

PHOTO BY STUDENT PUBLICATIONS

AUSTIN PEAY STATE UNIVERSITY



**APSU POLICIES, STUDENT RIGHTS,
GUIDELINES & CODE OF CONDUCT**

AN INTRODUCTION TO RULES, REGULATIONS AND POLICIES

This section of the APSU Student Handbook and Calendar includes important information about official campus rules, regulations, student rights, policies and guidelines that impact the academic and personal life of ALL APSU students. This listing may NOT include some regulations or policies that are unique to specific departments, programs, student organizations or student groups. However, this collection represents an attempt to provide students with a reference to these documents in one handy location.

It is the responsibility of ALL students to read and become familiar with the expectations that Austin Peay State University has for every student. Failure to abide by these regulations and policies may result in formal disciplinary actions, as outlined in the "Code of Student Conduct."

APSU STUDENT DISCIPLINARY RULES CODE OF STUDENT CONDUCT

Institutional Policy Statement

1. APSU students are citizens of the state, local and national governments or are citizens of other countries, and of the academic community, and are, therefore, expected to conduct themselves as law-abiding members of each community at all times. Admission to the University carries with it special privileges and imposes special responsibilities apart from those rights and duties enjoyed by non-students. In recognition of the special relationship that exists between the institution and the academic community which it seeks to serve, the Tennessee Board of Regents has authorized the president of the University to take such action as may be necessary to maintain campus conditions and preserve the integrity of the institution and its educational environment.
2. Pursuant to this authority the University has developed the following regulations (known as the Code of Student Conduct), intended to govern student conduct on the Austin Peay State University campus. In addition, students are subject to all federal, state, and local laws and ordinances. If a student's violation of such laws or ordinances also adversely affects the institution's pursuit of its educational objectives, the institution may enforce its own regulations regardless of any proceedings instituted by other authorities. Conversely, violation of any section of these Regulations may subject a student to disciplinary measures by the institution whether or not such conduct simultaneously violates state, local or national laws.

Disciplinary Offenses

1. Generally, through appropriate due process procedures, institutional disciplinary measures shall be imposed for conduct which adversely affects the University's pursuit of its educational objectives, which violates or shows a disregard for the rights of other members of the academic community or which endangers property or persons on University, or University-controlled property.
2. Individual or organizational misconduct which is subject to disciplinary sanction shall include but not be limited to the following examples:
 - (a) Conduct dangerous to self or others. Any conduct which constitutes a serious danger to one's self or to any person's health, safety or personal well-being, including any physical abuse or immediate threat of abuse;
 - (b) Hazing. Violations of this section include any act of hazing on or off the Austin Peay State University campus or University-controlled property, by an Austin Peay State University individual, group of individuals or registered student organization. Hazing means any intentional or reckless act on or off the property of any higher education institution by one (1) student acting alone or with others which is directed against any other student, that endangers the mental or physical health or safety of that student, or which induces or

- coerces a student to endanger such student's mental or physical health or safety. Hazing does not include customary athletic events or similar contests or competitions, and is limited to those actions taken and situations created in connection with initiation into or affiliation with any organizations;
- (c) Harassment and Privacy Intrusion. Any act of harassment by an individual or group against a student, faculty member or another group is prohibited. Harassment and privacy intrusion shall include, but not be limited to insults, heckling, verbal abuse, threats of physical abuse, unwanted suggestions of a sexual nature, repeated teasing or annoyance to another, repeated unsolicited phone calls, text messages made with the intent to harass or other actions considered disturbing to others, any harassing virtual communication such as harassing e-mails or character-assassination on the Internet, or inappropriate use of electronic devices that violates the privacy of another individual;
 - (d) Disorderly conduct. Any individual or group behavior which is abusive, obscene, lewd, indecent, violent, excessively noisy, disorderly or which unreasonably disturbs or may reasonably provoke other groups or individuals (this may include verbal abuse, non-verbal gestures and inappropriate behavior resulting from the use of or being under the influence of alcohol or drugs), etc.;
 - (e) Obstruction of or interference with University activities or facilities. Any intentional interference with or obstruction of any University activity, program, event or facility, including the following:
 - 1. Any unauthorized occupancy of University or University-controlled facilities or blockage of access to or from such facilities;
 - 2. Interference with the right of any University member or other authorized person to gain access to any University or University-controlled activity, program, event or facility;
 - 3. Any obstruction or delay of a campus security officer, fireman or any University official in the performance of his/her duty;
 - 4. Any form of disruptive behavior in the classroom, during any campus event or activity or at any location on campus;
 - (f) Misuse of or damage to property. Any act of misuse, vandalism, malicious or unwarranted damage, destruction, defacing, disfiguring or unauthorized use of property belonging to the University or property being used, rented or leased by a student, group of students or officially registered student organization not owned by the University;
 - (g) Theft, misappropriation or unauthorized sale. Any act of theft, misappropriation, or unauthorized possession, use or sale of institution property or any such act against a member or organization of the institution community or a guest of the University;
 - (h) Misuse of Austin Peay State University documents or identification cards. Any forgery, alteration of or unauthorized use of University documents, forms, records or identification cards, including the giving of any false information or withholding of necessary information in connection with a student's admission, enrollment or status in the University; failure to carry the APSU ID card at all times or to show it upon proper request;
 - (i) Firearms and other dangerous weapons. Any possession of or use of firearms or dangerous weapons of any kind on University property. Firearms or dangerous weapons include, but are not limited to: rifles, handguns, BB guns, stun guns, knives, martial arts equipment, paint guns, bows and arrows, etc., or other objects with the potential to cause bodily harm;

