assistance in determining the most appropriate avenue for addressing a specific complaint should contact the Dean of Students Office.**

## **Section I.A. - Philosophy of University Policies for Student Life**

Virginia Tech students are both individuals and members of a learning community. As individuals they enjoy basic rights; as members of the learning community, they also accept certain responsibilities. Virginia Tech is a place where the free exchange of ideas is valued and where every person is valued.

To support the educational mission of the university, to create an environment where all students have the same opportunity to succeed academically, and to promote health and safety, Virginia Tech has established policies that set minimum standards for student behavior. As an educational institution, Virginia Tech encourages students to rise above the minimum standards, to live and learn together in an atmosphere of mutual respect, and to learn the art of community.

Virginia Tech abhors behaviors that are racist, sexist, homophobic, or otherwise disrespectful or discriminating and strongly discourages these behaviors by any member of this community. Behaviors that violate the Student Code of Conduct are addressed through the student judicial system. For example, a student who threatens another individual with immediate physical harm has violated the abusive conduct policy and is subject to judicial action. Any behavior that is discriminating or otherwise hurtful to members of the community is addressed through educational interventions. Virginia Tech is committed to stopping these behaviors in this community.

### **The Virginia Tech Principles of Community**

Virginia Tech is a public land-grant university, committed to teaching and learning, research, and outreach to the Commonwealth of Virginia, the nation, and the world community. Learning from the experiences that shape Virginia Tech as an institution, we acknowledge those aspects of our legacy that reflected bias and exclusion. Therefore, we adopt and practice the following principles as fundamental to our on-going efforts to increase access and inclusion and to create a community that nurtures learning and growth for all of its members:

- We affirm the inherent dignity and value of every person and strive to maintain a climate for work and learning based on mutual respect and understanding.
- We affirm the right of each person to express thoughts and opinions freely. We encourage open expression within a climate of civility, sensitivity, and mutual respect.
- We affirm the value of human diversity because it enriches our lives and the University. We acknowledge and respect our differences while affirming our common humanity.
- We reject all forms of prejudice and discrimination, including those based on age, color, disability, gender, national origin, political affiliation, race, religion, sexual orientation, and veteran status. We take individual and collective responsibility for helping to eliminate bias and discrimination and for increasing our own understanding of these issues through education, training, and interaction with others.
- We pledge our collective commitment to these principles in the spirit of the Virginia Tech motto of *Ut Prosim* (That I May Serve).

### **A Few Words About Harassment...**

Virginia Tech is committed to providing a work and study environment for students, faculty, and staff that is free from all forms of harassment, intimidation, fear, coercion, and exploitation. Harassment is frequently directed at individuals because of age, color, disability, gender (including pregnancy), national or ethnic origin, political affiliation, race, religion, sexual orientation, or veteran status. Any such behavior is reprehensible and subverts the mission of the university. It can threaten the careers, educational experience, and well-being of all members of the community. Incidents of harassment should be reported to the Dean of Students Office. Formal and anonymous reports can also be made online at [www.safewatch.vt.edu](http://www.safewatch.vt.edu). The case may be handled judicially if the incident involves a violation of the Student Code of Conduct; otherwise, it may be handled through educational interventions or informal negotiations. When an alleged harasser is an employee of the university, the incident should be reported to the Office for Equal Opportunity. Such cases will be investigated and an opportunity will be provided for a fair hearing. In both offices, the individual who is accused of the act of harassment will be notified of the charge and given an opportunity to respond in a fair and impartial setting.

### **Equal Opportunity**

No student at Virginia Tech shall be discriminated against or harassed on the basis of race, age, sex, political affiliation, veteran status, disability, religion, national origin, or sexual orientation. Students or applicants for admission who feel they have been the victims of discriminatory action by the university or its personnel should contact the Office for Equal Opportunity. There is a time limit on complaints relating to federal anti-discrimination laws.

Allegations of discrimination relating to academic decisions, student discipline, or Honor System actions should be raised in the course of the particular proceeding, hearing, or appeal process. Concerns regarding general university policy about discrimination should be addressed to the director for equal opportunity (336 Burruss Hall, 231-7500).

#### **Americans With Disabilities Act of 1990**

No qualified individual with a disability shall be discriminated against or excluded from participation in or be denied the benefits of the services, programs, or activities at Virginia Tech. All student requests for accommodations and assistance should be directed to Services for Students with Disabilities. Students who feel they have been discriminated against because of a disability should contact Services for Students with Disabilities (150 Henderson Hall, 231-3788).

#### **Family Educational Rights and Privacy Act of 1974 (As Amended)**

To comply with the provisions of the Family Educational Rights and Privacy Act of 1974 (as amended), Virginia Tech will not release educational records or personally identifiable information contained therein, other than directory information, without students' written consent.

Directory information at Virginia Tech includes the student's name, address, telephone number, major field of study, whether the student is currently enrolled, enrollment status (e.g., full-time or half-time), anticipated date of graduation, dates of attendance, degree(s) earned (including date and level of distinction), participation in officially recognized activities and sports, and weight/height of members of athletic teams. Directory information will be withheld upon written request of the student.

Such prohibition against release generally does not extend to record requests from other school officials at Virginia Tech, state and federal education authorities, courts, or accrediting organizations. Questions concerning this policy may be referred to the Office of Judicial Affairs (108 Dietrick Hall, 231-3790).

### **Section I.B. - Scope and Interpretation of University Policies for Student Life**

The following sections contain general university policies for student life. All Virginia Tech students are required to know and to comply with these policies. Other publications that contain specific student life policies for those students who choose particular lifestyles include:

1. The Corps of Cadets regulations and other official directives, which specify additional and/or different policies governing cadet student life.
2. The Fraternity and Sorority Life Manual, which specifies additional and/or different policies governing residence life in "The Oak Lane Community" (also known as Special Purpose Housing).
3. The Housing and Dining Contract as well as the publication **Room and Board...and So Much More** specifies additional and/or different policies for students living in or visiting the residence halls.

**University Policies for Student Life**, published annually, serves as a guide to current information about the university and regulations that apply to all students. Policies are valid for the period given on the title page. The university reserves the right to change those policies during the academic year and notification is hereby given of that possibility. Any such changes will be published in the **Collegiate Times** and will appear in the electronic version of **University Policies for Student Life** (<http://www.studentprograms.vt.edu/judicial/upsl.php>). Students are expected to keep themselves informed on all policies affecting them. Students may obtain written clarification of any policy in this document by writing to the vice president for student affairs or the director of judicial affairs.

### **Section I.C. - Revision of University Policies for Student Life**

Policies found in this document can be established by one of two methods. University Council and the university commissions constitute the main resident bodies for university policy formulation. The university commissions formulate and recommend policies to the University Council, which in turn makes recommendations to the president of the university. Final authority rests with the president and the board of visitors.

Vice presidents have the authority to issue administrative policy. Directors and department heads may issue procedures associated with this policy. Administrators are responsible for the accuracy and timeliness of policies and procedures relating to their areas or departments, and are also responsible for providing proper notification of changes and updates to these policies and procedures.

The UPSL Policy Review Committee reviews the contents of this document for accuracy on an annual basis. Recommendations, additions, deletions, and corrections on the material contained in University Policies for Student Life (UPSL) should be forwarded to the Office of Judicial Affairs.

## **Section II - Student Code of Conduct**

### **1. Abusive Conduct**

Any words or acts that cause physical injury, or threaten any individual, or interfere with any individual's rightful actions, including but not limited to the following:

- a. Assault- Words or actions that would cause an individual reason to fear for his or her immediate safety. Words can constitute assault when they are accompanied by the ability to inflict immediate harm.
- b. Battery- The use of physical force against an individual.
- c. Sexual Harassment- Unwelcome sexual advances, requests for sexual favors, and other verbal, non-verbal, or physical conduct of a sexual nature, under certain circumstances. (See Section V.n. for additional information about Sexual Harassment.)
- d. Sexual Misconduct -Sexual contact without consent. (See Section V.o. for additional information about Sexual Misconduct.)
- e. Stalking -Repeatedly contacting another person when the contact is unwanted. Additionally the conduct may cause the other person reasonable apprehension of imminent physical harm or cause substantial impairment of the other person's ability to perform the activities of daily life. Contact includes but is not limited to communicating with (either in person, by phone or computer) or remaining in the physical presence of the other person.

## **2. Actions Leading to the Conviction of Criminal Offenses**

Any student convicted of a criminal offense is subject to university disciplinary action.

## **3. Alcoholic Beverage Policy**

Each student is expected to comply with the alcohol regulations of the Commonwealth of Virginia and the university. Virginia Tech recognizes that the misuse and abuse of alcohol is a persistent social and health problem of major proportion in our society and that it interferes with the goals and objectives of any educational institution. Accordingly, Virginia Tech does not encourage the use of alcoholic beverages and strongly discourages illegal or otherwise irresponsible use of alcohol. Members of the university community are accountable for their decisions regarding use of alcohol as well as behavior that occurs as a result of these decisions. Virginia Tech fully complies with the alcohol regulations of the Commonwealth of Virginia. All state laws apply to Virginia Tech students. See Section V.D. for additional information about Alcoholic Beverages.

## **4. Climbing**

Unauthorized climbing inside or outside campus buildings or structures.

## **5. Damage or Destruction**

Damage or destruction of property belonging to the university or to any member of the university community.

## **6. Disorderly Conduct**

Behavior that disrupts or interferes with the orderly functioning of the university, disturbs the peace, or interferes with the performance of the duties of university personnel.

## **7. Drugs**

Possession, use, manufacture (synthesis or growth), possession with intent to manufacture, sale, dispensation, or distribution of any illegal drug or substance controlled under state or federal law.

Refer to Section V.D. for additional information about Controlled Substances.

## **8. Failure to Comply with a University Official**

Failure to comply with a request by an authorized university official, including failure of a student to present his/her university identification card when requested by an authorized university official. Upon the request of the student questioned, the university official must show identification and state the source of his/her authority. Among those officials who may request a student's identification card are staff members from the: Athletic Association, bookstore, dining halls, and security, cadet officers or members of the cadet guard, faculty members, and residence hall staff members or house supervisors, as well as any staff member within the Division of Student Affairs.

## **9. Failure to Observe Rules and Regulations**

Failure to observe rules and regulations issued by the university, including all publications and notices pertaining to student life and student services. (Publications for which all students are accountable include University Policies for Student Life, Parking and Traffic Regulations, and any written policies distributed to affected students by the university administration. Residence hall students are accountable for the housing contract and information outlined in **Room and Board...and So Much More!**, cadets are accountable for cadet regulations, directives, and policies, and affected fraternities/sororities are responsible for the Fraternity and Sorority Life Manual.)

## **10. Fireworks/Explosives/Hazardous Chemicals/Weapons**

Unauthorized possession or use of fireworks, explosives, or weapons is prohibited. Hazardous chemicals that could pose a health risk are also prohibited from the campus, including chemicals that, when combined with other substances, could be hazardous or present a danger to others.

Unauthorized possession, storage (in vehicles on campus as well as in the residence halls), or control of firearms and weapons on university property is prohibited. (NOTE: Organizational weapons of the Virginia Tech Corps of Cadets, approved by the commandant, are not prohibited by this policy.) Firearms are defined as any gun, rifle, pistol, or handgun designed to fire bullets, BBs, pellets, or shots (including paint balls), regardless of the propellant used. Other weapons are defined as any instrument of combat or any object not designed as an instrument of combat but carried for the purpose of inflicting or threatening bodily injury. Examples include (but are not limited to) knives with fixed blades or pocketknives with blades longer than four inches, razors, metal knuckles, blackjacks, hatchets, bows and arrows, nun chahkas, foils, or any explosive or incendiary device. Possession of realistic replicas of weapons on campus is prohibited. Students who store weapons in residence hall rooms, who brandish weapons, or who use a

weapon in a reckless manner may face disciplinary action that may include suspension or dismissal from the university.

Refer to Section V.W. for additional information about Weapons.

#### **11. Forgery or Fraud**

Forgery or fraud, including attempts to obtain any item of value under false pretenses, or falsification of official university documents is prohibited.

#### **12. Gambling**

Participation in any form of illegal gambling is prohibited.

#### **13. Hazing**

Hazing is a criminal offense in the Commonwealth of Virginia. Hazing is considered a serious violation of university policy and is prohibited in all forms.

Specifically, hazing is defined as subjecting a person to any mental or physical requirement, request, or obligation that could cause discomfort, pain, fright, disgrace, injury, that is personally degrading, or that violates any federal, state, or local statute or university policy, the willingness of an individual to participate in such activity notwithstanding. Concurrently, the National Interfraternity Conference, the National Panhellenic Conference, and National Pan-Hellenic Council state unequivocally that hazing has no place in the collegiate fraternity and sorority system. In addition, the members of the Corps of Cadets are subject to the Virginia Tech Corps of Cadets Regulations Manual. In determining whether a specific behavior violates the hazing policy, consideration will be given to the behavior's relationship to the university's mission and purpose.

Refer to Section V.I. for additional information about Hazing.

#### **14. Involvement in a University Violation**

Presence during any violation of University Policies for Student Life in such a way as to condone, support, or encourage that violation is prohibited. (Note: Students who anticipate or observe a violation of university policy are expected to remove themselves from participation and are encouraged to report the violation.)

#### **15. Misuse of Fire-Fighting Equipment/Arson/Disregard of Fire Alarm Signals/Tampering**

a. Misuse of fire-fighting equipment, including tampering, removing, or discharging a fire extinguisher or any other fire emergency equipment except when there is a real need for such equipment is prohibited.

b. Unauthorized burning of any material in any university building or on university property, including arson is prohibited.

c. The disregard of a fire alarm signal or refusal to evacuate a building or a section of a building when a fire alarm is sounding is prohibited.

d. Tampering with detection or suppression equipment, including deliberately initiating false alarm or creating conditions that results in a false alarm, or any tampering that would cause a malfunction or nonfunction is prohibited.

#### **16. Identification Cards**

The possession or manufacture of any false or altered form of identification, the improper use of any identification card, including knowingly altering or mutilating a university student identification card, or using the identification card of another, or allowing one's own card to be used by another is prohibited.

#### **17. Perjury/Furnishing False Information**

a. Knowingly giving false testimony in a university judicial investigation or hearing is prohibited.

b. Knowingly giving false information to a university official who is performing his/her official duties is prohibited.

(Note: Lying to a faculty member with respect to academic work is covered under the honor system.)

#### **18. Public Nudity**

Any act of public nudity, including but not limited to streaking, mooning, and urinating in public is prohibited.

#### **19. Tampering With University Equipment**

Tampering with any elevator, wiring, plumbing, or other university equipment without prior authority from the appropriate university official is prohibited. Tampering with equipment so as to endanger oneself or others may result in serious disciplinary action for a first offense.

#### **20. Theft**

a. Theft, including shoplifting or possession of stolen property is prohibited. Theft of property having substantial value may result in serious disciplinary action for a first offense.

b. Unauthorized use of a computer or the unauthorized use of a telephone authorization code is prohibited.

#### **21. Throwing Objects from Windows**

Throwing or dropping any object or material from a university building is prohibited.

#### **22. Unauthorized Entry**

Entering or being present in university buildings, rooms, or other areas without proper authority is prohibited. (Note: Closing hours will be published as necessary. For convenience, closing hours will be posted at main entrances to buildings, but the absence of such posted notices is not to be treated as excusing a violation of this policy.)

#### **23. Unregistered Motor Vehicle**

Keeping an unregistered motor vehicle on university property is prohibited.

