OLD DOMINION
UNIVERSITY
Division of Student Engagement & Enrollment Services
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TO: Student Enhancement and Engagement Committee Members
Lisa B. Smith, Chair
Richard T. Cheng, Vice Chair
Ronald C. Ripley (ex-officio)
John F. Biagas (ex-officio)
Yvonne T. Allmond
Carlton F. Bennett
Alton J. Harris
Donna L. Scassera
Robert M. Tata
Fred J. Whyte
Linda Miller-Dunleavy (Faculty Representative)
Charles Chiou (Student Representative)

FROM: Ellen Neufeldt
Vice President, Student Engagement and Enrollment Services

DATE: November 23, 2015

SUBJECT: December 3, 2015 – Meeting Agenda

The Student Enhancement and Engagement Committee meeting will take place in the River Rooms of Webb University Center from 10:30 a.m. – 11:45 a.m. on Thursday, December 3, 2015. The following items will be discussed:

Action Items

I. Approval of Minutes – The Committee will consider a motion to approve the minutes of the Student Enhancement and Engagement Committee meeting held on September 24, 2015.

II. Proposed Revisions to Board of Visitors Policy 1530, the Code of Student Conduct

Briefing Items

III. Dr. Ellen Neufeldt, Vice President, Student Engagement & Enrollment Services Report

IV. Student Representative Report by Charles Chiou

V. Security Update by Chief Rhonda Harris

VI. Athletic Update by Wood Selig

Old Dominion University is an equal opportunity, affirmative action institution.

December 3, 2015

APPROVAL OF PROPOSED REVISION TO THE CODE OF STUDENT CONDUCT

RESOLVED that, upon the recommendation of Student Advancement Committee, the Board of Visitors approves the proposed revision to Policy 1530, the Code of Student Conduct, effective on this date.

Rationale: The proposal to revise the Code for Student Conduct is to include a section regarding its applicability to student athletes, in compliance with state law. Currently all students, including athletes are subject to the enforcement of the code. However, the code does not specifically reference student athletes. The Code of Virginia Section 23-2.5 now requires the board of visitors to specifically establish conduct policies and receive annual reports from the University, as they pertain to the discipline of student athletes. This is most effectively accomplished by revising the Code for Student Conduct, (as the existing board policy), in a manner that addresses this requirement.

I. APPLICABILITY OF THE CODE OF STUDENT CONDUCT

The Code may be applied to conduct that takes place whenever a person has a continuing relationship with the University as a student. Students who withdraw from the University after allegedly violating the Code will still be considered "students" for the purposes of pursuing alleged violations. A student-initiated withdrawal from the University may delay resolution of a referral only when felony criminal charges are pending as described in Section VII.A.

A. Visitors and Guests: the Code applies to all guests and visitors of students, meaning a student may be held accountable for the misconduct of their guest(s)/visitor(s). Visitors to and guests of the University are also protected by the Code and may initiate referrals for violations of the Code allegedly committed by students against them.

B. Time Limitations: the University reserves the right to extend its jurisdiction to misconduct that occurs prior to, but is not reported until after, the graduation of a student as long as the misconduct is reported within 6 months of its discovery. Otherwise, there is no time limit on reporting of violations, as long as the student has a continuing relationship with the University. However, the longer someone waits to report a suspected violation, the harder it becomes for the University to obtain information and witness statements, and to make a determination regarding alleged violations. Those who are aware of misconduct are encouraged to report it promptly to the Office of Student Conduct & Academic Integrity and/or University Police.

C. Location of Violation: Because the Code is based on shared values, it sets a range of expectations for University students and student organizations no matter where or when their conduct may take place. Therefore, the Code will apply to behaviors that take place on University premises and at University-activities. The Code may also apply to conduct occurring off University premises when the Director, or designee, determines that the conduct affects a substantial University interest.

A substantial University interest is any factor that adversely affects the University's mission and may include, but is not limited to, the following:

1. Any action that could constitute a criminal offense. This includes violations of any local, state or federal law, or ordinance committed in the City of Norfolk. Most felony offenses, especially those relating to any form of violence; burglary; robbery; or drug possession, use, or distribution will be considered to affect a substantial University interest.

2. Any situation where it appears that the student or student organization may present a danger or threat to the health or safety of the University community.

3. Any situation that significantly infringes upon the rights, property, or achievements of self or others or significantly breaches the peace and/or causes social disorder.

D. Student Athletes: All students are subject to the provisions of this Code, including students who participate in varsity intercollegiate athletics. As an NCAA member institution, these students must also comply with all applicable rules and regulations of the NCAA and Conference partners in the conduct of its intercollegiate athletics program, as published in the University

Student Athlete Handbook. If a student athlete is charged with an NCAA violation that also involves a violation of this Code, sanctions may be imposed by both the Athletic Director and Office of Student Conduct & Academic Integrity. Incidents regarding the enforcement of this Code provision will be reported annually to the Board of Visitors, in accordance with the Code of Virginia 23-2.5.

E. Student Organizations: The Code applies both to the conduct of individual students as well as recognized student organizations. The following criteria will be utilized when determining whether conduct might reasonably be associated with a student organization. Specifically, the conduct (which may be an act of commission or an act of omission) must involve one or more members of a student organization. Members may be general members, officers, or new/associate members. Additionally, the conduct must meet one or more of the following criteria:

1. The conduct is sanctioned by the student organization and/or any of its officers ("sanctioned by" may include, but is not limited to, the following: active or passive consent or encouragement; having prior knowledge that the conduct was likely to occur; or helping to plan, advertise, or promote the conduct); or

2. The conduct is committed during the course of an activity financed by the organization, or financed as a result of one or more members of the student organization contributing personal funds in support of the activity or conduct in question; or

3. The conduct occurred on property owned, controlled, rented, leased, or used by the organization or any of its members; or

4. The purpose of the activity was related to initiation, admission into, affiliation with, or as a condition for continued membership in the student organization; or

5. Non-members of the student organization learned of the activity through members, advertisements, or communications associated with the student organization, or otherwise formed a reasonable belief that the conduct or activity was affiliated with or sanctioned by the student organization; or

6. Members of the student organization attempted to conceal the activity or protect other members who were involved; or

7. One or more officer(s) of the organization had prior knowledge or reasonably should have known that the incident would take place.

At the discretion of the Director, student organization violations may be processed by the appropriate self-governing bodies provided they have received adequate training from the Office of Student Conduct & Academic Integrity. Any such bodies will follow the same procedures and guidelines outlined in this Code and will convene with a Chairperson appointed by the Director.