- (j) Explosives, fireworks and flammable materials. The unauthorized possession, ignition or detonation of any object or article which would cause damage by fire or other means to persons or property, or possession of any substance which could be considered to be and used as fireworks;
- (k) Alcoholic beverages. The use and/or possession of alcoholic beverages and/or public intoxication on University-owned or controlled property, other violation(s) of any local ordinance or state or federal law concerning alcoholic beverages, on or off campus, or a violation of the terms of the Austin Peay State University Drug-Free Policy Statement. In addition, officially registered student organizations that sponsor events off campus, where alcoholic beverages are present and available for consumption, must adhere to all local, state and national laws concerning alcoholic beverages and must follow the University's Risk Management Guidelines for Student Organizations;
- (l) Drugs. The unlawful possession or use of any drug, controlled substance or drug paraphernalia (including any prescription drug, stimulant, depressant, narcotic, hallucinogenic drug or substance, or marijuana), or sale or distribution of any such drug or controlled substance, or a violation of any terms of the Austin Peay State University Drug-Free Policy Statement;
- (m) Gambling. Participation in any gambling or gambling-related activities on campus or on University controlled property or property being used, rented or leased by a student, group of students or officially registered student organization not owned by the University that have not been approved and/or administered in accordance with the laws and regulations of the State of Tennessee. Any permitted gambling or gambling-related activity must also be operated under the auspices of the University's foundation;
- (n) Financial irresponsibility. Failure to promptly meet financial responsibilities to the University including, but not limited to, knowingly passing a worthless check or money order in payment to the institution or to a member of the institutional community acting in an official capacity;
- (o) Unacceptable conduct in hearings. Any conduct at a University hearing involving contemptuous, disorderly behavior, or the giving of false testimony or other evidence at any hearing;
- (p) Failure to cooperate with University officials. Failure to comply with directions of University officials acting in the performance of their duties;
- (q) Violation of general rules and regulations. Any violation of the general rules and regulations of the University as published in an official University publication, including the intentional failure to perform any required action or the intentional performance of any prohibited action;
- (r) Attempts and aiding and abetting the commission of offenses. Any attempt to commit any of the offenses listed in this document, or the aiding and abetting of the commission of any of the offenses (an attempt to commit an offense is defined as the intention to commit the offense coupled with the taking of some action toward its commission);
- (s) Violations of state or federal laws. Any violation of state or federal laws or regulations proscribing conduct or establishing offenses, which laws and regulations are incorporated herein by reference;
- (t) Violation of imposed disciplinary sanctions. Intentional or unintentional violation of a disciplinary sanction officially imposed by a University official or a constituted body including, but not limited to, sanctions contained herein;

- (u) Violations of University Residence Hall or Apartment policies or regulations. The violation of any policies or regulations which appear in printed materials distributed to resident students (i.e., housing license agreements, handbooks for resident students, etc.);
 - (v) Sexual Battery/Rape. Any act of sexual battery or rape as defined by state law;
 - (w) Tobacco. Smoking in all University buildings, grounds and state-owned vehicles is prohibited (except in otherwise designated areas as provided in APSU policy 99:022). Regardless of whether classes are in session, smoking is prohibited in all buildings, grounds and state-owned vehicles twenty-four (24) hours a day, year round. Students who want to use smoke-free tobacco products may do so thirty (30) feet from each building exit and entrances. Smoke-free tobacco product use is prohibited in University buildings and state-owned vehicles;
 - (x) Pets. With the exception of “service animals” and the exception of animals used for academic research purposes, animals are prohibited on campus. The term “service animal” is defined as any animal individually trained to do work or perform tasks for the benefit of a person with a disability (e.g., a guide dog, signal dog, etc.). “Service animals” perform some of the functions and tasks that the individual with a disability cannot perform for him/herself. The University may require reasonable documentation that the animal is certified as a “service animal” by a recognized training program;
 - (y) Filing a false complaint or statement. Any behavior whereby a student knowingly submits a false complaint or statement alleging a violation of these regulations by a student or organization or university employee.
3. Disciplinary action may be taken against a student for violations of the foregoing regulations which occur on University owned, leased or otherwise controlled property, or which occur off-campus when the conduct impairs, interferes with, or obstructs any University activity or the missions, processes and functions of the University. In addition, disciplinary action may be taken on the basis of any conduct, on or off campus which violates local, state or federal laws, which violates University policies for student organizations, or which poses a substantial threat to persons or property within the University community.
4. For the purpose of these regulations, a “student” shall mean any person who is registered for study at Austin Peay State University for any academic period. A person shall be considered a student during any period which follows the end of an academic period which the student has completed until the last day for registration for the next succeeding regular academic period and during any period while the student is under suspension from the University.

Academic and Classroom Misconduct

1. The instructor has the primary responsibility for control over classroom behavior and maintenance of academic integrity and can order the temporary removal or exclusion from the classroom of any student engaged in disruptive conduct or conduct violative of the general rules and regulations of the institution. Extended or permanent exclusion from the classroom or further disciplinary action can be effected only through appropriate procedures established by the Division of Student Affairs.
2. Academic dishonesty may be defined as any act of dishonesty in academic work. This includes, but is not limited to, plagiarism, the changing or falsifying of any academic documents or materials, cheating and giving or receiving of unauthorized aid in tests, examinations or other assigned work. Students guilty of academic misconduct, either directly or indirectly through participation or assistance, are immediately responsible to the instructor of the class. Penalties for academic misconduct will vary with the seriousness of the offense and may include, but are not limited to, a grade of “F” on the work in question, a grade of “F” in the course, reprimand, probation, suspen-

sion and expulsion.

3. If the student believes that he or she has been erroneously accused of academic misconduct, and if his or her final grade has been lowered as a result, the student may appeal the case through the Academic Grievance Procedures.
4. Disruptive behavior in the classroom may be defined, but is not limited to, behavior that obstructs or disrupts the learning environment (e.g., offensive language, harassment of students and professors, repeated outbursts from a student which disrupts the flow of instruction or prevents concentration on the subject taught, failure to cooperate in maintaining classroom decorum, the presence of non-enrolled visitors in the classroom [see APSU Policy No. 3:032, Minors on Campus Policy], etc.), the continued use of any electronic or other noise or light emitting device which disturbs or interrupts the concentration of others (e.g., disturbing noises from beepers, cell phones, palm pilots, laptop computers, games, etc.).
5. Class attendance and punctuality requirements are contracted between the faculty and the students through specific expectations for attendance and punctuality and specific consequences that are outlined by individual faculty members in the printed syllabus for each course. Students are expected to attend class regularly and on time and are responsible for giving explanations/rational for absences and lateness directly to the faculty member for each course in which they are enrolled. In cases where student absences are the result of emergency circumstances (e.g., death in the family, a student's serious injury or incapacitating illness), for which student(s) are unable to make immediate contact with faculty, the student may contact the Student Affairs office for assistance in providing such immediate notification to faculty. However, the student remains responsible for verifying the emergency circumstances to faculty and for discussing arrangements with faculty for possible completion of course work requirements, if feasible.