#### **24. Visitation/Guest**

Unauthorized persons are not allowed in residence halls. A student/organization must be escorted when visiting in a

residence area for the opposite sex. Visitation options vary among residence halls. Students are expected to know the visitation policy that applies to their residence and to that of the person(s) they are visiting. A guest is any person, other than authorized university officials, who does not live in the specific residence hall. Students/Organizations will be held responsible for the conduct of their guests. Students/Organizations who invite guests to campus and the residence halls are expected to inform them of all university rules and regulations. Overnight lodging of members of the opposite sex is not permitted. Refer to **Room and Board...and So Much More!** for additional information regarding residence hall visitation rules and regulations.

### Section III - The University Judicial System

The University Judicial System affects and applies to all currently enrolled students and to all registered student organizations. Its major purpose is to help create a fair, just, and disciplined university community. The University Judicial System supports the educational mission of the university by educating students about appropriate behavior and by fostering a community in which academic success can occur. The system is based on the assumption that students and groups have the capacity to assume responsibility for their own behavior and that the university has the authority to establish an internal structure for the enforcement of its policies and procedures, which students have agreed to accept by enrolling in the university.

The University Judicial System is an educational tool with two main objectives: to hold students accountable for unacceptable behavior and to modify those behaviors deemed unacceptable by the university. The system strives to address unacceptable behavior in a manner that informs and guides students toward a greater sense of personal responsibility and toward more mature and ethical standards.

#### Section III.A. - Jurisdiction

The president of Virginia Tech is ultimately responsible for the discipline of all students at the university. Administrative authority and responsibility for judicial policies and procedures is delegated to the vice president for student affairs. Within the Division of Student Affairs, direct supervisory jurisdiction of disciplinary matters involving violations of University Policies for Student Life is assumed by the Office of Judicial Affairs. The director of judicial affairs serves as the chief judicial officer for the university.

Students and student organizations will be considered for disciplinary action whenever violations are committed on university property. For the purposes of disciplinary action only, a student is defined as any individual who has accepted an offer of admission as an undergraduate, graduate, or professional student and who has not yet graduated or officially transferred to another institution. If a student's enrollment lapses for more than one calendar year, the student will no longer be subject to disciplinary action under this policy. For violations that do not occur on university property, action will be considered if university officials decide that university interests are involved. Disciplinary action may be taken by the university for any act constituting a violation of the law when the act is contrary to the university's interests as an academic community. For example, the university may act on information received from other higher education institutions and other agencies from across the Commonwealth of Virginia. Additionally, Virginia Tech will share information about individuals visiting our campus who engage in misconduct with other institutions as appropriate. The university is especially concerned about high-risk consumption of alcohol and other drug use which threatens the lives, health, safety, and academic success of our students and has deemed off-campus violations of the alcoholic beverage and illegal drug policies to be actionable in the university judicial system. When conduct violates both civil law and the policies found in University Policies for Student Life, disciplinary action may be taken by the university, irrespective of and separate from action taken by civil authorities. The university may proceed with disciplinary action before a trial or postpone action until after a trial, depending on the circumstances of the case. The policies and procedures of the university judicial system are designed to provide students with a fair and equitable resolution of their involvement in alleged misconduct.

The Commandant of Cadets administers those elements of the judicial system that adjudicate alleged violations of cadet regulations, directives, policies, and the Cadet Honor Code. The Office of Judicial Affairs in conjunction with the appropriate office (Fraternity and Sorority Life for Greek letter organizations and the Office of Student Activities for all other student organizations) will administer those elements of the judicial system that adjudicate allegations of misconduct related to student organizations.

Direct supervisory jurisdiction is assumed by the Office of Judicial Affairs. It is the responsibility of the Office of Judicial Affairs to coordinate the adjudication process among the various adjudicating agencies.

#### Section III.B. - University Judicial Procedures

Any student, faculty member, staff member, or administrator may bring an alleged policy violation to the attention of the Office of Judicial Affairs for judicial action. Formal action requires evidence and/or testimony by the person referring the case to judicial affairs. Persons who plan to bring a complaint against a Virginia Tech student should notify the Office of Judicial Affairs of their intention to do so as quickly as prudently possible.

Alleged violations of misconduct by cadet students normally result in hearings by one of two separate and distinct judicial bodies—the Cadet Honor Court or the Cadet Executive Committee. Both bodies make recommendations to the Commandant of Cadets for final disposition within the Corps of Cadets. Violations of cadet regulations, directives, and policies which also may constitute a violation of the Student Code of Conduct are forwarded to the University Judicial System for further review and possible university action.

The University Judicial System is supported by a number of student affairs faculty, who are appointed as university judicial officers. These individuals have been specifically trained in judicial programs and are knowledgeable about university policies and judicial system precedent. Judicial Committees conduct hearings when referred students request peer review of their case. Judicial Committees are comprised of five students who are specifically trained in the university judicial process. Hearings involving alleged sexual misconduct will be adjudicated by a mixed sex team of administrative university judicial officers or a student judicial committee.

Reports of alleged violations of university policies involving students shall be reviewed by a university administrator for possible university administrative action. The university administrator shall review the incident and assess the information provided. The involved student will be advised, in writing, of the infraction and of the sanction to be imposed.

Cases in which deferred suspension, suspension, or dismissal will be considered shall be referred to the Office of Judicial Affairs for assignment to the appropriate adjudicating body for a formal hearing. For cases in which a student is subject to less severe disciplinary sanctions, the student may request, in writing, a formal hearing within seven business days after such notification, and the case shall be assigned to the appropriate adjudicating body for a formal hearing. If a hearing request is not received within the required time, such inaction shall be taken as agreement with the action, and the sanction set out in the notice shall be imposed without further notice to the student. In that situation, the student forfeits his/her right to appeal the administrative action decision.

### Section III.C. - Provisions for Due Process

A student or organization who is alleged to have violated **University Policies for Student Life** is entitled to the following procedural guarantees to ensure a fair hearing:

1. The student or organization will be provided with a written statement of charges sufficiently in advance of the hearing and in reasonable detail to allow the student or organization to prepare a case for the hearing.
2. Although students or organizational representatives may remain silent during a hearing, they may choose to refute or question any evidence or witnesses and will be given an opportunity to present a rebuttal to the charges and to produce witnesses or written affidavits on their own behalf.
3. To help them prepare their response, students or organizational representatives may choose an advisor, who may be present at the hearing but may not participate in the proceedings. The advisor's role is specifically limited to conferring with her or his advisee. When the hearing involves an assault, the complainant and accused student may have a support person or advisor present throughout the hearing, but the support person may not participate in the hearing process.
4. At a hearing, the student or organizational representative may challenge the objectivity of any committee member or administrator, given reasonable cause to believe that the member may be biased or have a conflict of interest. (In the case of a committee hearing, the committee advisor will make a final ruling on any such challenge.)
5. The outcome of the hearing will be determined solely on the basis of evidence presented during the hearing. A determination of responsibility is made when the preponderance of evidence supports the charge(s).
6. After the hearing, the student or organization may appeal the decision of the hearing officer or committee, provided there are appropriate grounds as found in Section III.e. Judicial Appeals.

### Section III.D. - Formal University Judicial Sanctions

The following judicial sanctions may be imposed upon a student or student organization for violation of university policy. Judicial sanctions are generally cumulative in nature. This information will only be relevant after a student is found responsible for the violation. When multiple incidents occur over a short period of time, judicial hearings are usually scheduled in chronological order according to the date of the incident(s), and all judicial records are considered in determining an appropriate sanction. Scholarship and student aid committee policy states that university scholarships are withdrawn for students on suspension or deferred suspension, where acceptable university citizenship is a condition of the aid. This policy affects private and some state awards, but does not affect federal aid such as BEOG, SEOG, NDSL, SSIG work study, and guaranteed student loans.

1. **Formal Warning** Student/organization is officially notified that his or her actions have constituted a violation of university policies and are, therefore, inappropriate. Further violations may result in more serious disciplinary action.
2. **Restitution** Student/organization is required to make restitution for damage to university or private property. Restitution may be in the form of monetary payment or community service.
3. **Educational Activity** Student/organization is required to demonstrate his or her responsibility as a member of the university community by performing certain reasonable and relevant educational activities. **Failure to complete the educational activity by the time prescribed by the judicial officer/committee will result in one semester of suspension from the university (excluding summer). Failure of student organizations to complete the**

**educational activity by the time prescribed by the judicial officer/committee will result in withdrawal of university recognition for one semester (excluding summer).**

**4. Probation** Student is notified that his or her status with the university for a specified period of time is such that further violations of university policies will result in his or her being considered for suspension from the university. If at the end of the specified time period no further violations have occurred, the student is removed from probationary status. Student organizations are notified that their status with the university for a specified period of time is such that further violations of university policy will result in being considered for loss of recognition from the university.

**5. Denial of Privileges or Associations** Student/organization is notified that, for a specified period of time, certain privileges or associations within the university are withdrawn. This sanction includes, but is not limited to, termination of residence hall contract, removal from athletic events, removal from the Corps of Cadets, denial of the privilege of participating in recreational sports activities, and revocation of the privilege of accessing certain university facilities and revocation of social function privileges for student organizations.

**6. Deferred Sanction** In some cases, a sanction of suspension or a denial of privilege may be held in abeyance for a specified period. This means that, if the student/organization is found guilty of any violation during that period, he or she will be subject to the deferred sanction without further review in addition to the disciplinary action appropriate to the new violation. During this time, the certain student organizations may be prohibited from participating in any social functions. For students involved in serious misconduct, the conferring of an academic degree will be deferred for the duration of the sanction.

**7. Suspension from the University** Student is notified that he or she is separated from the university for a specified period of time. Students who are suspended must leave campus within the time prescribed by the hearing/appeal officer. Permission to return to Virginia Tech may be required by the director of judicial affairs. This must be completed before a student will be permitted to re-enroll. If the decision to suspend a student is made in an academic semester, imposition of the suspension may be delayed until the following semester. A notation is placed on the student's academic transcript: "suspended by university action." For student organizations, recognition with the university is withdrawn for a specified period of time. Permissions to regain status may be required by the director of judicial affairs and other appropriate university officials. For students involved in serious misconduct that could result in suspension, the conferring of an academic degree will be deferred for the duration of the suspension.

**8. Dismissal** Student is notified that he or she is permanently separated from the university. A notation is placed on the academic transcript: "dismissed by university action." Student organization is notified that the university is permanently removing recognition of the organization. For students involved in serious misconduct that could result in dismissal, the conferring of an academic degree will be deferred.

**9. Interim Suspension** The university retains the authority to impose an interim (immediate) suspension if such action is necessary to preserve the safety of persons or property. In this instance, students/organizations will be afforded a preliminary hearing and an opportunity to show why their continued presence on campus does not constitute a danger to others, to themselves, or to property. A full hearing in compliance with **University Policies for Student Life** will be provided as soon as possible.

### Section III.E. - Judicial Appeals

An appeal is defined as a request for review of the original case, which may involve a review of the judicial decision as recorded on paper, a new hearing, or other procedures as described below. The burden is on the appealing student/organization to demonstrate why the finding or sanction should be altered. Sanctions are not applied pending the action of the official considering the appeal.

Students/organizations may appeal their cases on forms available from the Office of Judicial Affairs. Appeals may be based only on the following grounds: (1) denial of due process, (2) significant and relevant new evidence that was not available at the time of the hearing, and/or (3) sanctions that are unduly harsh or arbitrary. Appeal requests will be denied in cases not having sufficient grounds in one or more of these areas.

A written request for an appeal, stating the specific grounds upon which the appeal is based, must be received in the Office of Judicial Affairs by the end of the seventh business day following notification of the decision regarding the case.

Appeals submitted after the seventh business day may not be accepted.

The associate vice president for student affairs (or his/her designee) will review the appeal form and the entire record of the case. After reviewing the case, and depending upon the demonstrated grounds for appeal, the university official may take any of the following actions:

1. Alter or sustain the original finding and/or sanction;
2. Return the case to the original hearing authority for further consideration, or;
3. Refer the case to a new hearing authority for a re-hearing.

The action of the official considering an appeal will be communicated to the student/organization in writing. This decision is the final step in the formal appeal process. Judicial decisions by the appellate officer represent the final university decision in the case.

### Section III.F. - University Judicial Records

Student judicial case records are private and will not be released without a student's written consent or by order of a court of law. Exceptions are noted below. A copy of judicial case materials will stay on file in the Office of Judicial Affairs for a period of five years from the date of the incident, after which time it will no longer be released.. Notification of judicial action taken against students is made on a need-to-know basis and includes the Commandant of Cadets in cases involving cadets, the Office of the Graduate School in cases involving graduate students, the director of Cranwell International Center in cases involving international students, the Athletic Department in cases involving varsity athletes, the director of residence life in cases involving residence hall students, and victims of violent crime (including sexual assault) involving student perpetrators. Parents of students under age 21 will be notified if their son or daughter is found responsible for a violation of the alcoholic beverage or illegal drug policies and which leads to a sanction of deferred suspension, suspension, or dismissal. Other university agencies or organizations may be required to obtain written release before they can receive notification. Copies of all judicial sanction letters are sent to the Office of Judicial Affairs. Judicial cases involving student organizations are not private. Accordingly, sanction letters are sent to organizational advisors and national headquarters. In the case of suspension or dismissal, notification is sent to the Office of the University Registrar, the chief of the Virginia Tech Police, and the student's academic dean. In the case of suspension, a temporary notation is placed on the student's official transcript: "suspended by university action" and the duration of the sanction. Upon the request of the student, this notation may be removed at the end of the suspension period. These requests should be made to the director of judicial affairs. In the case of dismissal, a permanent notation is made on the student's transcript: "dismissed by university action." Lesser sanctions, such as warning and probation, do not affect a student's academic standing and do not appear on the official transcript.

### Section III.G. - Interim Suspension Policy

The university retains the authority to impose an interim (immediate) suspension if such action is necessary to preserve the safety of persons or property. In this instance, the students will be afforded a preliminary hearing and the opportunity to show why their continued presence on campus does not constitute a danger to themselves, others, or property. A full hearing in compliance with University Policies for Student Life will be provided as soon as possible. Students who engage in violent behavior, threaten themselves or others with violence, or act in an uncontrollably harmful manner, or otherwise threaten the health or safety of the university community may be immediately suspended from the university or selected campus facilities with proper notice. The following steps explain the procedure for imposing an interim suspension:

1. When a particularly dangerous situation, as defined above, occurs, a university official and an officer from the Virginia Tech Police Department may be called to assess the situation and interview the student involved.
2. If the university official determines that the situation is sufficiently serious, the university official may ask the student to submit to an immediate medical evaluation. The evaluation may include a 24-hour period of observation.
3. The student will be evaluated by a Student Health Services staff physician and/or therapist. Results of this evaluation will be shared with the appropriate university officials. Agreeing to this evaluation does not preclude interim suspension or additional disciplinary action being taken in the future. If the student agrees to an evaluation, the preliminary hearing to determine if the interim suspension will be imposed may be delayed until the evaluation is completed.
4. If the student refuses to be evaluated, or if the university official determines that such an evaluation is not needed, the university official will call an associate vice president for student affairs for the purpose of holding a preliminary hearing to consider interim suspension. The student facing possible interim suspension will receive written notice that the preliminary hearing is being scheduled.
5. The preliminary hearing will be held immediately. The student, the responding university official, a Virginia Tech Police officer, and other witnesses as deemed appropriate by the hearing officer will attend the hearing. During the preliminary hearing, the student will be given an opportunity to demonstrate why his or her continued presence on campus does not constitute a danger.
6. Based on the outcome of the preliminary hearing, the student may be suspended from the university or selected campus facilities until a formal judicial hearing can be convened. The decision of the interim suspension hearing officer will be final. There will be no appeal.
7. If a student is suspended, he or she will receive written notice of this decision. A formal judicial hearing to determine the consequence of the initiating inappropriate behavior will be scheduled within 72 hours of the interim suspension, if possible.
8. If suspended, the student will be escorted out of the facility and/or off campus by a Virginia Tech Police officer.