Disciplinary Sanctions

1. Upon a determination that a student or organization has violated any of the rules, regulations, or disciplinary offenses set forth in these regulations, the following disciplinary sanctions may be imposed, either singly or in combination, by the appropriate University officials. (Note: Final results of disciplinary proceedings for violations that include violent acts or non-forcible sex offenses, as defined by Tennessee law, may be released without permission of the student perpetrator.)
2. Definition of Sanctions:
 - (a) Restitution. A student who has committed an offense against property may be required to reimburse the University or other owner for damage to or misappropriation of such property. Any such payment in restitution shall be limited to actual cost of repair or replacement.
 - (b) Reprimand. A written reprimand or censure may be given to any student or organization whose conduct violates any part of these regulations. Such a reprimand does not restrict the student or student organization in any way but does have important consequences. It signifies to the student or student organization that each is being given another chance to conduct themselves as a proper member of the University community, but that any further violation may result in more serious penalties.
 - (c) Restriction. A restriction upon a student's or organization's privileges for a period of time may be imposed. This restriction may include, but is not limited to, the following: denial of the right to represent the institution in any way, denial of the use of University facilities and/or parking privileges, restriction of participation in extracurricular activities, restriction of organizational privileges including registration, and restriction of the transfer of academic credit from another institution.

- (d) **University Probation.** Continued enrollment of a student on probation may be conditioned upon adherence to these regulations. Any student placed on probation will be notified of such in writing and will also be notified of the terms and length of probation. Probation may include restrictions upon the extracurricular activities of a student. Parents or legal guardians may be notified. Any conduct in violation of these regulations while on probationary status may result in the imposition of a more serious disciplinary sanction.
- (e) **Suspension.** If a student is suspended, he/she is separated from the University or from a class for a stated period of time with conditions for readmission stated in the notice of suspension. Parents or legal guardians may be notified.
- (f) **Expulsion.** Expulsion entails a permanent separation from the University. The imposition of this sanction is a permanent bar to the student's readmission to the University. Parents or legal guardians may be notified.
- (g) **Interim or Summary Suspension.** Though as a general rule, the status of a student accused of violations of these regulations should not be altered until a final determination has been made in regard to the charges against him or her, summary suspension may be imposed upon a finding by the appropriate institutional official that the continued presence of the accused on campus constitutes an immediate threat to the physical safety and well-being of the accused, or of any other member of the University community or its guests, destruction of property, or substantial disruption of classroom or other campus activities. A final determination of the charges against any student summarily suspended shall be made through appropriate hearing procedures within ten (10) class days of such suspension during which time the accused shall forfeit all rights and privileges as a student of the University. Parents or legal guardians may be notified.
- (h) **Housing Probation.** A resident placed on housing probation is deemed not to be in good standing with the housing community, and his/her continued residence is conditioned upon adherence to these Regulations and the Housing Contract. Any resident placed on probation shall be notified in writing of the terms and length of the probation. Parents or legal guardians may be notified. Any conduct of a similar or more serious nature in violation of the probation shall result in suspension from housing.
- (i) **Housing Suspension and Forfeiture.** A resident suspended from housing may not reside in, visit or make any use whatsoever of a housing facility or participate in any housing activity during the period for which the sanction is in effect. A suspended resident shall be required to forfeit housing fees (including any unused portion thereof and the Housing deposit). A suspended resident must vacate the housing unit within forty-eight (48) hours. Housing suspension shall remain a part of the student's disciplinary record. Parents or legal guardians may be notified.
- (j) **Service to the University.** A student may be required to donate a specified number of service hours to the University, by way of performing reasonable tasks for the appropriate University office or official. This service shall be commensurate to the offense the student is guilty of violating (i.e., service to maintenance staff for defacing University property).
- (k) **Special Educational Program.** A student may be required to participate in any special educational programs relevant to the offense, to attend special seminars or educational programs or to prepare a project or report concerning a relevant topic.
- (l) **Interim or Summary Suspension from Campus Housing.** Though as a general rule, the status of a student accused of violations of these regulations should not be altered until a final determination has been made in regard to the charges against him or her, interim suspen-

sion from campus housing may be imposed upon a finding by the appropriate University official that the continued presence of the accused in Austin Peay State University housing constitutes an immediate threat to the physical safety and well-being of the accused, or of any other member of the University community or its guests, or the destruction of property. A final determination of the charges against any student summarily suspended from campus housing shall be made through appropriate hearing procedures within seven (7) class days of such housing suspension during which time the accused shall forfeit the right to reside in or visit campus housing facilities. The accused shall be permitted to attend classes during this interim period. Parents or legal guardians may be notified.

- (m) Referral for Intervention, Assessment and/or Counseling. The student is mandated to visit the appropriate University official for an initial intervention and assessment which may be followed by required participation and a prescribed plan of action or treatment plan. Parents or legal guardians may be notified.
- (n) Fines. Penalties in the form of fines may be enforced against a student or an organization whenever the appropriate hearing officer(s) or hearing body deems necessary. The sanction of fines may be imposed in addition to other forms of disciplinary sanctions. Failure to pay fines to the Business Office within two weeks of the decision will result in further disciplinary action.
- (o) Letter of Apology. A student or student organization may be required to write a letter of apology to the University or its guests, another student or student organization, faculty or staff member, or any other constituent affected by the behavior for which the student or student organization has been found responsible. The letter shall be written and sent within seven (7) class days of notification of sanction and copies to the appropriate hearing body or official.

3. The president of the University is authorized, in his/her discretion, to subsequently convert any sanction imposed to a lesser sanction, or to rescind any previous sanction, in appropriate cases.

Disciplinary Procedure

1. Alternative Hearing Procedures:

- (a) Procedures conforming to the Tennessee Uniform Administrative Procedures Act. All cases which may result in (i) suspension or expulsion of a student from the University for disciplinary reasons, or (ii) revocation of registration of a student organization during the term of the registration are subject to the contested case provisions of the Tennessee Uniform Administrative Procedures Act (TUAPA) and shall be processed in accordance with the uniform contested case procedures adopted by the Board of Regents, unless the student or student organization waives those procedures in writing and elects to have his or her case heard by either the University Hearing Board or an Administrative Hearing.
- (b) Cases which are not subject to the contested case procedures under the Tennessee Uniform Administrative Procedures Act and cases in which a student or student organization has waived the contested case procedures in writing shall be processed in accordance with Institutional Hearing Procedures. The University has established two alternate Institutional Hearing Procedures:
 - 1. A hearing conducted by one or more Student Affairs Administrators; or
 - 2. A hearing conducted by the University Hearing Board. (NOTE: This option shall be available until the final ten (10) class days of each semester, or the final five (5) class days of the second summer term, during which time all disciplinary hearings will be conducted by appropriate Student Affairs Administrators, except

those subject to TUAPA procedures as selected by the accused student or student organization.)

(c) Cases which are not subject to the contested case procedures under the Tennessee Uniform Administrative Procedures Act and which involve very minor first offenses by students or student organizations, may be discussed informally with students or student organizations. In such cases, no formal record will be maintained in the judicial records of the University. The University official responsible for conducting this Informal Disciplinary Discussion shall note the name of the student or student organization involved in his/her personal records. The purpose of this notation is only to determine a student's or student organization's prior involvement in a minor offense, when and if a second offense occurs at a later date. If the student or student organization is subsequently involved in another violation of regulations, at the discretion of the hearing body, this Informal Record will become a part of the student's Formal Disciplinary Records.

(d) Jurisdiction of Cases to be Heard by Student Affairs Administrators:

1. All formal cases involving incidents which occur in University residence halls and/or apartments and which involve on-campus residents shall be heard by the Residence Life staff or designee.
2. All other formal cases shall be heard by the Dean of Students for Student Affairs, or appropriate designee, except in cases where such staff member is unavailable or has a bias toward either party in the pending case. In such cases the Senior Student Affairs Officer shall assign one or more Student Affairs Administrators to hear the case.

2. Commencement of Disciplinary Proceedings.

(a) A student accused of violating University disciplinary rules shall be called before the appropriate Student Affairs Administrator for a preliminary conference at which the student will be orally advised of the following:

1. The charges against him/her;
2. The rights afforded to him/her by the hearing procedures which are available;
3. The hearing procedure options available; and
4. The responsibilities of the accused student in the disciplinary procedures.

(b) A student may WAIVE the right to a preliminary conference and an oral explanation of the items listed in (2) (a) above.

(c) Once advised of the hearing options, the accused student must select an option within three class days of receipt of notice of pending charges against him/her. The student elects the procedure to be followed by completing and signing an Election of Procedure form and/or waiver form. Once the election shall be made, the decision is final and may not be changed during the course of the hearing.

(d) Cases of alleged sexual assault. Regardless of the procedure elected, in cases involving alleged sexual assault, both the accuser and accused shall be informed of the following:

1. Both the accuser and the accused are entitled to the same opportunity to have others present during disciplinary proceedings, and
2. Both the accuser and the accused shall be informed of the outcome of any disciplinary proceeding involving allegations of sexual assault.

3. Institutional Hearing Rights. These rights shall be afforded the accused student in all Institutional Hearings before the appropriate Student Affairs administrator or the University Hearing Board.

(a) The right to choose the appropriate hearing option. (This right must be exercised within

24 hours of the presentation of charges. NOTE: This option shall be available until the final 10 class days of each semester, or the final five (5) class days of the second summer term, during which time all discipline hearings will be conducted by appropriate Student Affairs administrators, except those subject to TUAPA procedures as selected by the accused student.)

- (b) The right to written notice of the time and place of the hearing at least three (3) days in advance. A justified delay may be granted. (This right may be waived in writing by the accused student.)
- (c) The right to a written statement of the charges in detail sufficient to enable the student to prepare a defense.
- (d) The right to be accompanied by an adviser of the student's choice, but such participation shall be limited to advising the student.
- (e) The right to a statement of the possible sanctions that may be imposed as a result of a finding of a violation of the Code.
- (f) The right to present witnesses in the student's behalf and to question any witnesses presented against the student. The student is responsible for the attendance of any witnesses to be present in the student's behalf.
- (g) The right to be informed in writing of:
 - 1. The final administrative decision in the case.
 - 2. The proper procedure for appeal.
- (h) The right to be provided copies, upon request and in accordance with University Policy, of all complaints, reports, witness statements and other written materials used in determining the charges.

Rights of Complainant and/or Victim

The University member (student, faculty or staff) who authors "complaints" or "statements" as a victim in the alleged violation shall have the following rights:

- To be notified of his/her rights prior to making a statement.
 - To be informed that any written statement made or signed will be shared with the accused student and that the accused student may request a copy of the statement.
 - To attend the hearing.
 - To have an adviser present during the hearing.
 - To be given the opportunity to question all witnesses and the accused during the hearing.
 - To be provided a copy of any statement he/she has written or dictated to others.
 - To be able to submit a list of witnesses to be called to the hearing.
 - To be permitted to drop the charges only up to the date of the hearing.
 - To be notified of the outcome of the hearing, including the finding concerning responsibility and any sanctions taken.
4. Institutional Hearing Procedures.
- (a) Hearings before a Student Affairs Administrator. The appropriate Student Affairs Administrator shall act as hearing officer in the hearing, shall determine the student's innocence or guilt and shall apply sanctions as appropriate.
 - (b) Hearings before the University Hearing Board. Procedures for the Board include the following:
 - 1. The University Hearing Board shall be composed of nine persons: five students, (two automatically selected from the Student Tribunal Justices of the Student Government Association, and three selected at large from the student body who

meet the same qualifications and are selected via the same procedures as those for Student Tribunal Justices as listed in the APSU SGA Constitution), two faculty and two administrators, all appointed by the University president. Additionally, student, faculty and administrator alternate members shall be selected to serve in the absence of regular members.

2. The Chair of the Board shall be appointed by the University president.
3. A minimum of five members of the Board are required to hear a disciplinary case, composed of at least two students, one faculty member, and one administrator.
4. The Dean of Students shall train and advise all regular and alternate members of this Board in appropriate disciplinary procedures.

5. Appeals.

- (a) Any sanction imposed as the result of a hearing conducted under the Code shall be effective immediately upon notification of the student unless the hearing authority deems a stay of such sanction desirable pending appeal.
- (b) In any case where the decision results in separation from the University, the decision shall be reviewed by the Senior Student Affairs Officer prior to notifying the Office of the Registrar and the Academic Department in which the student has been enrolled.
- (c) Consideration of the appeal shall be limited to the record of the previous hearing on the following issues:
 1. Were the procedures of the Code properly followed in the hearing?
 2. Was the evidence presented at the hearing "substantial?"
 3. Was the sanction imposed in keeping with the gravity of the violation?
- (d) An appeal in writing setting forth grounds for the appeal and addressed to the appropriate appellate authority (as outlined in the next section) must be received in the Office of the Senior Student Affairs Officer within three (3) class days after the student is notified of the sanction imposed at any hearing or appellate level.

6. Route of Appeals.

- (a) A decision by a Student Affairs Administrator may be appealed to the Senior Student Affairs Officer, or designee.
- (b) A decision by the University Hearing Board may be appealed to the Senior Student Affairs Officer.