### Section IV - The Virginia Tech Honor System

The Virginia Tech Honor Code embodies a spirit of mutual trust and intellectual honesty that is central to the very nature of the university and represents the highest possible expression of shared values among the members of the university community.

The fundamental beliefs underlying and reflected in the Honor Code are (1) that trust in a person is a positive force in making that person worthy of trust, (2) that every student has the right to live in an academic environment that is free

from the injustices caused by any form of intellectual dishonesty, and (3) that the honesty and integrity of all members of the university community contribute to its quest for truth.

The functions of the Honor System are to communicate the meaning and importance of intellectual honesty to all students of the university; to articulate and support the interest of the community in maintaining the highest standards of conduct in academic affairs; and to identify, sanction, and educate those who fail to live up to the stated expectations of the university community with regard to these standards.

The Honor Code is the university policy that defines the expected standards of conduct in academic affairs. The Honor System is the university body charged with disseminating information about the Honor Code to the university community and with enforcement of the Honor Code. The student body at Virginia Tech will not tolerate any violation of the Honor Code.

The Honor Code expressly forbids the following academic violations:

1. Cheating - Cheating includes the actual giving or receiving of any unauthorized aid or assistance or the actual giving or receiving of any unfair advantage on any form of academic work, or attempts thereof.
2. Falsification - Falsification includes the statement of any untruth, either verbally or in writing, with respect to any circumstances relevant to one's academic work, or attempts thereof. Such acts include, but are not limited to, the forgery of official signatures, tampering with official records, fraudulently adding or deleting information on academic documents such as add/drop requests, or fraudulently changing an examination or other academic work after the testing period or due date of the assignment.
3. Plagiarism - Plagiarism includes the copying of the language, structure, ideas and/or thoughts of another and passing off same as one's own original work, or attempts thereof.

The Virginia Tech Honor Pledge is "I haven't either given nor received unauthorized assistance on this assignment."

All students, upon admission to the university, have pledged to abide by the Honor Code. The Honor Code applies to all assignments and examinations. A student who has doubts about whether or how these obligations apply to a particular assignment or examination is responsible for obtaining specific guidelines from the instructor before submitting the work for evaluation.

The Honor System is primarily a student run organization, with significant faculty participation. The chief justice is a student appointed by the president of the university and is responsible for the overall coordination of Honor System activities. A faculty advisor and chair of the review board are also appointed by the president.

When a case is reported to the Honor System, an associate justice is assigned. The associate justice takes the statements from all people involved and collects all evidence. The total evidence is presented to a judicial panel where accused students have the right to present evidence and question any witnesses. The accused student has specific rights including the right to speak or refrain from speaking on their own behalf and to be considered innocent until proven guilty. The judicial panel, comprised of four students and one faculty member, will determine whether the accused is guilty or not guilty. If the student is found not guilty, he or she may not be tried again for the same offense. If the student is found guilty, the judicial panel will recommend a sanction. All sanctions include probation and education, may include a grade penalty, hours, or suspension depending upon the severity of the offense. Second offenses while on probation will result in permanent dismissal from the university. The Honor System review board reviews all sanctions and makes a final recommendation to the Office of the Provost. A student has the right to appeal a verdict to the review board, within thirty class days after the judicial panel heard the case, on the basis of a violation of the student's rights, arbitrary or capricious treatment, or new evidence.

The constitution of the Virginia Tech Undergraduate Honor System and additional information concerning the Honor System may be obtained from the Honor System website at [www.honorsystem.vt.edu](http://www.honorsystem.vt.edu) or from the Office of the Virginia Tech Honor System (333 Squires Student Center, 231-9876) or by e-mail [honorsys@vt.edu](mailto:honorsys@vt.edu).

## Section V - Student Life Policies

### Section V.A. - Access To Campus

Any person who engages in unlawful or disruptive conduct or violates university policy may be asked by a university official to leave campus. Failure to comply with such requests and failure to abide by regulations governing the use of university facilities constitute trespassing under Virginia state law and may lead to disciplinary action and/or arrest. Access to certain university facilities supported by the comprehensive student fee may be limited to those currently enrolled students who have paid the fee. Students should be prepared to present their university identification cards in order to access a facility or service supported by the comprehensive fee. Students who misuse identification cards in order to access university facilities or services may be referred for judicial action.

### Section V.B. - Advertising on Campus

Students and student organizations and university-affiliated individuals, organizations, and departments may distribute literature, post signs, publicize, and advertise on campus in accordance with the following regulations. Failure to comply with these policies may subject the responsible organization or individuals to fines for property damage and/or cleanup costs.

**Approval and Guidelines:**

1. The event, sale, or product to be advertised must be approved by the appropriate administrative official prior to advertisement.
2. Permission must be obtained from the Residence Life Department when the advertising is to occur in residence halls or from UUSA Event Planning when advertising is to occur in any other area.
3. The advertisement, publicity, sign, banner, flyer, or literature must be in good taste and appropriate for its intended purpose.
4. The name of the sponsoring organization and the meeting or event date, time, and location must be printed in English on the poster or notice. Another writing on the poster that is not in English must be translated into English on the front of the poster.
5. Markings on walkways, roadways, or other permanent structures on campus with chalk, paint, or any other material is prohibited.

**Advertising:**

1. Advertising for commercial (i.e., profit-making) purposes by businesses, organizations, entities, or individuals not associated with the university is prohibited.
2. Any advertisements that would appear to commercialize the campus are not allowed. Advertisements and brochures for business-related activities may not be posted or displayed on university property.
3. When the name of a product or non-university-affiliated entity appears on posted literature, the primary purpose of the poster must be a sponsorship to recognize support of the activity, event, or student organization, and not the commercial advancement of the nonuniversity entity or the product.
4. Promoting sale or consumption of alcoholic beverages on campus or advertising alcoholic beverages in university publications is prohibited. Alcoholic beverage manufacturers may sponsor public service announcements in university publications that do not promote alcoholic beverages and are in strict compliance with specific regulations developed by the Alcoholic Beverage Control Board.
5. The university mail service, including on-campus mail, is for official university correspondence only. It should not be used for personal correspondence, advertising, or mass mail.
6. The university's computers, internal networks, and national networks are not to be used to distribute personal advertisements or information that will result in personal gain. Such use violates university policy and the laws of the Commonwealth of Virginia. This does not prohibit or limit computer bulletin boards or newsgroups from having "For Sale" conferences. Violations will be dealt with through Policy 2015, "Acceptable Use of Computer and Communications Systems," Acceptable Use Guidelines, State Standards of Conduct, or University Policies for Student Life.

**Distribution:**

Flyers may not be placed on windshields of vehicles parked on university-owned or leased property or parked in any university parking lot. Distribution of advertisements or literature must be accomplished in such a manner as to avoid litter or disruption. Permission must be obtained in writing from the Office of Student Programs for distribution inside the residence halls. The collection of literature, when necessary, will be limited to designated central locations. Slipping literature under doors inside residence halls is not permitted.

**Posting Materials:**

Posted advertisements, with the exception of banners promoting school spirit, may be placed on general-purpose bulletin boards or sandwich boards designated for that purpose. Sandwich board placement anywhere on campus must be approved by UUSA Event Planning.

Advertisements are not to be placed on interior or exterior doors, interior or exterior walls, windows, fences, directional or informational signs, lamp posts, light poles, barricades, trees, or any other location that is not appropriate. Posted advertisements must be removed no later than 24 hours after the event. No posting of any type is permitted in classrooms.

**Banners:**

All banners must be approved prior to being hung on designated campus buildings. Permission to hang banners must be granted by UUSA Event Planning.

**Bulletin Boards:**

Student organizations may post advertising on bulletin boards marked "General Purpose Bulletin Boards," which are identified throughout the campus and labeled as such for use by students and student organizations to advertise activities and events. Each department and college will continue to maintain its own bulletin boards for academic and professional purposes. Advertisements may not be placed on academic, resident advisor, or Residence Hall Federation bulletin boards. All general-purpose bulletin boards will be cleared at the end of every semester. No more than one poster or notice for the same event may be placed on a bulletin board. When posting announcements on bulletin boards, use the following guidelines:

1. Avoid placing posters on top of other posters.

2. Avoid posters larger than 11 inches by 17 inches.
3. Avoid having posters extend beyond the border of the bulletin board.
4. When posting personal notices, such as items for sale or ride needed, include the date the notice was posted.
5. Personal notices must be removed within two weeks of being posted.

**Definitions:**

Students are those individuals who are currently enrolled and registered to attend Virginia Tech. Student organizations are organizations listed by the university through Student Activities. University-affiliated individuals are faculty and staff members currently on the Virginia Tech payroll. University-affiliated organizations are those organizations comprised of faculty and staff administered through a department to complement the departmental mission.

**Procedures:**

Advertisements, banners, or signs to be posted in the following locations must be approved by the appropriate individual or organization:

1. Squires and Johnston Student Center(s), Graduate Life Center- UUSA Event Planning;
2. Residence Halls- Residence Life Department;
3. Academic Buildings and Public Areas- UUSA Event Planning; and
4. Residence halls and portions of halls designated for cadet occupancy- Commandant of Cadets.

**Enforcement:**

Failure to comply with these policies may subject the responsible organization or individuals to fines for property damage or cleanup costs. Student organizations may have the privilege of holding campus events revoked if this rule is violated. Organizations, businesses, and other groups not affiliated with the university may be subject to action by the university for violations of the policy. If a band or music group violates this policy when advertising an appearance at a business, both the band and the business may be subject to action by the university.

**Section V.C. - Acquired Immune Deficiency Syndrome (AIDS)**

The best defense against HIV infection is information. Unfounded fears, speculation, and misinformation need to be countered with informed, rational, and thoughtful advice and counseling. Therefore, the primary response of Virginia Tech to the challenges posed by this disease should be educational. While many student affairs professionals, supervisors, and managers have a special need to become fully informed, the educational campaign should be directed to all members of the university community.

The basic principles governing university policy pertaining to students with HIV are:

1. The existence of any form of HIV infection shall not affect admission to the university.
2. Confidentiality is provided to all students regarding medical matters.
3. Attendance at classes and other university functions will not be restricted because of HIV status.
4. The legal rights of all those disabled for any reason, including HIV infection, shall be guaranteed.
5. Supportive care, where necessary, will be supervised by and provided by the Student Health Service.

Care at the Student Health Service for students infected with HIV will be the same as that for students with all chronic diseases. Student Health Services will be available for those students who are HIV positive. Supportive care and appropriate referral for specialized services will be provided.

**Section V.D. - Alcoholic Beverages and Other Controlled Substances**

**Statement of Responsibility**

At Virginia Tech, members of the university community recognize that the possession and consumption of alcoholic beverages by those under the age of 21 and the illegal possession and use of controlled substances by any member of the university community violate laws of the Commonwealth of Virginia and university policy. Further, members of the university community recognize that the misuse or illegal use and possession of alcoholic beverages or controlled substances may pose serious health and safety risks to those engaged in such behavior. Accordingly, students, staff, and faculty are asked to support the following statement of responsibility:

As a member of the Virginia Tech community, I agree to

1. **Abide by all state laws and university policies regulating alcoholic beverages and controlled substances;**
2. **Encourage the development of an environment in which individuals can make informed, healthy, and responsible decisions about alcohol and controlled substances;**
3. **Discourage the illegal or irresponsible behavior of others; and**
4. **Assume responsibility for my decisions and behaviors and accept the consequences resulting from those decisions and behaviors.**

Accountability

Virginia Tech recognizes that the misuse and abuse of alcohol is a persistent social and health problem of major proportion in our society and that it interferes with the goals and objectives of any educational institution. Accordingly members of the university community who decide to serve or consume alcoholic beverages are reminded that they are personally responsible for their conduct under all circumstances. Intoxication or ignorance of the law does not release an individual from that responsibility. Violations of university policy occurring under such circumstances will be treated in the same manner as any other violation. Violations of the Alcoholic Beverage Policy and any associated guidelines may result in disciplinary action, which may include probation, deferred suspension, suspension or dismissal. Students who violate this policy may be required to attend an alcohol education seminar as part of their judicial sanction. Violations of state law also may be referred to the Virginia Tech Police. University employees may be disciplined according to procedures outlined in the **Faculty Handbook** or the **Commonwealth Employee Handbook**.

, Virginia Tech does not encourage the use of alcoholic beverages and strongly discourages illegal or otherwise irresponsible use of alcohol, including the illegal sale of alcohol and distribution of alcohol to those not of legal drinking age; for students and student groups, the illegal sale of alcohol will likely be considered a major violation of the alcohol policy. Illegal sale is defined as any time money changes hands and there is unlimited access to alcohol, including but not limited to, selling cups and cover charges for entertainment when alcohol is available. Members of the university community are accountable for their decisions regarding use of alcohol and the behavior that occurs as a result of those decisions. The university community is reminded of the following information:

#### State Statutes

The Commonwealth of Virginia and the Virginia State Alcoholic Beverage Control Board have enacted a variety of laws and regulations that govern alcoholic beverages. They are summarized as follows:

1. Persons under the age of 21 are prohibited from possessing or consuming beer, wine, liquor, or other alcoholic beverages. Persons found in violation of this statute may be fined up to \$2500 and imprisoned for a period of not more than 12 months. In addition, such person's Virginia driver's license may be suspended for a period of not more than one year.
2. Persons may be fined up to \$100 for drinking in public.
3. Persons found in possession of a false driver's license may be fined up to \$1000 and imprisoned for a period not to exceed 12 months. Driving privileges may be revoked for 30 to 365 days.
4. It is illegal for intoxicated persons, regardless of age, to purchase or to possess alcoholic beverages. Persons in violation of this statute may be fined up to \$1000 and imprisoned for a period not to exceed 12 months.
5. It is illegal to serve or sell alcoholic beverages to persons who are intoxicated or suspected of being under the legal drinking age. It is also illegal to purchase alcoholic beverages for such persons. Individuals believed to be intoxicated are prohibited from remaining in an area where alcoholic beverages are served. Persons found in violation of these statutes may be fined up to \$1000 and imprisoned for a period not to exceed 12 months.
6. It is illegal to drive while under the influence of alcohol. Individuals are considered impaired if their blood alcohol content (BAC) exceeds .08. Persons under the age of 21 who drive with a BAC of at least .02 but less than .08 may be fined up to \$500 and have their driver's license suspended for up to six months. Persons with a BAC of .08 or higher or persons refusing a breath test will have their driver's license automatically revoked.
7. It is illegal to purchase alcoholic beverages from any person not licensed to sell them, to sell alcoholic beverages without the appropriate license, and to consume alcoholic beverages in any unlicensed public area.

#### Policy

Virginia Tech fully complies with the alcohol regulations of the Commonwealth of Virginia. All state laws apply to Virginia Tech students, faculty, and staff. These laws prohibit possession and consumption of all alcoholic beverages by persons under 21 years of age on all university grounds and buildings.