7. Appellate Authority. The Senior Student Affairs Officer, or designee, shall have the authority to do any of the following upon review of an appeal:

- (a) Sustain the previous decision including the penalty imposed, or
- (b) Sustain the previous decision but impose a greater or lesser penalty, or
- (c) Remand the case for further consideration, or
- (d) Reverse the previous decision.

8. Student Organization Disciplinary Procedures.

- (a) Types of Student Organizations. Student organizations may be either organizations sponsored by the University, such as student government associations, associated student body organizations and professional and honor societies; or organizations registered by the University. Organizations which may be registered to operate on campus include the following:
 1. Honors and leadership organizations and recognition societies;
 2. Departmental organizations and professional fraternities and sororities;
 3. Social fraternities and sororities; and

4. Special interest groups (political, religion, athletic, etc.). Registration of a student organization by the University shall neither constitute nor be construed as approval or endorsement by the University of the purposes or objectives of the organization.

(b) General Policies on Student Organizations

1. No student organization may carry on any activity on the campus unless the organization has been registered by the University.
2. The University shall not be responsible for injuries or damages to persons or property resulting from the activities of student organizations or for any debts or liabilities by such organizations.
3. No student organization shall deny membership to any person on the basis of age, race, sex, religion, handicap, veteran status or national origin, provided that social fraternities and sororities may have sex-restricted membership.
4. No student organization or individual shall engage in or condone any form of hazing. (See statement on hazing in section on Disciplinary Offenses.)
5. Student organizations shall be vicariously responsible and liable for the conduct and actions of each member of the organization AND FOR THEIR GUESTS while acting in the capacity of a member or while attending or participating in any activity of the organization. Such actions must NOT be in violation of the Code of Student Conduct.
6. No lease or other agreement affecting real property for a period in excess of one year or for rental in excess of \$12,000 per year shall be entered into between the University and an organization without the approval of the chancellor of the Board of Regents or his/her designee.
7. No person, group, or organization may use the name of the University in any manner, provided that registered student organizations may use the name of the University following the name of the organization. No person, group, or organization may use the seal or any symbol of the University without the prior, written approval of the President or his/her designee.
8. Student organizations that sponsor events off campus, where alcoholic beverages are present and available for consumption, must adhere to all local, state and national laws concerning alcoholic beverages and must follow the University's Risk Management Guidelines for student organizations.

(c) Sanctions Against Student Organizations. Any registered student organization may be given a reprimand, placed on probation, suspension, or restriction or may have its registration withdrawn by the Dean of Students, or by a Student Affairs Administrator appointed by the Senior Student Affairs Officer. Such actions may be taken after having a hearing conducted in accordance with the procedures outlined in this document for disciplinary procedures. In the case of Withdrawal of Registration of an organization, the procedures to be used will be the contested case provisions of the Tennessee Uniform Administrative Procedures Act, unless those provisions have been waived in writing by an authorized representative of the student organization. Such action may be taken for any one of the following reasons:

1. The organization fails to maintain compliance with the initial requirements for registration.
2. The organization ceases to operate as an active organization.

3. The organization requests withdrawal.
4. The organization operated or engaged in any activity in violation of the rules and regulations of the University, of any governing body of federal or state laws.

Smoking/Clean Air Policy Enforcement

1. A student found smoking in an unauthorized area can be charged with violating 2 (q) of the APSU Code of Student Conduct which states: Violation of general rules and regulations. Any violation of the general rules and regulations of the University published in an official University publication, including the intentional failure to perform any required action or the intentional performance of prohibited actions.
 - (a) Enforcement of this policy will be provided primarily by Public Safety with assistance from University officials.
 - (b) A student may be charged even if he/she puts the cigarette/cigar/pipe out — seeing the student smoking in an unauthorized area is sufficient.
 - (c) Students seen smoking in non-designated areas will be required to produce their APSU Gov's Card upon request.
 1. If student does not have the Card on their person he/she will be asked for an alternative picture I.D. Student may be charged with 2 (h) "Misuse of Austin Peay State University documents or identification. Any failure to carry the APSU ID card at all times or to show it upon proper request"
 2. If the student refuses to produce their APSU Gov's Card and/or another form of picture ID then he/she may additionally be charged with 2 (p) "Failure to cooperate with University officials. Failure to comply with directions of University officials in the performance of their duties."
 3. A student on the APSU property without any identification may be detained by Campus Police and/or denied access to the campus.
 - (d) Students who are verbally abusive or threatening toward any person attempting to enforce the policy may be charged with additional violations such as 2 (c) Harassment and/or 2 (d) Disorderly Conduct.
 - (e) Public Safety will issue a citation to the student for violation of the policy. The citation will contain information regarding the possible penalties and disciplinary process.
 - (f) A campus official or student observing the violation should complete a Disciplinary Complaint Form in the Central Student Affairs Office. This will result in a citation being issued to the student accused of violating the policy.
 - (g) Student may be cited for violation of the policy and fined as provided for in the Code under disciplinary sanction 2 (n): "Fines. Penalties in the form of fines may be enforced against a student whenever the appropriate hearing officer(s) or hearing body deems necessary. The sanction of fines may be imposed in addition to other disciplinary sanctions. Failure to pay fines to the Business Office within two weeks of the decision will result in further disciplinary action." If the student pays the fine then there is an inherent assumption that the student is pleading guilty and the hearing officer, as the chief judicial officer, is imposing the sanction.
 - (h) There will be graduated fines automatically imposed for violation of the policy:
 1. First Offense — \$25
 2. Second Offense — \$50
 3. Third Offense or more — \$100 and referral for Formal Disciplinary Charges

- (i) A faculty or staff member found in violation of the policy will be subject to employee disciplinary procedures.
- (j) Non-students violating the Smoking/Clean Air Policy may be charged with trespassing.

2. Appeal Process.

- (a) Upon receipt of a citation, a student has three class days to submit a written appeal. Appeals submitted after three days will not be considered.
- (b) The appeal form can be obtained from the Central Student Affairs Office or can be completed online.
- (c) The issuing official will be afforded the opportunity to comment on appeals before being presented to the appeal authority.
- (d) In addition to the Student Tribunal's authority to adjudicate traffic and parking violations, the Student Tribunal also shall hear and decide all cases involving the appeal of smoking violation citations by students. The Tribunal will consist of a minimum of three members and decide by majority vote.
- (e) The Tribunal will meet at a minimum every two weeks and report findings in writing to the student, the chief judicial officer, and the Business Office.