#### Regulations

In compliance with the laws of the Commonwealth, and to maintain conditions conducive to learning, possession or consumption of alcoholic beverages is only permitted according to the following provisions:

1. In the privacy of a student room, alcoholic beverages are permitted for those persons 21 years of age or older in accordance with state law, provided that at least one of the 21-year old residents of the room is present. Possession or consumption of alcoholic beverages in any other area of the residence halls, including suite living rooms, is forbidden except at events authorized by residence life. Legal consumption of alcoholic beverages in living areas other than private student rooms (e.g., hallways and lounges) will be allowed only when specifically authorized by residence life.
2. Kegs of any description in student rooms are prohibited.
3. The director of Fraternity and Sorority Life in conjunction with the director of residence life determines regulations concerning the use of alcoholic beverages in "Oak Lane Community" (also known as Special Purpose Housing) during parties.

4. The Commandant of Cadets establishes and publishes regulations to be observed by cadets regarding the possession and consumption of alcoholic beverages.
5. The possession and use of alcoholic beverages is prohibited on all other university property except in certain facilities that are fully registered with the Virginia Alcoholic Beverage Control Board (ABC). Alcoholic beverages may be served in other facilities as specified in this policy with an appropriate banquet license issued by the ABC Board. Private residences are subject to ABC regulation and, those who hold university events in private residences subject to state laws concerning the sale, possession and consumption of alcoholic beverages. (Approved by VTPD/Wendall Flinchum)
  - a. Alcoholic beverages may be served in accordance with ABC Board rules and regulations at approved functions located in the Graduate Life Center, the Inn at Virginia Tech, and Owens Banquet Hall. These facilities are fully registered with the ABC Board.
  - b. Facilities that may be approved with an appropriate banquet license from the ABC Board include the Bowman Room in the Jamerson Athletic Center, the Commonwealth Ballroom, other banquet or meeting rooms in Squires Student Center, and other self-contained rooms or areas in facilities that may, from time to time, be specifically designated by the associate vice president for personnel and administrative services.
  - c. Alcoholic beverages may be served only at functions where the majority of attendees are of legal age for the consumption of alcoholic beverages.
  - d. Alcoholic beverages may be served only at functions confined to areas that are not open to the public or that have public access. Typical areas where alcoholic beverages may not be served are outdoor plazas and patios, unfenced lawns, and lobbies and reception areas.
  - e. Alcoholic beverages may be served only as a complement to food service. Food service includes hors d'oeuvres or any food served within the context of receptions, dinners, or other meals.
  - f. Sponsors of events to be held on campus at which alcohol is to be served must complete a registration request for Space, and submit the Beverage Request and Security Form. An ABC Banquet License may also be required. These forms must be received at least 30 days prior to the event to allow time for processing. All event approval forms shall indicate whether alcoholic beverages will be served. Approval confirmation must be obtained before alcoholic beverages can be served.
  - g. The event sponsor is responsible for the cost of a banquet license obtained through either a private or university registered caterer.
  - h. The Virginia Tech Police shall be notified by copy of the approval form of all events on campus at which alcoholic beverages will be served.
  - i. Sponsors of university events held at off-campus locations are responsible for ensuring that the rules and regulations of this policy are followed. Events held off-campus are exempted from the requirement to request event approval.
  - j. If an event sponsor fails to secure event approval or a banquet license, future event approval requests from that sponsor will not be approved. If an event sponsor fails to obtain the appropriate ABC license, alcoholic beverages may be seized while the event is in progress, and service of alcoholic beverages will cease immediately. Additionally, the event is subject to cancellation at the discretion of the Virginia Tech Police, and the event sponsor could be charged with criminal violations of the ABC Code.

#### Controlled Substances—CSA Schedule

Misuse and abuse of controlled substances is in direct conflict with the goals and objectives of any educational institution. Virginia Tech does not condone the misuse or abuse of controlled substances.

The term “controlled substance” is used in this handbook instead of the term “drugs” for two reasons. First, the term “drugs” refers to any chemical substance that, when taken into the body, change the chemistry and functioning of the body. These changes may be positive or negative. Drugs that have a positive therapeutic effect are generally called “medicine.” Those with negative effects are often called “drugs.” For many people in society, the term “drug” carries a negative connotation. Second, “controlled substances” is a term that refers to chemical substances whose distribution and use is controlled or prohibited by some law or statute or whose distribution and use is permitted by a prescription issued by a licensed practitioner. This term is useful in that it also distinguishes so called over-the-counter drugs from prescription and illegal drugs which in essence make up the “controlled substances.”

In compliance with the Drug-Free Workplace Act of 1988, the Drug-Free Communities and Schools Act Amendments of 1989, and the Commonwealth of Virginia's Policy on Alcohol and Other Drugs of 1991, the following summary is provided for your information.

Controlled substances are classified under the Controlled Substances Act into “schedules” that indicate their relative medicinal use and probability of abuse and dependence (addiction). Virginia Tech's policy addresses these controlled substances.

#### Controlled Substances Schedules

**Schedule I:** The drug or other substance has a high potential for abuse. The drug or other substance has no currently accepted medical use in treatment in the United States. There is a lack of accepted safety for use of the

drug or other substance under medical supervision. Some Schedule I substances are heroin, LSD, marijuana, GHB, MDMA (Ecstasy), and methaqualone.

**Schedule II:** The drug or other substance has a high potential for abuse. The drug or other substance has a currently accepted medical use in treatment in the United States or a currently accepted medical use with severe restrictions. Abuse of the drug or other substance may lead to severe psychological or physical dependence. Schedule II substances include morphine, PCP, cocaine, methadone, Ritalin, and methamphetamine.

**Schedule III:** The drug or other substance has a potential for abuse less than the drugs or other substances in Schedules I and II. The drug or other substance has a currently accepted medical use in treatment in the United States. Abuse of the drug or other substance may lead to moderate or low physical dependence or high psychological dependence. Anabolic steroids, codeine and hydrocodone with aspirin or Tylenol, Ketamine, and some barbiturates are Schedule III substances.

**Schedule IV:** The drug or other substance has a low potential for abuse relative to the drugs or other substances in Schedule III. The drug or other substance has a currently accepted medical use in treatment in the United States. Abuse of the drug or other substance may lead to limited physical dependence or psychological dependence relative to the drugs or other substances in Schedule III. Included in Schedule IV are Darvon, Talwin, Equanil, Valium, Rohypnol, and Xanax.

**Schedule V:** The drug or other substance has a low potential for abuse relative to the drugs or other substances in Schedule IV. The drug or other substance has a currently accepted medical use in treatment in the United States. Abuse of the drug or other substances may lead to limited physical dependence or psychological dependence relative to the drugs or other substances in Schedule IV. Over-the-counter cough medicines with codeine are classified in Schedule V.

### **Penalties**

The law prescribes ranges of permissible penalties upon conviction. As required by the Federal Safe and Drug-Free Communities and Schools Act of 1994, the pertinent state laws, including sanctions for their violation, are summarized below:

1. Possession of a controlled substance classified in Schedule I or II of the Drug Control Act, upon conviction, exposes the violator to a felony conviction for which the punishment is a term of imprisonment ranging from one to ten years, or in the discretion of the jury or the court trying the case without a jury, confinement in jail for up to twelve months and a fine up to \$2,500, either or both.
2. Possession of a controlled substance classified in Schedule III of the Drug Control Act, upon conviction, exposes the violator to a misdemeanor conviction for which the punishment is confinement in jail for up to twelve months and a fine up to \$2,500, either or both.
3. Possession of a controlled substance classified in Schedule IV of the Drug Control Act, upon conviction, exposes the violator to a misdemeanor conviction for which the punishment is confinement in jail for up to six months and fine up to \$1,000, either or both.
4. Possession of a controlled substance classified in Schedule V of the Drug Control Act, upon conviction, exposes the violator to a misdemeanor conviction for which the punishment is a fine up to \$500.
5. Possession of a controlled substance classified in Schedule I or II of the Drug Control Act with the intent to sell or otherwise distribute, upon conviction, exposes the violator to a felony conviction for which the punishment is imprisonment from five to forty years and a fine up to \$500,000. Upon conviction, the violator must be imprisoned for not less than five years, but may suffer life imprisonment, and a fine up to \$500,000.
6. Possession of a controlled substance classified in Schedules III, IV, or V of the Drug Control Act or an imitation controlled substance which imitates a controlled substance classified in Schedule III, IV, or V, except for an anabolic steroid classified in Schedule III constituting a violation of Virginia Code §18.2-248.5, with the intent to sell or otherwise distribute, upon conviction exposes the violator to a misdemeanor conviction for which the punishment is confinement in jail for up to one year and a fine up to \$2,500, either or both.
7. Possession of marijuana, upon conviction, exposes the violator to a misdemeanor conviction for which the punishment is confinement in jail for up to thirty days and a fine up to \$500, either or both. Upon a second conviction, punishment is confinement in jail for up to one year and fine up to \$2,500, either or both.
8. Possession of less than one-half ounce of marijuana with the intent to sell or otherwise distribute, upon conviction, exposes the violator to a misdemeanor conviction for which the punishment is confinement in jail for up to one year and a fine up to \$2,500, either or both. If the amount of marijuana involved is more than one-half ounce to five pounds, the crime is a felony with a sanction of imprisonment from one to ten years, or in the discretion of the jury or court trying the case without jury, confinement in jail for up to one year and a fine up to \$2,500, either or both. If the amount of marijuana involved is more than five pounds, the crime is a felony with a sanction of imprisonment from five to thirty years.
9. Notwithstanding the aforesaid provisions, Rohypnol shall be deemed to be listed on Schedule I for the purposes of penalties for violations of the Drug Control Act. Any person knowingly manufacturing, selling, giving, distributing, or possessing Rohypnol shall be punished under the penalties prescribed for other Schedule I controlled substances.

## **Policy**

The illegal use or possession of any controlled substance is strictly prohibited by the university. The illegal use of controlled substances is incompatible with the goals of the academic community. Students found responsible for possessing, using, manufacturing, possessing with intent to manufacture, selling, dispensing, or distributing any illegal drug or substance controlled under state or federal law will face serious disciplinary action, will almost certainly result in suspension or dismissal from the university for a first offense. University employees are subject to disciplinary action as outlined in the **Faculty Handbook** or the **Commonwealth of Virginia Employee Handbook**.

## **Education**

Throughout the year, the university provides a wide variety of educational programs designed to increase student, staff, and faculty awareness and knowledge about alcohol and other controlled substances. Most of these programs are offered free of charge and are open to members of the university community and surrounding locale. The university's programming efforts have received recognition as some of the most comprehensive in the Commonwealth of Virginia.

Other information on federal drug trafficking laws and the effects of various drugs on the body is available from the Office of Judicial Affairs.

## **Intervention and Prevention**

The university provides a variety of resources for those with questions and concerns about the use or misuse of alcoholic beverages and controlled substances. Support groups are available to members of the university community. These resources are all located in McComas Hall:

College Alcohol Abuse Prevention Center, 231-2233

Cook Counseling Center, 231-6557

Schiffert Health Center, 231-6444

Confidential inquiries about community support groups and treatment programs can be made at the University Counseling Center. The following groups meet regularly: Alcoholics Anonymous, Adult Children of Alcoholics, Al Anon, and Narcotics Anonymous.

## **Section V.E. - Class Attendance and Classroom Conduct**

Regular classroom attendance is expected of all students. Grades are based on the performance of assigned work, including work done in the classroom. The university does not observe a formal "cut" system. The professor has the authority to determine acceptable classroom conduct for his or her students as long as those decisions do not infringe on the students' rights. Disruptive classroom conduct may be considered disorderly conduct. Refer to Section II. Code of Student Conduct for additional information about disorderly conduct.

## **Syllabus and Performance Expectations**

Faculty are expected to provide students with a course syllabus on the first day of classes each semester that includes course objectives, topical outlines, the expected performance for which grades will be assigned, and the instructor's attendance policy, if any. Also included should be a statement of the Honor System and its application to the particular course. The syllabus should include the instructor's office hours and how he or she can be reached directly or through the departmental office during normal working hours.

## **Class Attendance**

Class meetings are an integral part of most courses and the central component of many. Therefore, both faculty and students are expected to meet at all regularly scheduled times, except for cancellations announced on a universitywide basis by appropriate authority. When faculty cannot meet a class, it is their responsibility to follow departmental procedures to provide appropriate measures for the missed classes. When students cannot attend a class, it is their responsibility to make arrangements for any work missed as soon as possible. In cases of prolonged absence, students may ask their academic deans to notify their instructors of the reason for their absence.

## **Section V.F. - Demonstrations and Picketing**

As an academic community, Virginia Tech values the rights of free expression and peaceable assembly and does not intend to restrict the exercise of these rights. However, all members of the university community are responsible for respecting conditions that preserve the freedom to learn. Demonstrations and picketing do not violate university policy unless they interfere with university functions, violate the rights of others, or break the law.

A demonstration is defined as the assembly of a group of persons to express their views on an issue. Picketing is defined as patrolling a building or area with or without carrying signs or handbills. The university requests that UUSA Event Planning receive prior notification of picketing or demonstrations if the event is advertised on campus or presents a potential disruption. When a demonstration is planned or announced under the sponsorship of university-

approved student organization, university officials will advise the group leaders of their responsibilities for maintaining order, which may include restrictions on time, place, and manner.

Demonstrations within a campus building may take place only during the normal operating hours of the building. Demonstrators or picketers are prohibited from blocking free entry to or free exit from buildings, interfering with free movement, or presenting obstacles to regular university activities. "Interfering with free movement" is defined as any physical denial or restriction of a person's ability to freely reach or leave a given geographical area, or abusive conduct as defined in the Code of Student Conduct. "Obstacles" are defined as physical devices, bodies, or signs which cause interference with free movement or sounds which prevent normal aural communications. Any and all signs used as part of a demonstration must be made of paper products and cannot have handles made of wood or other non-flexible materials.

A demonstration in a building or area is limited to the number of persons the area can reasonably accommodate on grounds of public safety, as determined by a university official. There shall be no interference with demonstrations on the grounds of content of speech, except for any speech or demonstration that incites immediate, violent action and represents a clear and present danger to the campus community, which shall be a violation of this policy. Any individual who is not a member of the university community and who is demonstrating, picketing, or participating in similar activities on campus may be asked to leave by any university official. If such persons refuse to leave when asked, they may be subject to arrest. Members of the university community include currently registered and enrolled students, university faculty, and university staff members.

#### **Disruptive Activities**

If demonstrations or picketing become disruptive, infringe on the rights of others, or violate the law or university policies, the appropriate university official will advise those involved that they are in violation. Those involved will be asked to disperse immediately or be given a reasonable time limit to correct the situation. Failure to comply may result in arrest. In the event of disruption, the Virginia Tech Police chief will use the appropriate crowd control techniques to protect life and property and to ensure normal operation of the university. Should disruptive activities occur, participating members of the university community will be held individually responsible for their actions. If damage occurs, those involved will be jointly and severally responsible for restitution before continuing at the university. In exceptional circumstances, students may be immediately suspended upon the reasonable belief that such action is necessary to avert a threat of violence or property damage. A full hearing in compliance with University Policies for Student Life will be provided as soon as possible.

### **Section V.G. - Event Approval and Facility Use**

Students are free to organize and join associations that promote their common interests. The university recognizes the privilege of students to engage in cocurricular activities and the rights and responsibilities that accompany this involvement. The university believes that constructive extracurricular activities supplement and complement the academic process in developing a broadly educated individual. Students and student organizations are free to examine opinions publicly and privately and to support causes by orderly means that do not disrupt the regular operation of the university. Student organizations are allowed to invite and hear any person of their choosing. The institutional control of campus facilities is not meant to be a censorship device. The opinions of students, student organizations, and their speakers are not necessarily endorsed by the university. The university is not obligated to tolerate events that interfere with any lawful mission, process, or function of the institution, but it must show that operation of the university will be interfered with materially and substantially before denying approval. Requests for approval of events also may be denied if the event poses a clear and present danger.

#### **Responsibility for Approval of Other Than Student-Sponsored Events**

The responsibility for approving events on campus, other than events sponsored by student organizations, lies with the associate vice president of personnel and administrative services. All or part of this responsibility may be delegated.

#### **Responsibility for Approval of Student-Sponsored Events**

The Commission on Student Affairs (CSA) is charged with the task of approving events sponsored by student organizations on campus. The CSA may delegate approval of events to the office responsible for the facility in which the event will be held. The Office of the Vice President for Student Affairs and other administrative offices are responsible for approval of student-sponsored events, subject to appeal to the CSA. Approval of events sponsored by student organizations is controlled by policies governing the various facilities where the events are scheduled. The CSA would review for approval only those events referred to it by an approving office or on appeal.

Events planned for residence halls will be approved through the Office of Student Programs; events planned in Squires Student Center, The Graduate Life Center (1<sup>st</sup> Floor) Johnston Student Center, Burruss Auditorium and on campus public space are approved through UUSA Event Planning Office; events planned in academic buildings are approved through the University Registrar; events planned in athletic facilities are approved through the Athletic Department.

### **General Event Rules**

The factors governing the university approval of events are derived from federal and state law, university policies, and agreements made by the CSA. Requests will be reviewed and approved or disapproved according to guidelines prescribed by university policy.

The signature of the representative of the sponsoring organization on the request form or reservation contract indicates that the person understands the guidelines associated with their event and that the organization will comply with the following rules:

1. Events scheduled in academic or public spaces on campus must be sponsored by a campus organization, either student or university.
2. The university cannot assume liability for possible injury to persons or property resulting from this event.
3. The possession and use of alcoholic beverages is regulated by the university's policy on alcohol.
4. All proceeds of fund-raising activities are to be returned to the organization's treasury for use in the organization's projects or activities. Sales activities must be in compliance with this policy and the "Sales and Solicitations on Campus" policy.
5. Use of specific site locations, such as the Drillfield, Duck Pond, Gazebo, Library Plaza, War Memorial Gymnasium, and athletic facilities will be in accordance with the guidelines for those areas. Refer to the University Facilities Use policy for more information on use of specific facilities or contact the UUSA Event Planning Office.
6. No activities may be scheduled 48 hours before or during exams.
7. All litter must be removed and the area left in the condition in which it was found. Otherwise, applicable cleaning fees may apply.
8. Activities or tables may not block the normal flow of traffic.
9. Vehicles must remain on roadways and park only where legally permitted. No vehicles are to be parked on the grass without an approved turf permit through Parking Services.
10. The manager of each dining hall must be consulted regarding placement of tables for an activity inside the dining hall. The university does not supply these tables.
11. Sale of food by anyone other than university organizations is prohibited.
12. Events conducted near residence halls must be approved by the director of residence life. No events will be authorized before this approval is received.
13. Library Plaza activities, such as rallies, music, or theater performances, will be limited to 12-12:30 p.m. or after 5 p.m. on weekdays. Saturday and Sunday use is restricted to between 1 p.m. and 6 p.m. The use of lights and amplified sound must not be disruptive to normal functions of the surrounding buildings.
14. Any activity is limited to 3 consecutive days to allow other organizations to have at least 2 consecutive days in the same week. This does not apply to banner displays.
15. Events planned between 8 a.m. and 5 p.m. Monday through Friday in and around academic buildings will not be approved for amplified sound.
16. Amplified sound for events planned around residence halls is generally permitted only on Friday evenings and on Saturdays.
17. Notice of university events may be posted in accordance with the policy on "Advertising."
18. University facilities are to be used in a manner consistent with their intended purpose. As a general rule, priority will be given to those activities related to the academic, cultural, and recreational programs of the university. The facilities must be used in a safe, professional manner so as not to endanger the university community or the general public. The university may restrict access to land and buildings to protect individuals, property, and equipment.
19. The use of amplification, which is defined as disruptive sound, whether naturally, artificially, or electronically enhanced is regulated by Policy 5000, University Facilities Usage and Event Approval. Requests for exceptions to this policy should be submitted to the UUSA Event Planning Office in writing, which will be forwarded to the appropriate approval office. Amplification must be maintained at a reasonable level as determined by onsite UUSA personnel and/or the Virginia Tech Police Department. If the event sponsor is asked to lower the sound level, they must do so immediately and without question. Failure to do so will result in event cancellation.

### **Commercial Advertising and Support**

Commercial enterprises may not serve as primary sponsors of events held on campus. Commercial enterprises may provide funds or support for events; however, on-campus acknowledgment of support may appear only in the program for the event or in media advertising.

Funding received from alcoholic beverage manufacturers, wholesalers, or distributors to support campus groups, events, or activities should be used only for the purposes of the educational institution and research and never to promote the sale or consumption of alcoholic beverages.

### **Student Centers**

1. As a general operating principle, priority for scheduling and services will be given to events that are sponsored by student organizations.
2. Because student activity fees are the primary source of funds for operating the student centers, events sponsored solely by student organizations will be charged minimal or no rental fees.
3. The following criteria will be used to determine the status for events sponsored by student organizations: Programs and events that are initiated or conceptualized, planned, and managed by a student organization, for which the target audience is primarily Virginia Tech students, and whose contractual arrangements are made by and with students are considered student-sponsored. Programs and events that are conceptualized by university departments or nonuniversity organizations, or activities that are specific to the implementation of departmental missions, are not eligible to receive student organization rates.

### **Tournaments**

A tournament is defined as any event with individual or team competition that is not an intramural, contract extramural, or varsity sports event. See Policy 8210 for specific guidelines that regulate sports-related activities sponsored by student organizations and conducted on the Virginia Tech campus.

### **Events in Residence Halls Reservation and Approval Procedure**

Obtain and complete an event approval request form. Forms can be obtained from the area office for the residence hall in which use of space is being requested. Contact the appropriate area office manager, in person or by phone, to confirm that the space is available for your event and that the event meets guidelines. You will receive a signed copy of the Event Approval Request Form indicating whether it has been approved or disapproved.

### **Guidelines for Approved Events**

1. Individuals are permitted to reserve space in residence halls for social activities, informational meetings, informal academic functions, and fund-raising events that are of interest or benefit to the general residence hall population. Activities that promote personal or commercial gain or are not in compliance with the solicitation policy will not be considered for approval.
2. The number of activities that may be scheduled for a residence hall on one date will be limited but may vary by building. Regular meetings will not be approved, and events classified as large social gatherings will be permitted only on Friday and Saturday nights.
3. The Office of Student Programs is unable to provide any help setting up equipment or furnishings for the events. The reserved area must be returned to its original condition upon completion of the event. Any damages will be billed to the sponsoring individual or organization.
4. The noise level of the event must be regulated so as not to disturb the residents of the hall. All events must end by 11:30 p.m., and participants must be gone from the area by midnight. Activities that become unruly may be interrupted or discontinued upon notice from the residence hall staff.
5. Violations of university policy are not permitted. Note especially the policies and procedures regarding alcoholic beverages, posting of promotional information, and door-to-door solicitation.
6. All present in the building must immediately evacuate when a fire alarm sounds.

### **Security Requirements**

While Virginia Tech cannot ensure the safety of its students from unforeseen accidents and injuries, the university recognizes the difficulty in managing events where large numbers of people gather. To ensure that student organizations are in an appropriate position to supervise their own events, the university requires student organizations, in specific cases, to provide additional security and law enforcement personnel to be present for the purpose of crowd control. The following policy explains how to plan for adequate security to protect Virginia Tech students and guests during events sponsored by student groups.

1. The Virginia Tech Police Department has the authority and responsibility to determine how much security is needed for any campus event. Any event with an expected attendance of 300 or more persons must submit a University Security Form to the Virginia Tech Police Department at least 30 days prior to the event.
2. After the Virginia Tech Police have determined the security required for an event, the event may be held only if enough officers are available to cover it.
3. Events involving alcohol ordinarily require security, for which the sponsoring organization must pay the entire cost.
4. Events requiring an ID check to determine the age of attendees (e.g., for films with a minimum age requirement specified by the rating) ordinarily require security, for which the sponsoring organization must pay the entire cost.
5. The following types of events will not ordinarily require the attendance of any police officers: organizational meetings, speakers, most films, student performances, and events at which fewer than 300 attendees are expected.

Organizations sponsoring such events are expected to be sensitive to the need for security in unusual circumstances. UUSA Event Planning staff may require a sponsoring organization to consult with the Virginia Tech Police Department about security needs if the nature of the event suggests a need for security.

6. Organizations holding other types of events may need to meet with the Virginia Tech Police in advance to determine the amount of security needed and the availability of officers to cover the event. This determination ordinarily requires at least 21 days advance notice, though more lead time is desirable.

7. A metal detector will be available in Squires Student Center when requested by student organizations sponsoring events or when deemed necessary by the Virginia Tech Police. Although there is no cost for the metal detector itself, police officer(s) will be present as directed by the Virginia Tech Police when the metal detector is used. If more than one organization asks to use the metal detector for the same time period, the Virginia Tech Police will determine at which event the metal detector will be used.

8. Events funded by the budget boards should include a budget for security.

9. Specific policies for security at campus events vary by location, as described below:

a. UUSA Facilities: Events eligible for Student Budget Board, SGA budget board, or GSA budget board annual funding must pay for security if the Virginia Tech Police determine that officers are needed. Events not eligible for Student Budget Board annual funding will be provided security, either by the Virginia Tech Police Department or by UUSA, at no cost to the sponsoring group. Before the Virginia Tech Police decide on the number of officers needed, the sponsoring organization will meet with police officials and will specify the proposed procedures for guest sponsorship for that event. The Virginia Tech Police Department has final authority to approve guest procedures and required security. The university will make every effort to establish fair security practices for different organizations within the dictates of student safety.

b. Oak Lane Community (also known as Special Purpose Housing): The Fraternity and Sorority Life Manual specify security policies and procedures that apply in this area.

c. Dining Hall Space: decisions on security are made by the Virginia Tech Police in consultation with the sponsoring organization and the Office of Student Programs.

d. Residence Hall Space: Reservation requests are made to the head staff member of each residence hall. Decisions on security are made by the Virginia Tech Police in consultation with the sponsoring organization and the Office of Student Programs.

## Section V.H. - Films

All officially listed university organizations shall have the opportunity to present films of any nature at Virginia Tech. This policy is subject to any applicable federal and state laws (e.g., federal copyright laws and state obscenity laws) including contracting of films to be shown in public locations on campus. Films shall not be subject to review by any board or administrative body. All advertising for the film must clearly indicate the sponsoring organization and the rating of the film. The sponsoring organization will be responsible for verifying student identification at the door, if applicable. A Virginia Tech ID will be sufficient but not necessary for admitting a student.

## Section V.I. - Hazing

Hazing is a criminal offense in the Commonwealth of Virginia. Hazing is considered a serious violation of university policy and is prohibited in all forms. This policy is based on the proposition that students are entitled to be treated with consideration and respect at all times and it applies to all student organizations and individuals. Concurrently, the National Interfraternity Conference, the National Panhellenic Conference, and the National Pan-Hellenic Council state unequivocally that hazing has no place in the collegiate fraternity and sorority system. In addition, the members of the Corps of Cadets are subject to the Virginia Tech Corps of Cadets Regulations manual. In determining whether a specific behavior violates the hazing policy, consideration will be given to how the behavior relates to the university's mission and purpose.

The state statute on hazing (Virginia Hazing, Civil Criminal Liability, Code of Virginia. 18.2-56, **Amended March 16, 2003**) reads as follows:

It shall be unlawful to haze so as to cause bodily injury, to any student at any school, college, or university. Any person found guilty thereof shall be guilty of a Class 1 misdemeanor.

Any person receiving bodily injury by hazing shall have a right to sue, civilly, the person or persons guilty thereof, whether adults or infants.

The president, or other presiding official of any school, college or university, receiving appropriations from the state treasury shall, upon satisfactory proof of the guilt of any student of hazing another student, sanction and discipline such student in accordance with the institution's policies and procedures. The institution's policies and procedures shall provide for expulsions or other appropriate discipline based on the facts and circumstances of each case. The president or other presiding official of any school, college or university receiving appropriations from the state treasury shall report hazing which causes bodily injury to the attorney for the Commonwealth of the county or city in which such school, college or university is, who shall take such action as he deems appropriate.

For the purposes of this section, "hazing " means to recklessly or intentionally endanger the health or safety of a student or students or to inflict bodily injury on a student or students in connection with or for the purpose of initiation, admission into or affiliation with or as a condition for continued membership in a club, organization, association, fraternity, sorority, or student body regardless of whether the student or students so endangered or injured participated voluntarily in the relevant activity.

Virginia Tech defines hazing as any mental or physical requirement, request, or obligation placed upon any person that could cause discomfort, pain, fright, disgrace or injury; that is personally degrading; or that violates any federal, state, or local statute or university policy, the willingness of an individual to participate in such activity notwithstanding. A person is defined as a university student, any pledge, associate member, member, affiliate alumnus, guest of any campus organization, or other individual. Alleged violations of this policy should be reported to the Virginia Tech Police, the Office of Student Activities, the Office of Fraternity and Sorority Life, or the Office of Judicial Affairs. Hazing includes but is not limited to the following activities:

### **Physical**

1. Encouraging or requiring persons to consume excessive amounts of alcohol or other liquids (e.g., encouraging or requiring individuals to use beer bong, play drinking games or drink unknown substances).
2. Requiring that a person do or submit to any act that will alter his or her physical appearance in any significant degree for any substantial period of time (e.g., branding; tattooing; using makeup, paint, or markers on a person; or shaving the head or body).
3. Requiring activities that disrupt a person's normal schedule. A normal schedule includes three reasonably spaced meals per day, the opportunity for sufficient rest at night (at least six full hours), time required for study outside of scheduled class hours, and reasonable time for personal hygiene.
4. Requiring a person to engage in physical activity of unusual kind or duration, such as: calisthenics, overly difficult work assignments, activities that may be excessive for a person with physical disabilities, activities that require a person to remain in a fixed position for an extended period of time, or confining a person in a room that is too hot or too cold, too noisy, or too small.
5. Hitting or pretending to hit an individual.
6. Performing acts that are or seem to be dangerous.

### **Psychological**

1. Requiring a person to pretend to or actually violate a law.
2. Yelling or screaming at individuals.
3. Calling individuals demeaning names.
4. Booing, hissing, or demeaning individuals when they make mistakes.
5. Interrogating individuals in an intimidating or threatening manner.
6. Requiring a person to perform acts of servitude or perform personal errands for others.
7. Deceiving new members prior to their gaining membership in an attempt to convince them that they will not be initiated or will be hurt.
8. Forcing a person to publicly wear apparel that is abnormal and not normally in good taste.
9. Requiring a person to appear nude at any time.
10. Engaging in activity that compels an individual or group to remain in a certain place or transporting anyone without their knowledgeable consent (e.g., taking a person on a road trip to an unknown destination, or kidnapping).
11. Requiring a pledge or associate period of unusual length (more than 10-12 weeks) for reasons other than achieving academic requirements.

### **Distinction Between Hazing By Organizations and Hazing by Individuals**

The following statement will help distinguish hazing violations by individuals from hazing violations by student organizations.