APSU CAMPUS SECURITY, TRAFFIC & PARKING

Security Policies and Procedures

APSU maintains a 24-hour dispatch service accessible by telephone (221-7786), emergency (911) and is always open for walk-in service (Shasteen Building). Officers patrol the campus by automobile and on foot 24 hours a day. The department of public safety is open 365 days a year. Department regulations state that when a person applies for assistance or advice or makes complaints or reports, either by telephone or in person, all pertinent information shall be obtained in an official and courteous manner and will be properly and judiciously acted upon consistent with established departmental procedure.

The campus and facilities of the University are restricted to students, faculty, staff, guests, and invitees of the University, except when part or all of the campus, its buildings, or facilities, are open to the general public for an approved and designated time and purpose. Campus facilities include all on-campus buildings and off-campus buildings owned or controlled by the University or student organizations recognized by the University. For specific information on access to facilities and key control, refer to APSU Policy No. 4:007.

All persons using campus facilities, including faculty, staff, guests and invitees, shall be subject to all rules and regulations of the University and the Tennessee Board of Regents, which are applicable to the conduct of students on campus and to all applicable federal and state laws and regulations. The public safety department conducts ongoing surveys of outdoor lighting and reports problems directly to the physical plant department.

The Department of Public Safety also conducts surveys of the campus for hazardous conditions and reports problems directly to the physical plant department. In addition, department of public safety personnel routinely report all unsafe or potentially unsafe conditions found to exist on campus. In the event of a hazardous or unsafe condition, steps are taken to ensure the safety of the University community. There are commissioned officers employed by the Department of Public Safety. Their training consists of a basic police academy, which meets the requirements of the Tennessee Police Officers Standards and Training Commission and an annual in-service training session of 40 hours, which also meets Tennessee P.O.S.T. requirements.

APSU campus police are commissioned as peace officers by the president of APSU as provided by state statutes. The commission authorizes officers to enforce laws on the campus and provides officer status on University property and streets contiguous to the campus. Public Safety has a close working relationship with municipal, county, state and federal law enforcement agencies. The Clarksville Police Department offers close support by patrolling surrounding neighborhoods and may investigate major crimes on campus. The Military Police at Fort Campbell provide similar support at the APSU Center @ Fort Campbell.

All members of the University community are encouraged to report all criminal activity and other suspicious activity to the Department of Public Safety. Security awareness and reporting procedure presentations are made to all incoming students and new employees during orientation sessions. Should the University acquire any new facilities at remote locations that come under the purview of these laws, arrangements will be made with local law enforcement agencies to provide required crime statistics. These will be distributed annually to facility users to alert them to potential criminal activities.

The Student Handbook contains a statement encouraging students to contact Public Safety regarding criminal activity. Other methods to encourage prompt reporting of criminal activity include distribution of newsletters, memorandums, newspaper articles, posters, and other media. A list of off-campus student organizations and their addresses are provided regularly to the Clarksville police department. They have agreed to forward reports of any criminal activity at these locations to Public Safety at APSU. Crime prevention programs including a program to engrave identification numbers on valuable items, assault awareness presentations, and videos providing information regarding methods to prevent crimes are used on a regular basis. Other information on crime prevention is regularly distributed to students and employees through newsletters, memorandums, campus newspapers, and posters.

Statistics for all crimes will be publicized and distributed to employees and students on an annual basis, in the time frames required by Federal/State law and will be available to applicants for enrollment or employment upon request to the Office of Public Safety. For University policy and statistics, contact the Office of Institutional Research and Effectiveness at 221-7331, or at www.apsu.edu/ire.

Traffic and Parking Regulations

1. Purpose: The purpose of these regulations is to facilitate the orderly and efficient flow of traffic on campus, to provide a safe atmosphere with regards to both pedestrians and other motor vehicle operators, and provide order with regards to parking within our limited space allocations.
2. General Information:
 - (a) Every Austin Peay State University student, faculty and staff member who chooses to park a vehicle on campus at any time must obtain and display a current, valid parking permit. All members of the campus community will be afforded the opportunity to become familiar with these regulations. All personal receiving a parking permit will be offered a copy of the parking regulations along with a detailed map of parking locations by category. Persons are expected to read and familiarize themselves with these regulations. Accordingly, when found in violation, ignorance of these regulations is no excuse or defense.
 - (b) The president and vice president for Finance and Administration direct all matters concerning traffic and parking on campus, unless delegated to the director of public safety/ chief of campus police. The director/chief is responsible for the enforcement of these regulations. The director/chief is authorized to selectively enforce or not enforce certain regulations and parking categories based on special events and circumstances that require special accommodation.

- (c) Austin Peay State University assumes no responsibility for the care and protection of any vehicle or its contents while parked or driven on University property. In addition, the University assumes no responsibility for the care or protection of any vehicle or its contents if it is immobilized, towed and removed or stored for violation of these regulations.
 - (d) Persons are entitled to only one category of parking permit at a time. Persons will be identified based on their primary affiliation with the University—either student or faculty/staff. Graduate assistants and part-time student workers, for instance, are not entitled to faculty/staff permits. Permits are not transferable and not authorized for use by a person other than to whom issued, particularly by a person in a different parking category. Only those persons who are neither students nor faculty/staff are entitled to visitor passes.
 - (e) Austin Peay State University acknowledges that there are a limited number of parking spaces within the immediate vicinity of many facilities. Notwithstanding, there are a sufficient number of total spaces on campus grounds and adjacent city streets for everyone to park legally. Possession of a valid parking permit is the recipient's right to secure available, legal parking on campus—it is not a guarantee for parking in particular locations or in particular categories of spaces. The limited number of designated spaces for visitors, residence hall students, faculty/staff and disabled persons mandates stringent enforcement of parking regulations. Everyone is encouraged to respect the rights of others, and to allow sufficient time, usually a maximum of five to 10 minutes, to walk from available parking spaces to classrooms or facilities. A security escort service is available to students by calling Campus Police at 221-7786.
 - (f) Vehicles parked on campus are required to be maintained in operating condition. No maintenance involving replacement of major components such as engines, or the replacement of hazardous fluids, such as oil and transmission fluid, is authorized without consent of director of safety/chief of campus police or director of housing. Vehicles not maintained in operating condition and left unremoved for extended periods of time will be considered abandoned, and disposed of consistent with state law.
 - (g) Persons are responsible for citations incurred with their permits and/or vehicles. Persons will also be held liable for violations incurred by a vehicle, when that vehicle is reasonably shown to be associated to the person. Examples include vehicles shown to be registered to spouses or family members of students/faculty/staff. This will not be confused with the right to first obtain a visitor pass or request a second permit in the provisions below.
 - (h) A campus access fee will be charged to all main-campus students. The campus access fee is included in the general access fee on the students' statement of account. All University employees will be charged a campus access fee for each issued parking permit.
3. Parking zones, authorized overflow areas, and hours of enforcement. The University will assign and publish a color-coded list or otherwise designated markings for the following categories:
- (a) Faculty and Staff spaces. These spaces are also authorized for those with visitor passes and disabled permits at all hours. Parking in faculty/staff spaces is not enforced on days when the University is officially closed (weekends, holidays, etc.) and not enforced from 5 p.m. through 6 a.m. when school is in session. Faculty/staff spaces associated with any on-campus faculty/staff housing, however, are enforced on a 24-hour basis.
 - (b) Residence Hall Student spaces. These spaces are enforced on a 24-hour basis whether classes are held or not. Only those with valid residence hall parking permits, valid disabled parking permits and visitor passes issued only by Public Safety/Campus Police expressly for that category, are authorized to park in those spaces. Residence hall spaces will be