1. It is presumed that hazing incidents involve only those persons directly participating in the incident and those who are present at the time it occurs and who do nothing to stop its occurrence.
2. A hazing incident may also be an organizational activity, for which the organization itself may be disciplined, if any of the following characteristics are present:
  - a. The faculty advisor, or any of the executive officers of the organization, or the person charged with the administration of an orientation or pledge program is aware of the incident sufficiently in advance of its occurrence to prohibit its taking place, and takes no action to prohibit it.
  - b. The faculty advisor, or any of the executive officers of the organization, or the person charged with the administration of an orientation or pledge program knows the identity of the members involved in the incident and refuses to divulge that information to the appropriate university authorities or the police.
  - c. The incident takes place in any public area within a chapter house or in any public place.
  - d. The incident involves the expenditure of any organizational funds.
  - e. The incident involves or is actively or passively endorsed by a majority of the members of the organization.

### **Hazing Education**

The officers, principally the president or chairperson, of each organization are responsible for informing members and prospective members of this hazing policy. The policy must be posted in a prominent place for the members to see. The UUSA Office of Student Activities will provide copies of this policy to all student organizations. The Student Activities office will provide copies of this policy for all associate/pledge members at the beginning of each semester. The IFC, PHC, and NPHC will sponsor seminars from time to time to ensure that all fraternities and sororities remain informed on the issue of hazing.

### **Section V.J. - Intellectual Property**

A University Intellectual Property Policy was adopted in 1986 by the university's Board of Visitors. The policy applies to copyrightable material, patentable inventions, and other creations conceived by any faculty member, staff member, or student employee when substantial university resources, such as money or equipment, are used in connection with the conception of and/or development of the creation. All such creations are the property of the university, subject to any applicable agreements with funding agencies.

If a student employee has conceived a creation which may belong to the university pursuant to the Intellectual Property Policy, it is his or her responsibility to promptly report the creation to the university. All creations must be reported to the Office of the Vice Provost for Research and Graduate Studies before information about them is published or before information relative to them is disclosed to an outside firm or agency. Under the existing policy, net income to the university in the form of royalties and other such payments from the creation may be shared equally with the creator(s).

Copies of the Intellectual Property Policy and assistance in reporting creations may be obtained from the Office of the Vice Provost for Research and Graduate Studies.

### **Section V.K. - Major Entertainment**

The privilege of sponsoring major entertainment on the campus is governed by Policy 8215 and is extended to any officially listed student organization that meets reasonable criteria as defined by policy 8215, which directs that the department of Student Activities be responsible for determining the conditions under which major entertainment may be sponsored at Virginia Tech. Requests by non-university promoters who may be interested in using university facilities to produce major entertainment are included in this policy.

#### **Definitions**

Major entertainment is any event for which there are contracted performers AND which takes place in the following campus locations: Burruss Auditorium, Cassell Coliseum, The Graduate Life Center, Johnston Student Center, Squires Student Center, Rector Field House, War Memorial Gym, or outdoor locations (including Lane Stadium, the Drillfield, Dietrick Field, and other venues reserved as "public spaces"). Such events include but are not limited to concerts, speakers, lectures, theatrical performances and comedians. If entertainment-based programs are advertised off campus and are open to the general public, the program may be considered a major entertainment event. Anticipated audience size, target audience, complexity of the contract, security and safety, magnitude and promotion of the event, and contract price of the artist are factors considered in defining major entertainment. Major Entertainment may not be for personal proprietary gain.

#### **Evaluation of Proposals**

The director of student activities in coordination with the event planning office will consider the applicability of this policy to any proposed event. All major entertainment events require advance, detailed planning and documentation prior to approval. The director of student activities will review proposals to ensure that the university community benefits from such programs, that duplication of programs is avoided, and that the sponsoring organization possesses the programming expertise necessary to plan a successful program. The sponsor's ability to meet the financial responsibility for the proposed event and to provide the appropriate paid and volunteer staffing for the event will also be considered.

#### **Procedures**

Groups wishing to sponsor a major entertainment event must secure a tentative reservation from the UUSA Event Planning Office allowing a minimum of 60 days prior for appropriate planning and gain a copy of the Major Entertainment Sponsorship Guidelines and procedure checklist. For information regarding the criteria used to evaluate proposals, please contact the UUSA Event Planning Office, 221 Squires Student Center. Organizations must comply with the terms of the designated planning and approval timelines, as well as approved proposal. Failure to comply with the agreed upon terms may result in event cancellation or denial of future requests.

### **Section V.I. - Religious and Ethnic Holidays**

Consistent with the university's tradition of religious tolerance, faculty and staff are encouraged to be sensitive to students who wish to observe religious and ethnic holidays. It is the students' responsibility to request and provide

justification for a religious accommodation, preferably during the first two weeks of classes or as soon as the student becomes aware of the need for an accommodation. Faculty should inform students of their willingness to make accommodations for reasonable requests. Faculty are not required to compromise the academic integrity of the course to accommodate religious practices. Thus, accommodations for religious practices will be determined by the faculty and will be consistent with their attendance policy.

## **Section V.M. - Sales and Solicitation**

The sale or solicitation of any products, goods, food, beverages, or services on the campus is subject to prior authorization and must be conducted in accordance with regulations established by the authorizing agent. The solicitation of funds through donations also requires prior authorization. For purposes of regulation, distinctions are made among "commercial," "noncommercial," "informational," and "individual" activities.

Noncommercial activities may be approved on a limited basis with regard to time, place, safety, and the scope of the activity. Fund-raising activities of campus organizations are treated as noncommercial activities.

Informational activities sponsored by campus organizations are permitted but are subject to the reasonable guidelines of the authorizing official and require prior approval. Informational activities by nonuniversity groups are not permitted in public areas. Individual activities require no prior authorization or notification of activity if they are necessary to the purpose of the university (e.g., delivering newspapers to residence hall rooms).

It is university policy that the university mail service, including on-campus mail, is for official university correspondence only. It should not be used for personal correspondence, advertising, or mass mailing.

The sale of products or solicitation of orders by university employees is considered a commercial activity and as such, is prohibited during work hours. This policy refers to selling items such as Avon, Mary Kay, or Amway products and services, and insurance and investment plans. This includes the actual sales and order taking, as well as distributing catalogs and literature. Approved credit card sales may be permitted at the Library Plaza and outside of McBryde upon prior approval through the UUSA Event Planning Office. Departmental mailboxes and bulletin boards are not to be used to distribute sales information or catalogs. Employees may, however, transact such business during breaks and lunch hours, if coworkers are agreeable. Students are permitted to engage in the above activities in the residence halls on a limited basis, as defined on the following pages.

### **Commercial Activity in Residence Halls**

Commercial activities, which include commercial presentations, door-to-door and other uninvited commercial solicitations, and the making of sales agreements, are prohibited in the common areas of the residence halls. The common areas are defined as all areas of the residence hall other than students' private rooms.

Commercial activities that are legal and otherwise comply with all relevant laws may take place in a student's private room on an infrequent basis only under the following conditions (regular, recurring activities are prohibited; students are not permitted to use their rooms as an office for a private business):

1. Salespersons must have a business license from the Town of Blacksburg.
2. Salespersons and any other guests present in a student's room for a commercial activity must be invited to the room for that purpose, in advance, by a student occupant of that room. Roommates must consent to such an invitation.
3. Students who invite non-resident guests to their room for a commercial activity must follow the established residence hall guest policy of escorting outside visitors to and from their room. Unescorted visitors will be asked to leave the building immediately and, if they fail to comply, the Virginia Tech Police will be notified.
4. No announcements concerning commercial activities in a student's private room may be advertised or posted either in the common areas of the residence hall or outside the residence hall. All publicity and advertising connected with any sale is subject to the university's regulation on advertising.
5. In accordance with the university and fire code regulations, a maximum of 10 people may be present in a student's room at one time for such commercial activities. Those present in a student's room for a commercial activity shall not at any time during that activity move any or all of the group into the common areas of the residence hall. Students may use their private rooms infrequently for such commercial activities, but they may not schedule such transactions on a regular or continuing basis.
6. Door to door solicitation for any reason is prohibited. (e.g., to obtain guests for a commercial activity being held in a student's room or to consummate sales following such a transaction).
7. Salespersons may not engage in misrepresentation, fraudulent trade practices, or other activities that are illegal or in violation of other university policies (e.g., providing alcohol to minors or cooking with unauthorized appliances).
8. Salespersons and any company involved will be held responsible if the procedures outlined in this policy are not followed. If these procedures are violated, both the student and the company will lose the privilege of conducting future sales on campus.
9. Granting the privilege to sell does not constitute an endorsement or third-party responsibility by the university of the product purchased or the service rendered.

### **Food Deliveries On-Campus**

Food may be delivered to residence halls, academic/administrative offices, and outdoor locations by vendors. Such deliveries are permitted only in response to prepaid orders or to specific orders by resident students and employees. The Office of Student Programs designates for residence halls the hours during which deliveries may occur, the doors to be used, and the areas within residence halls where deliveries must take place. No deliveries by vendors directly to the student rooms are permitted.

### **Sales by Campus Organizations**

1. Campus organizations (student and non-student) are permitted to conduct fund- raising activities on campus, subject to the provisions of this policy.
  2. Noncommercial sales activities that are occasional, non-continuous, and specific in purpose may be approved for designated areas on campus. Regular, recurring activities are prohibited.
  3. Sales conducted by campus organizations must be for the benefit of that organization. Provisions for proceeds from the sale must be included in the request for approval to conduct the sale. The location and time of any sales activity must receive prior approval under the provisions of this policy.
  4. Sales to members of campus organizations are permitted during meetings of the organization, without prior approval, provided the salesperson is invited to the meeting for that purpose, in advance, by a member of the organization. No announcement concerning the sale may be posted or advertised beyond the membership of the organization. Salespersons may not engage in misrepresentation, fraudulent trade practices, or selling items that are unauthorized on the campus (e.g., drugs or firearms).
  5. Sales in which the proceeds result in personal gain to individuals are not permitted on campus. Campus organizations requesting approval to sponsor a sale on campus may be required to demonstrate the benefits to be received by the campus organization.
  6. A representative of the sponsoring organization must be present at all times during non-commercial sales activities involving an outside vendor. Such sales will be subject to limitations proscribed by the approving official.
  7. Verbal solicitation is strictly prohibited.
  8. Salespersons may not engage in misrepresentation, fraudulent trade practices, or other activities that are illegal or in violation of university policies.
  9. Salespersons and any company involved will be held responsible if university policies are violated. Such violations may result in both the organization and the company losing the privilege of conducting future sales on campus.
  10. The total number of people distributing or selling literature in one place on campus are limited per location and based on availability.
  11. Sales activities will be limited regarding to time, place, and manner of the proposed activity. Violation of any of these pre-approved agreements may result in permission for the sale being revoked.
  12. Decisions regarding requests will take into account any special circumstances relating to university activities and the burden such activity may place on the Virginia Tech Police and administrative staff.
- Requests for authorization to solicit on campus should be submitted no later than 7 business days prior to the planned date of the solicitation. Full details should be submitted, including the times, dates, and locations requested; an explanation of the products or services that will be made available; whether or not campus delivery is anticipated; and any other information that may be needed by the authorizing official. The request should be submitted to the office charged with approving events in that area. All solicitations in residence halls must be approved by the Office of Student Programs. Solicitations in the Squires Student Center, Graduate Life Center (1<sup>st</sup> Floor)Johnston Student Center, and all other areas must be approved by the UUSA event planning office.

### **Section V.N. - Sexual Harassment**

Sexual harassment is reprehensible and will not be tolerated by the university. It subverts the mission of the university and threatens the careers, educational experience, and well-being of students, faculty, and staff. Sexual harassment is a form of discrimination, and relationships involving sexual harassment or discrimination have no place within the university. In both obvious and subtle ways, the very possibility of sexual harassment is destructive to individual students, faculty, staff, and the academic community as a whole. When, through fear of reprisal, a student, staff member, or faculty member submits or is pressured to submit to unwanted sexual attention, the entire university suffers.

Sexual harassment is especially serious when it threatens relationships between teacher and student or supervisor and subordinate. In such situations, sexual harassment exploits unfairly the power inherent in a faculty member's or supervisor's position. Through grades, wage increases, recommendations for graduate study, promotion, and the like, a teacher or supervisor can have a decisive influence on a student's, staff member's, or faculty member's career at the university and beyond.

While sexual harassment most often takes place in situations of a power differential between the persons involved, the university also recognizes that sexual harassment may occur between persons of the same university status. Sexual harassment may also occur between persons of the same sex. The university will not tolerate behavior

between or among members of the university community that creates an unacceptable working or educational environment.

### **Prohibited Acts**

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature when

1. Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment or academic status (e.g., an explicit or implicit promise or granting of educational or career advancement expressed by promotion, training, or favorable academic or employment evaluation in return for sexual favors).
2. Submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions (e.g., an explicit or implicit threat or action which adversely affects the academic or employment opportunities expressed as nonpromotion, poor performance appraisal, transfer, or reassignment if the sexual demands or requests are rejected).
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive work or academic environment (e.g., a pattern of conduct that causes discomfort or humiliation, or both, such as sexually explicit statements, questions, jokes, anecdotes, visual materials, or literature).

[The prohibited acts of sexual harassment are drawn directly from "Guidelines on Discrimination Because of Sex" by the Equal Employment Opportunity Commission, 29 Code of Federal Regulations Part 1604.11A.]

### **Consensual Relationships**

It should be understood by all members of the university community that consensual amorous or sexual relationships (hereinafter referred to as consensual relationships) that occur in the context of educational or employment supervision and evaluation present serious ethical concerns. Consensual relationships between faculty and students enrolled in their classes or students for whom they have professional responsibility as advisor or supervisor violate the Policy on Professional Ethics and Responsibilities and may be a violation of this sexual harassment policy. Similarly, consensual relationships between supervisors and employees they directly supervise violate university policy. Faculty members or supervisors involved in consensual relationships must remove themselves from any activity or evaluation that may reward or penalize the student or employee.

Consensual relationships between faculty and students are particularly susceptible to exploitation. The respect and trust accorded a professor by a student, as well as the power exercised by the professor in giving praise or blame, grades, recommendations for further study and future employment, make voluntary consent by the student suspect, given the fundamentally asymmetric nature of the relationship.

Faculty and supervisors should be aware that conducting consensual relationships with students or employees they supervise makes them liable for formal action. Even when both parties have consented to the development of such a relationship, it is the faculty member or supervisor who, by virtue of his or her special responsibility, will be held accountable for unprofessional behavior. Complaints alleging sexual harassment, as defined by the prohibited acts above, may be filed by either party of the consensual relationship or by an aggrieved party outside the relationship. Note that control over the employment of an immediate family member is governed by the Virginia Conflict of Interests Act.

### **Responsibilities of Administrators and Supervisors**

University administrators and supervisors are responsible for creating and maintaining a work environment free of sexual harassment. If administrators or supervisors know that sexual harassment is occurring, receive a complaint of sexual harassment, or obtain information indicating possible sexual harassment, they must take immediate steps to address the matter. If administrators or supervisors learn of a problem outside their area, they must inform someone who is in a position to act on the matter.

Administrators or supervisors have a legal obligation to act whenever they learn, either directly or indirectly, about sexual harassment. This obligation exists even if the victim requests that no action be taken. It is not the responsibility of the individual being harassed to correct the situation.

Administrators and supervisors have the legal responsibility to protect a victim from continued harassment or retaliation. They must also protect persons accused of harassment from potential damage by false allegations. Immediate investigations and timely, remedial action permit this responsibility to be met. Administrators and supervisors will be held accountable for dealing with and taking necessary steps to prevent sexual harassment.

### **Procedures for Informal Resolution**

Individuals may take concerns or complaints of sexual harassment to any member of the university community for counsel and a discussion of options available under this policy. Any individual receiving a concern or complaint should inform an appropriate administrator or university officer if they have reason to believe that sexual harassment has occurred. Administrators and supervisors have a duty to respond to sexual harassment complaints. They should inform the Equal Opportunity and Affirmative Action (EO) Office of the complaint and ask for guidance. Responses from administrators and supervisors may involve (1) advising the complainant of available options; (2) counseling the

victim to address the situation and confront the accused harasser directly, if desired; (3) conducting an informal investigation, including notifying the accused and taking appropriate action; or (4) assisting the complainant in drafting a formal complaint to the EO Office.

If, at any time, a record is made naming an accused individual, that individual must be notified in writing as soon as possible. Until a formal complaint has been made, the accused will not be informed of the name of the accuser or the name of the victim without their consent.

Any complaint of sexual harassment against an undergraduate or a graduate student who is not acting in a teaching, advising, or supervisory role should be filed with the Dean of Students Office regardless of the status of the complainant (i.e., student, faculty, or staff). The complaint will be investigated by the Dean of Students Office or designee in accordance with established procedures.

### **Formal Resolution**

A complainant wishing to file a complaint of sexual harassment against any member of the faculty, administration, or staff or a graduate student performing a teaching, advising, or supervisory role should contact the EO Office. The Office will attempt to resolve the complaint informally with the accused. If the informal procedures are not successful, the EO Office will notify the complainant of the right to pursue a formal complaint.

The formal complaint includes a written charge and consent by the complainant to be identified. A formal complaint of sexual harassment must be made within 180 days of the offense. The director of the EO Office or a designee will meet with the complainant and will undertake an investigation after a written charge has been prepared. At the time the investigation commences, the accused will be informed of the allegations and the identity of the complainant and will be given an opportunity to respond. The EO representative will meet with the appropriate supervisor of the accused early in the investigation to collect further information and to seek assistance in resolving the complaint, if appropriate. All reasonable efforts will be made to reach a resolution in a timely manner. The investigation is expected to lead to one of the following possible outcomes:

1. The EO director finds no facts to support the charge. The EO director will prepare a record of the investigation and findings and will promptly inform the parties of the outcome. The complainant, if not satisfied with the outcome, may appeal to the senior vice president and provost or to the executive vice president, as appropriate.
2. The EO director finds facts to support the charge and a negotiated resolution is reached that does not require university sanctions. The EO director makes a report to the provost or the executive vice president, as appropriate, stating the facts uncovered in the investigation and the resolution reached.
3. The EO director finds facts to support the charge and either no resolution is reached or a recommendation of disciplinary action is made.

If the accused is a classified employee, the EO director, in consultation with Personnel Services, will make a recommendation to the supervisor who will follow procedures contained in the Standards of Conduct and State Grievance Procedures for disciplining classified employees.

An accused member of the general faculty may request a panel review within 2 weeks of notification. The provost or executive vice president will appoint a three-member panel and designate one of the members as chair. The panel will review the evidence, meet with relevant parties if needed, and consider disciplinary action, if appropriate.

Members of the panel will be selected from among the general faculty in consultation with the president of the Faculty Senate or the chair of the Commission on Administrative and Professional Faculty, as appropriate. The EO director will serve as a nonvoting member of the panel.

The panel will report the result of its deliberations and any recommended disciplinary action to the provost or executive vice president who will review the findings of the panel and determine disciplinary action, if warranted. Disciplinary action would then be implemented by the appropriate administrator or supervisor.

If the accused does not request a panel hearing within 2 weeks of notification, the EO director will make a report to the provost or executive vice president outlining the facts of the case and recommending appropriate discipline or sanctions. The provost or executive vice president will review the findings and determine disciplinary action, if warranted. Disciplinary action would then be implemented by the appropriate administrator or supervisor.

Disciplinary actions shall reflect the severity of the conduct, number and frequency of encounters, apparent intent of the harasser, and other relevant factors in the case. Disciplinary actions may include, but are not limited to, oral warnings or written warnings placed in the employee's personnel file, suspension without pay, probation, demotion, transfer, or termination of employment.

In all cases, the parties will be informed promptly of the outcome. To the extent possible, the proceedings will be conducted in a way that protects the confidentiality of all parties. Records of the investigation and outcomes will be kept by the EO Office in accordance with applicable laws of the Commonwealth of Virginia and of the United States of America. A complainant found to have been intentionally dishonest in making the allegations or to have made them maliciously is subject to university discipline.

### **Other Avenues for Formal Complaints**

In addition to, or in lieu of, the above procedures

1. Students (either undergraduate or graduate) may file formal complaints with the Office for Civil Rights of the U.S. Department of Education.

2. Faculty may file a formal complaint with the federal Equal Employment Opportunity Commission within 180 days of the incident.
3. Staff may:
  - a. file a grievance within 30 days of the offense as outlined in the Grievance Procedure for State Employees OR file a complaint with the Equal Employment Services of the Commonwealth Department of Personnel and Training within 180 days of the offense; or
  - b. file a complaint with the federal Equal Employment Opportunity Commission within 180 days of the incident.

### **Definitions**

1. Faculty or faculty member means all members of the general faculty as defined by the Faculty Handbook. When performing teaching, advising, or supervisory roles, students shall be considered as faculty for the purposes of this policy.
2. Supervisor may be any category of university employee with responsibility for supervision or evaluation of university personnel or volunteers.

### **Section V.O. - Sexual Misconduct**

Virginia Tech is a community of trust whose existence depends on strict adherence to standards of conduct set by and for its members. Virginia Tech recognizes its obligation to uphold the laws and standards of the community of which it is a part. Sexual misconduct is a serious violation of these standards and will not be tolerated. Sexual assault is a crime punishable by both civil and criminal legal action and is a serious violation of university policy. The University Judicial System adjudicates, at the request of the victim, all cases involving sexual misconduct where the alleged perpetrator is a Virginia Tech student. Virginia Tech also strongly encourages victims to prosecute perpetrators to the fullest extent of the law.

Sexual misconduct is defined as sexual contact without consent and includes intentional touching, either of the victim or when the victim is forced to touch, directly or through clothing, another person's genitals, breasts, thighs, anus or buttocks; rape (sexual intercourse without consent, whether by an acquaintance or a stranger); attempted rape; sodomy (oral sex or anal intercourse) without consent; attempted forcible sodomy without consent; or sexual penetration with an object or finger without consent. Lack of consent occurs when the acts are committed either by force or intimidation or by taking advantage of the victim's mental incapacity or physical helplessness.

Sexual misconduct is classified in the Student Code of Conduct as a violation of the Abusive Conduct Policy. Depending on the circumstances of the case, students who are found guilty of abusive conduct may receive sanctions, including suspension for one or more semesters or dismissal from the university.

**Resources** Complainants of sexual assaults have several resources available to them.

#### **Women's Center At Virginia Tech**

The Women's Center (206 Washington Street, 231-7806) offers crisis support for sexual assault and harassment, provides advocacy during judicial and harassment procedures, and works to enhance communication among women and the larger community. The counseling and advocacy coordinator works closely with crisis intervention, law enforcement officers, faculty, residence hall staff, counseling services, health services, Dean of Students Office staff, and the University Judicial System.

#### **Counseling Services**

As a part of Cook Counseling Center, a staff of professional counselors are available to counsel complainants of sexual assault. These staff are available on a walk-in basis during regular office hours and are on 24-hour emergency call. University Counseling Services also offers a special support group for sexual assault survivors as needed (McComas Hall, 231-6557).

#### **Residence Life**

Staff in the Residence Life department (107 East Eggleston Hall, 231-6205) serve as advocates for resident students. Members of the staff are available to meet with students on a walk-in basis to discuss any problem or concern. They can provide resource information and assist with any residential concerns, post the incident.

#### **Dean of Students Office**

The Dean of Students Office (152 Henderson Hall, 231-3787) serves as an advocate for all students. Members of the staff are available to meet with students on a walk-in basis to discuss any problem or concern. The Dean of Students Office may mediate complaints of sexual assault between students at their request. The Dean of Students Office will also assist student referral agents of sexual assault in changing academic and living situations after an alleged sexual assault incident, if the complainant requests such assistance and suitable accommodations are available.

### **Student Health Services**

Student Health Services' medical staff provide follow-up care for sexual assault victims. Through the Women's Clinic and the Men's Clinic, continuing medical and emotional support from physicians, nurses, and health educators is available. Physical examinations, sexually transmitted disease screening, and pregnancy testing are provided. (McComas Hall, 231-6444)

### **Courses of Action**

Students are encouraged to act in a timely manner. Students who feel they have been the victim of a sexual assault can follow several different courses of action. First and foremost, students should seek appropriate medical attention and ask for emotional support. Physical and other medical evidence should be collected even if a victim has not decided whether to take action against the alleged assailant. Students can go to the Student Health Center, Montgomery Regional Hospital or the Carilion New River Valley Medical Center in Radford for emergency treatment. They will receive guidance on the appropriate evidence collection processes.

### **Anonymous Reporting**

Students wishing to file a complaint of alleged sexual assault may file an anonymous report with one of several on- and off-campus agencies, including the Dean of Students Office, Schiffert Health Center, Cook Counseling Center, Student Legal Services, Office of Student Programs, University Unions and Student Activities, Office for Equal Opportunity, Virginia Tech Women's Center, New River Valley Women's Resource Center, Planned Parenthood of the New River Valley, Virginia Tech Police and Blacksburg Police. Additionally, an anonymous report can be filed online at [www.stopabuse.vt.edu](http://www.stopabuse.vt.edu). The report will include information about when and where the assault took place, the type of assault, and whether the victim and assailant were acquainted. Since no names are given, the survivor can regain some sense of control and help others by reporting the incident, while not having to make an official report.

### **University Judicial Action**

Students who feel they have been the victim of sexual assault may also initiate university disciplinary action against the alleged assailant. Referral agents must submit to the Office of Judicial Affairs a judicial referral, which is to include a written narrative of the incident in question, and attend the judicial hearing for the charged student. Referral agents may choose to have a support person with them at the hearing. The support person's participation is limited to conferring with the referral agent. Initiating university judicial action against the accused does not preclude the referral agent from taking civil or criminal action. A complete review of the campus judicial process is found in Section III, The University Judicial System.

### **Criminal Action**

Students can report incidents to the police and press criminal charges against the charged student. If the Commonwealth's Attorney determines that there is sufficient evidence to proceed, charges will be brought against the accused in the local courts. Crimes involving sexual assault are punishable in Virginia by sentences from 5 years to life in prison. Initiating criminal action against the accused does not preclude the complainant from taking civil or university judicial action. Students should remember that reporting an assault does not mean that they must prosecute.

### **Civil Action**

Students who feel they have been the victim of sexual assault may initiate a civil suit in an appropriate court system against the alleged assailant. The purpose of a civil suit is to compensate the complainant for the wrong that was committed. The accused, if found by the court to be liable, may be required to pay financial compensation. Initiating civil action against the accused does not preclude the complainant from taking criminal or university judicial action. Students may consult with a private attorney or Student Legal Services (143 Squires Student Center, 231-4720) if there are questions about this process. Consultation with Student Legal Services is free for Virginia Tech students

## **Section V.P. - Smoking Policy**

Virginia Tech is committed to providing a safe, healthy, and pleasant learning and work environment for its students and employees. Medical research has shown that smoking poses hazards to the smoker's health and that passive smoke may be hazardous to nonsmokers. This policy is an effort to protect students and employees from the potential health hazards and discomfort of exposure to smoke while recognizing and respecting the rights of those who choose to smoke. Smoking is the lighting or burning of any pipe, cigar, cigarette, or other tobacco product. Smoking is not permitted within facilities owned or leased by the university or in university-owned vehicles. **The only exception to this policy is for lodging rooms designated as smoking rooms in the Inn at Virginia Tech.**

### **Responsibility**

It is the responsibility of all students, faculty, and staff to observe the smoking policy. It is the responsibility of each supervisor, manager, department head, director, dean, vice provost, and vice president to enforce the provisions of this policy. Smokers should not impede traffic flow in or out of buildings and should smoke in a location where smoke

cannot drift into offices or class space. Additionally, employees and students are asked to keep the smoking locations free of cigarette butts and other trash.

## Section V.Q. - Student Identification Cards

The university provides each student with an identification card. Students must be prepared to show the ID card to university officials upon request. The student holder must not change or tamper with the card. The university will confiscate any ID card that has been misused, duplicated, or altered. A card must be replaced if the individual's appearance has changed so that identification is unreasonably difficult. Cards may be retained temporarily while their validity is checked. A student may possess only one ID card. Use of the ID card by any person other than the person to whom it was issued or use of the card under false pretenses, including changing or attempting to change the card, is a violation of University Policies for Student Life. Student ID cards may be obtained during the academic year at the Hokie Passport Office (100 Student Services Building, (540) 231-5121).

## Section V.R. - Student Organizations

To be listed with the university as an active student organization, a student group must submit proper documents to the Department of Student Activities annually in accordance with established procedures. Classification and standards for each type of organization are as follows:

### Classification of Student Organizations

1. UNIVERSITY STUDENT LIFE PROGRAM (USLP) - A University Student Life Program (USLP) is an organization composed primarily or exclusively of students whose activities, operations, and decision-making processes are directly governed by academic or administrative departments and for which the university is ultimately responsible. USLPs are required to file the Directory Information Form annually with the Student Activities Office prior to the end of the fourth week of fall semester and must maintain a constitution, including purposes, primary officers, and primary functions of the organization with the office.
2. UNIVERSITY CHARTERED STUDENT ORGANIZATION (UCSO) STANDARDS FOR CHARTER - A University Chartered Student Organization (UCSO) is an organization composed primarily of students who, by constitutional design, have established a direct relationship to the university. This relationship includes but is not limited to groups involved in policy implementation, special programs, and governance, as well as paid staff advisors.

### Conditions for Granting University Charter

An organization must meet the following criteria in order to be considered for UCSO status:

- a. Perform major functions directly related to the university including policy review or the provision of some special service that complements the function of the university. The major function could include serving as a governance body over other student organizations as in a council, federation, or association;
- b. Have officers who are enrolled as full-time students and have a membership that is at least 51% students;
- c. Receive direction, support, and service from professional faculty or staff specifically compensated to provide it.

### Requirements

A UCSO is required to

- a. Maintain a current constitution, including purposes, officers, and primary functions of the organization with the Student Activities Office.
- b. Complete and submit a UCSO Directory Information Form annually with the LSOP Office prior to the end of the fourth week of fall semester.
- c. Comply with all university, local, state, and federal policies, regulations, and laws.
- d. Report any affiliations with an off-campus (regional, state, national or other) association or organization.

3. REGISTERED STUDENT ORGANIZATION (RSO) STANDARDS OF REGISTRATION - A Registered Student Organization (RSO) is a voluntary association of Virginia Tech students that is initiated and sustained by students and that complements the educational and student life programs of the university. These organizations provide a means for students to pursue individual interests through cooperative group processes, to direct activities through which they can develop leadership skills, and to contribute to the university community.

The university acknowledges the value of such voluntary associations for both their members and the university community. The university offers certain facilities and services to RSOs. The organizations, in turn, must maintain current information on file in the Office of Student Activities and must meet reasonable standards established by the university for continued operation. RSOs are not official units of the university.

### Requirements

To be registered as an RSO, an organization must:

- a. Complete an annual registration form, providing information as required by the university, including the primary activities of the organization;

- b. Report any changes in officers, advisers, or name that occur after the annual registration to the Office of Student Activities;
- c. Affirm that it does not discriminate unconstitutionally in its membership practices or in its activities against any otherwise qualified person on the basis of handicap, national origin, race, religion, sex, age, veteran status, sexual orientation, or political affiliation;
- d. Have at least three students enrolled for at least six credit hours to serve as executive officers of the organization and allow only students, faculty, and staff of Virginia Tech to vote or hold other offices in the organization;
- e. Comply with university, local, state, and federal policies, regulations, and laws; and
- f. Report any affiliation with an off-campus (regional, state, national, or other) association or organization.