broken into further, color-coded categories, and resident students may only park in the colored area associated with their residence hall. When necessary, specific parking spaces will be designated in commuter lots for overflow residence hall parking.

- (c) Commuting Students and Married Housing spaces. These spaces are also authorized for visitors with passes, those with disabled parking permits, and residence hall parking permit holders only in specific lots. Commuting spaces are enforced only between the hours of 6 a.m. and 5 p.m. on days when classes are in session.
 - (d) Visitor spaces. Visitor spaces will not be issued to or used by current faculty, staff, or students. Visitor spaces are enforced between the hours of 6 a.m. and 5 p.m. on days when classes are in session.
 - (e) Emergency/Public Safety and Physical Plant/Maintenance Spaces. As a matter of public safety and the need to conduct critical maintenance in support of university operations, all but these types of official vehicles are forbidden to park in these spaces on a 24-hour basis.
 - (f) Yellow curbs and yellow bumper blocks. No parking is permitted on yellow curbs or at yellow bumper blocks at any time.
4. Obtaining and displaying parking permits and passes.
- (a) General:
 - 1. All parking permits expire annually on August 31.
 - 2. Hanging parking permits are issued to persons, not vehicles, and are not required to be permanently affixed to a vehicle. Persons in valid possession of a parking permit may drive any conveyance, if legally registered, insured, and in safe operating condition, with their parking permit displayed. Persons are encouraged but not required to provide specific vehicle information on the registration form to aid campus police in the identification of their vehicle for administrative or emergency purposes.
 - 3. Second parking permits. Because parking permits may be used on any vehicle desired under control of the operator/permit holder, only Emerald Hills/married housing students and families qualify automatically for a second parking permit. Only students/faculty/staff that present extraordinary circumstances in writing, approved by the Director/Chief, are authorized a second parking permit. Persons authorized a second parking permit will be assessed an additional campus access fee. Everyone is reminded and encouraged to use the temporary and visitor pass provisions below when desired.
 - (b) Faculty/staff parking permits. Faculty and staff complete registration and render payment at the Business Office.
 - (c) Student parking permits. Parking fee is included in the general access fee on student financial statements. Students complete registration with the Campus Police Department at the Shasteen Building or at announced, additional locations at the beginning of the academic year.
 - (d) Disabled Persons parking. Disabled parking permits are issued to qualified students/faculty/staff in lieu of any other permit. Permits are obtained from Public Safety/Campus Police upon the presentation of a license or placard issued by any state specifically to the person requesting the permit. Temporary disabled permits are issued under the authority of the director of Health Services and entitle the bearer to the same parking privileges for short periods of time.

- (e) Visitor parking permits. Visitor parking permits will be issued by Public Safety/Campus Police at the Shasteen Building, and may also be issued by the Directors of Admissions, Advancement, Alumni Affairs and the University Center. Visitor parking permits will only be issued in hard, color copy and will not be forwarded to any other party electronically. In addition to designated visitor spaces, visitors with parking permits may use all legal parking spaces on campus, except resident student spaces. Only Public Safety can issue visitor parking permits authorized for use in residence hall spaces.
- (f) Temporary parking permits. Unlike visitor permits, temporary permits are issued to members of the campus community who otherwise qualify for a regular parking permit. Temporary parking permits are issued by authorized campus departments, with prior approval of Public Safety/Campus Police for a designated period of time and are assigned a specific category and/or color code.
- (g) Displaying the parking permit. Parking permits designed to be hung from rear-view mirrors will be so displayed. The hanging parking permit system, provided as a convenience at the request of the campus community, presents potential abuses and a challenge to enforcement. The success of the program rests on the requirement to enforce the display of parking permits at all times while on campus.
- (h) Lost or stolen parking permits. Lost or stolen parking permits must be reported immediately to Public Safety/Campus Police. A temporary parking permit will be issued for 14 days. If the original parking permit is not recovered during that time, the operator will obtain and pay for a new parking permit.

5. Violations.

- (a) Moving violations. Note: Campus Police are commissioned and authorized to enforce all state motor vehicle laws on university property and all roads contiguous to campus. They are authorized to issue either a State or University citation when both state law and university regulations are violated in the following cases:
 1. Failure to obey stop sign or traffic signal.
 2. Failure to yield to pedestrians in crosswalk (note: extends to any pedestrian who has stepped off the curb and onto the roadway, for the entire length of the crosswalk.
 3. Traveling wrong-way on a one-way marked street.
 4. Operating a motor vehicle off a marked roadway on campus grounds.
 5. Speeding.
 6. Failure to yield right-of-way.
 7. Failure to obey lawful directions of a police officer.
 8. Failure of motorcycle operator or rider to wear certified, protective headgear.
 9. Failure to yield to emergency vehicle.
- (b) Parking violations.
 1. Parking in driveways, loading zones including dumpsters, crosswalks, sidewalks or pedestrian walkways.
 2. Parking in roadway or otherwise obstructing flow of traffic.
 3. Parking on campus grounds or cultivated area unless designated for parking.
 4. Parking in "No parking" zone.
 5. Parking on wrong side of street-facing opposite direction of traffic.
 6. Parking outside designated space and/or occupying two spaces.
 7. Parking within 15 feet of a fire hydrant.