### **Prohibited Activities**

RSOs may not

- a. Conduct any activity that disrupts the educational mission or campus environment of the university;
- b. Conduct any activity for the personal financial benefit of individuals associated with the organization;
- c. Enter into any contract or agreement that obligates or appears to obligate Virginia Tech in any manner;
- d. Represent itself as an official agent of Virginia Tech, including the use of "Virginia Tech" or "VPI&SU" preceding the organization name;
- e. Use the university employer identification number for any purpose; or
- f. Fail to comply with these standards or any university, local, state, or federal policies, regulations, and laws.

### **General Fraternities and Sororities**

Because of the special nature of Greek letter organizations (general fraternities and sororities), the university has established a Fraternity and Sorority Life Office and supported the operation of the Interfraternity Council (IFC), Panhellenic Council (PhC), National Pan-Hellenic Council (NPHC), and the United Council of Fraternities and Sororities (UCFS). All Greek letter organizations must be admitted to and in good standing with IFC, PhC, NPHC, or UCFS before being eligible to register as a student organization.

### **Limits on University Responsibility**

The conditions established by the university for registration of student organizations do not obligate the university to assume responsibility for activities by RSOs. Among those items for which the university is NOT responsible are

- a. Debts or other obligations of RSOs;
- b. Activities sponsored by RSOs;
- c. Contract and other arrangements entered into by RSOs; and
- d. Insurance coverage for activities or programs sponsored by RSOs.

### **General Benefits**

Being listed as an RSO enables the organization, under reasonable conditions, to

- a. Request use of university facilities for organizational activities;
- b. Sponsor and advertise events open to the public;
- c. Be listed in university publications as a student organization;
- d. Distribute materials related to the organization's purpose;
- e. Use on-campus mail services;
- f. Have a mailbox in the Student Organization Information Center in Squires Student Center;
- g. Receive information on campus events;
- h. Receive operational, informational and programming assistance from University Unions and Student Activities and the Office of Student Activities; and
- i. Apply for funding from Student Budget Board or Student Government Association/Graduate Student Assembly funding boards as appropriate.

### **University Judicial Review Process**

Any organization that fails to maintain the standards of registration, standards of charter and/or that engages in conduct that violates the University Policies for Student Life or any other published policies governing student organization conduct is subject to review by the University Judicial System. The University Judicial System shall publish and administer procedures for review of and action against organizations in violation of university policy. Questions or problems concerning potential policy violations related to student organizations should be directed to the Office of Judicial Affairs (108 Dietrick Hall, 231-3790).

### **Criteria for Determining An Organization Event**

An incident may be an organizational activity, for which the organization itself may be disciplined, if any two of the following characteristics are present:

- a. The faculty advisor (if applicable), or any of the executive officers of the organization is aware of the incident sufficiently in advance of its occurrence to prohibit its taking place, and takes no action to prohibit it.

- b. The faculty advisor (if applicable), or any of the executive officers of the organization knows the identity of the members involved in the incident and refuses to divulge that information to the appropriate university authorities or the police.
- c. The incident takes place in any public area within a chapter house or in any public place.
- d. The incident involves the expenditure of any organizational funds.
- e. The incident involves or is actively or passively endorsed by a majority of the members of the organization.
- f. The incident involves six or more members of the organization.

## Section V.S. - Student Programming Organizations and University Advisement

The director of student activities will assign professional staff from the student activities office to provide support for student programming organizations, whenever a significant university interest exists (see Policy 8005). Support may become necessary when, for example, a student programming organization plans to spend a significant amount of state funds (student activity fees) with resulting accountability requirements; when a group enters into legal contracts in which the university has an interest and/or responsibility; or when the university has an educational responsibility for training student leaders in programming skills related to the activities they are providing to the university community. In these instances the student organization will be held accountable to the university through assigned university staff. For additional information concerning this policy, refer to Policy 8005 or contact the director of student activities, (319 Squires Student Center, 231-5725).

## Section V.T. - Telecommunications and Computer Systems Acceptable Use of Information Systems

Access to computer systems and networks owned or operated by Virginia Tech imposes certain responsibilities and obligations and is granted subject to university policies and local, state, and federal laws. Acceptable use always is ethical, reflects academic honesty, and shows restraint in the consumption of shared resources. It demonstrates respect for intellectual property, ownership of data, system security mechanisms, and individuals' right to privacy and to freedom from intimidation and harassment.

### Guidelines

In making acceptable use of resources one must:

1. Use resources only for authorized purposes.
2. Protect their user id and system from unauthorized use. Students are responsible for all activities on their own user id or that originate from their own computer.
3. Access only information that is their own, that is publicly available, or to which they have been given access.
4. Use only legal versions of copyrighted software in compliance with vendor license requirements.
5. Be considerate in their use of shared resources, refrain from monopolizing systems, overloading networks with excessive data, or wasting computer time, connect time, disk space, printer paper, manuals, or other resources.

In making acceptable use of resources one must not:

1. Use another person's system, user id, password, files, or data without permission.
2. Use computer programs to decode passwords or other access control information.
3. Attempt to circumvent or subvert system or network security measures.
4. Purposefully engage in any activity that might be harmful to systems or to any information stored thereon, such as creating or propagating viruses, disrupting services, damaging files, or making unauthorized modifications to university data.
5. Use university systems for commercial purposes, such as using electronic mail to circulate advertising for products.
6. Make or use illegal copies of copyrighted software, store such copies on university systems, or transmit them over university networks.
7. Use mail or messaging services to harass or intimidate another person, for example by broadcasting unsolicited messages, by repeatedly sending unwanted mail, or by using someone else's name or user id.
8. Waste computing or network resources (e.g., by intentionally placing a program in an endless loop, by printing excessive amounts of paper, or by sending chain letters or unsolicited mass mailings).
9. Use the university's systems or networks for personal gain (e.g., by selling access to a user id or to university systems or networks or by performing work for profit with university resources in a manner not authorized by the university).
10. Engage in any other activity that does not comply with the general principles outlined above.

### Enforcement

The university considers any violation of acceptable use principles or guidelines to be a serious offense and reserves the right to copy and examine any files or information resident on university systems allegedly related to unacceptable use. Violators are subject to university disciplinary action. Violators also may be prosecuted under laws including but not limited to the Family Educational Rights and Privacy Act of 1974 (as amended), the Computer Fraud and Abuse Act of 1986, the Computer Virus Eradication Act of 1989, Interstate Transportation of Stolen Property, the

Virginia Computer Crimes Act, and the Electronic Communications Privacy Act. Access to the text of these laws is available through the reference department of the Newman Library.

### **Information Disclaimer**

Individuals using computer systems owned by Virginia Tech are subject to applicable laws and university policies. Virginia Tech disclaims any responsibility and will not honor any warranties for information or materials residing on nonuniversity systems or available over publicly accessible networks. Such materials do not necessarily reflect the attitudes, opinions, or values of the Commonwealth of Virginia, Virginia Tech, its faculty, staff, or students. These guidelines should not be construed as a limit on any individual's rights under the constitutions of the United States or the Commonwealth of Virginia.

### **Telecommunications Rules and Regulations**

It is the responsibility of each student to read and be familiar with the rules and regulations governing the use of Virginia Tech's telecommunications system. These rules and regulations are printed in the Student Telephone Directory placed in each student's room at the beginning of fall semester. Failure to observe rules and regulations is a violation of university policy and is subject to disciplinary action.

### **Fraudulent Use of Telecommunications System**

Fraudulent use of the telecommunications system is a state and federal offense and Virginia Tech will exercise the right to prosecute anyone who abuses and/or fraudulently uses telecommunication services, including obtaining, or attempting to obtain, or assisting another in obtaining long-distance message service by rearranging, tampering with, or connecting with any facilities (telephone, data, or video, including wiring), with the intent to avoid payment of the regular charge for service or use of the system. This includes misuse of the telecommunication system by sharing your authorization code or using an authorization code other than your own to obtain calling services. Accessing and using the telecommunications system in a manner other than what it was designed for is prohibited and is considered fraudulent use of the system.

Fraudulent use of the system by anyone, authorized user or not, will not be tolerated. Fraudulent calls will be traced, and abusers will be identified and turned over to the proper university authorities for disciplinary action. Persons found responsible of placing calls using another person's authorization code without permission will be charged for the calls. Additionally, fraudulent calls are subject to an investigation fee of \$5.00 per call (\$20.00 minimum) plus any other applicable collection costs.

### **Copyrighted Materials**

The university will assist owners of copyrighted material that is stored in or accessed through Virginia Tech's telecommunications network during the investigation and prosecution of individuals who are identified as having obtained or distributed such material without properly compensating the owners.

### **Annoying Calls**

Questions or complaints related to abusive or annoying calls should be referred to Student Telecommunications (128 Burruss Hall, 231-3000), during normal office hours (Monday through Friday, from 8:00 a.m. to 12 noon and from 1:00 to 5:00 p.m.) Outside of Student Telecommunications regular office hours, annoying or abusive call complaints should be referred to the Virginia Tech Police (Sterrett Facilities Complex, 231-6411). Extremely urgent or emergency annoying or threatening call problems may be referred to the Virginia Tech Police at any time. It is important to also contact Student Telecommunications in 128 Burruss Hall as soon as possible thereafter to obtain appropriate complaint information and the necessary forms.

### **Repairing/Replacing Telecommunications Equipment**

In cases of damaged, altered, or stolen telephones and related attachments, students will be jointly and severally responsible for the cost of repair and/or replacement. The current cost of the digital ROLM phone 312 is approximately \$80.00 (subject to change). If Virginia Tech is unable to identify the responsible individual, the cost will be split between those who were residents of the room at the time the damage occurred. Students need to contact Communications Network Services Operations Center (1-6780) for repair or replacement of telephones. Problems with theft or vandalism should be reported to the Virginia Tech Police.

### **Payment of Bills**

If a telecommunications account balance is not kept up to date, the telecommunications account will be deactivated. A fee of \$20.00 will be charged to reactivate telecommunications accounts, and a service reconnection charge of \$6.00 will be billed to reactivate optional services.

Unpaid accounts will be turned over to Student Accounts for collection. This may result in university records being blocked until all past due amounts are paid in full. Please refer to the Virginia Tech Telecommunications Rules and Regulations for more detailed information on handling telecommunications accounts.

### **Authorization Codes**

Students are responsible for maintaining the confidentiality of their authorization code. Sharing of authorization codes is a violation of university policy and is subject to disciplinary action. Each student is responsible for his or her authorization code. It must be protected in the same manner as any credit card. If an authorization code is lost or stolen, immediately contact Student Telecommunications. At that time, the number will be deactivated and a new code will be issued. You will be responsible for all calls made prior to your notification in person to the Student Telecommunications Office. The fee for reissuing an authorization code is \$5.00.

### **Collect Calls**

Students living in the residence halls are prohibited from accepting collect calls and from billing any calls or telegrams directly to their residence hall telephone number. The cost of the call and a handling fee of \$10.00 for each call accepted will be charged to the students found to have made or accepted such calls. If the responsible individual cannot be identified, the cost will be split between those who were residents of the room at the time the calls were accepted.

### **How and Where to Contact Student Telecommunications**

The Office of Student Telecommunications, located at 128 Burruss Hall, is open from 8:00 a.m. to 12:00 p.m. and from 1:00 p.m. to 5:00 p.m., Monday through Friday. The phone number is 1-3000 (540-231-3000 from off-campus phones). The CNS Student Telecommunications web site at [www.cns.vt.edu/students](http://www.cns.vt.edu/students) is a great source for information concerning services, rates, and policies.

## **Section V.U. - Traffic and Parking Regulations**

Traffic rules and regulations, as published by the university, will be administered by the Office of Auxiliary Parking and Transportation and the Virginia Tech Police. These regulations, pursuant to authority granted by Virginia state statute to the university's Board of Visitors, are enforceable as laws of the commonwealth. Students are required to obey these regulations as a condition of attendance, and faculty and staff are required to obey them as a condition of employment. Additional information on traffic and parking regulations may be obtained from the Office of Parking Services on Southgate Drive or the Virginia Tech Police Department at the Sterrett Facilities Complex.

1. The university shall have no liability for loss or damage to any vehicle or its contents while the vehicle is operated or parked on the Virginia Tech campus.
2. Regulations and notices about parking for special events are official when posted via e-mail and/or published in campus publications.
3. The purpose of these regulations is to ensure the safe and orderly conduct of university business and to provide parking for special events within the limits of available space.

An annual, nonrefundable registration fee will be charged to all students, faculty and staff, and wage employees to park registered vehicles on campus. All motor vehicles, motorcycles, motor scooters, and motorized bicycles operated by faculty, staff, and students in connection with their employment or attendance at Virginia Tech must be registered with the Virginia Tech Parking Services Office before being parked on campus. Bicyclists are required to obey state traffic laws and register their bicycles with the Parking Services Office. There is no charge for this service. The Virginia Tech Police Department is charged with enforcing all state laws, including the Motor Vehicle Code of Virginia. Traffic citations for moving violations are referred to local courts.

## **Section V.V. - University Names and Trademarks**

All use of the university's names and trademarks must have prior approval in writing from the Office of Licensing and Trademark Administration. Examples of this use include, but are not limited to, tee shirts, caps, jackets, sweatshirts, glassware, pins, banners, and other specialty items. A trademark or identifying mark is any word, letter, mark, or symbol associated with Virginia Tech, including the university seal, Virginia Tech, VT, Hokies, Gobblers, VPI&SU, and all other symbols that represent the university. There is confusion over the use of the university's name, colors, or abbreviations when printed in forms other than the official trademark image. According to trademark law, if a mark is in any way perceived to associate the design, product, or organization with the university, its use falls under the proprietary rights of Virginia Tech, and university licensing policy must be followed. Only licensed vendors may reproduce Virginia Tech trademarks and written approval from the Licensing Office is required before an order is placed. Anyone who plans to use a Virginia Tech mark for any reason must contact the licensing director (200 Country Club Drive, Building C, 231-3748).

## **Section V.W. - Weapons**

Unauthorized possession, storage, or control of firearms and weapons on university property is prohibited, including storing weapons in vehicles on campus as well as in the residence halls. (Note: organizational weapons of the Virginia Tech Corps of Cadets, approved by the commandant, are not prohibited by this policy.)

Firearms are defined as any gun, rifle, pistol, or handgun designed to fire bullets, BBs, pellets, or shots (including paint balls), regardless of the propellant used. Other weapons are defined as any instrument of combat or any object not designed as an instrument of combat but carried for the purpose of inflicting or threatening bodily injury. Examples include but are not limited to knives with fixed blades or pocket knives with blades longer than 4 inches, razors, metal knuckles, blackjacks, hatchets, bows and arrows, nun chukkas, foils, or any explosive or incendiary device. Possession of realistic replicas of weapons on campus is prohibited. Students who store weapons in residence hall rooms, who brandish weapons, or who use a weapon in a reckless manner may face disciplinary action, which may include suspension or dismissal from the university.

Exceptions to possessing weapons may be made in the case of university functions or activities and for educational exhibitions or displays. Such exceptions will be subject to authorization by the Chief of the Virginia Tech Police Department. This policy does not prohibit the possession of firearms by persons, such as law enforcement officers, who are authorized by law to do so in the performance of their duties. A weapons storage program is available. Interested persons should contact the Virginia Tech Police (Sterrett Facilities Complex, 231-6411).