8. Parking within 20 feet of street intersection or entrance/exits.
 9. Failure to display parking permit.
 10. Improper display of parking permit-inability to read permit.
 11. Possession/use of a forged/altered/lost/stolen permit.
 12. Parking in unauthorized zone.
 13. Unauthorized parking in visitor, maintenance or emergency vehicle space.
 14. Unauthorized parking in disabled parking area including adjacent access area and curb cuts.
- (c) Other. Persons who obtain a parking permit through misrepresentation, and/or transfer control of parking permit to a party not otherwise entitled to those privileges, will be subject to action under the provisions of student/employee disciplinary procedures.
6. Schedule of Fines.
- (a) Moving violations when written as a University citation: \$35
 - (b) Parking violations:
 1. Unauthorized parking in visitor, maintenance or emergency vehicle space: \$35
 2. Unauthorized parking in disabled parking area: the fine for disability/handicapped parking violations is established by state law and will increase as needed to be in compliance with state law.
 3. Possession/use of a forged/altered/lost/stolen parking permit: \$25 and revocation of parking privileges for remainder of semester/term.
 4. All other parking fines: \$25
7. Repeat Offenders.
- (a) Immobilization. Persons who receive more than three citations in one semester, regardless of status of appeals under the provisions below, may be subject to action under the provisions of student/employee disciplinary procedures, and are subject to having their vehicle immobilized (“booted”).
 1. When a vehicle is booted, no attempt will be made to remove or damage the boot. Attempts to drive the vehicle while the boot is emplaced are hazardous and will result in vehicle damage.
 2. Persons whose vehicle has been immobilized will report to Public Safety/Campus Police, where they will be given a processing form. Persons will document with the business office that all previous fines have been paid or appealed and will document a meeting with their respective vice president or designated representative.
 3. Upon completion of the form, persons will present the form to Public Safety/Campus Police, and the boot will be removed.
 4. Persons who do not make provision to complete the above requirements within seven calendar days will have their vehicle towed under the provisions outlined below.
 - (b) Towing and impoundment.
 1. Vehicles are subject to tow if:
 - a. Declared abandoned under the provisions of state law, obstructing traffic, or otherwise creating a safety hazard, blocking emergency vehicles and equipment and/or the ability to perform essential repairs.
 - b. The vehicle has already been immobilized once for repeat violations and subsequently found in violation again.

- c. It could not be immobilized previously due to mechanical or technical reasons, and, in lieu of immobilization, the operator was warned that the next offense would result in towing; and following that, the vehicle was subsequently found in violation again.
 - d. Parked in an area marked as a “tow-away” zone for publicly announced events and activities and Gov’s Club parking for athletic events.
 - 2. Vehicles will be towed and impounded by a licensed and bonded towing service contracted by the University. Persons whose vehicles are towed are responsible for settling towing and storage fees directly with the towing service.
 - 3. Vehicles not reclaimed will be subject to disposition under state law.
 - 4. Persons whose vehicles are towed after repeat violations and after having been immobilized once, are subject to immediate revocation of parking privileges for the remainder of the semester/term. Further attempts to park on campus without authorization will be referred to the appropriate vice president for disciplinary action.
- 8. Payment of Fines and Appeals.
 - (a) Fines:
 - 1. Fines are paid via appropriate means and through the website and/or Public Safety/Campus Police.
 - 2. Posting of fines from Public Safety/Campus Police to the Business Office normally takes three to five working days.
 - 3. Failure of students to satisfy payment of fines will result in withholding grades, transcripts and the ability to register for subsequent semesters. Faculty/staff must satisfy payment of fines during the semester/term the fine was incurred. Failure to do so may result in a payroll deduction.
 - (b) Appeals:
 - 1. General.
 - a. Upon receipt of a citation, persons have three class days to submit an appeal. Appeals received outside that window will not be considered.
 - b. Appeal forms can be obtained from Public Safety/Campus Police or completed and submitted electronically.
 - c. Issuing officers will be afforded the opportunity to comment on appeals before presented to the appeal authority.
 - 2. Student Appeals.
 - a. The Student Tribunal shall hear and decide all student appeals of student traffic citations.
 - b. The Tribunal will consist of a minimum of four (4) members and rule by majority vote.
 - c. The Tribunal will meet at a minimum of every two weeks and report findings in writing to the student who appealed, Public Safety/Campus Police and the Bursar’s Office.
 - d. Students may further appeal the Tribunal’s decision to the Dean of Students.
 - e. When the University is not in session, the vice president for Student Affairs, or designee, will hear and decide appeals and announce results in the same manner as the Tribunal.

3. Faculty/Staff Appeals. A committee consisting of faculty and staff shall hear all faculty and staff citation appeals at least once per semester and report results in the same manner as the Tribunal.

APSU STUDENT RIGHTS

Notification of Rights Under FERPA

FERPA is the acronym for the Family Educational Rights and Privacy Act. Originally enacted in 1974 as part of a bill extending the Elementary and Secondary Education Act of 1965, it has been amended over the years since. FERPA was enacted as a series of civil rights legislation, designed to assert and protect the rights of students and their parents. Its primary purpose was two-fold: to assure parents of students' access to their education records and to protect such individuals' rights to privacy by limiting the transferability of their records without their consent.

Can a school disclose information to parents in a health or safety emergency?

Yes. Austin Peay State University is permitted to disclose information from education records to parents if a health or safety emergency involves their son or daughter.

Can parents be informed about students' violation of alcohol and controlled substance rules?

Yes. APSU is permitted to inform parents of students under the age of 21 of any violation of law or policy concerning the use or possession of alcohol or a controlled substance.

Can a school disclose law enforcement unit records to parents and the public?

Austin Peay may disclose information from "law enforcement unit records" to anyone — including parents or federal, State, or local law enforcement authorities — without the consent of the eligible student. Many colleges and universities have their own campus security units, just as Austin Peay State University does. Records created and maintained by these units for law enforcement purposes are exempt from the privacy restrictions of FERPA and can be shared with anyone.

When may a school disclose information to parents of dependent students?

Under FERPA, schools may release any and all information to parents, without the consent of the eligible student, if the student is a dependent for tax purposes under the IRS rules or if the student voluntarily provides the University with a waiver providing parents access to educational records.

Can school officials share their observations of students with parents?

Nothing in FERPA prohibits a school official from sharing with parents information that is based on that official's personal knowledge or observation and that is not based on information contained in an education record. Therefore, FERPA would not prohibit a professor or other school official from letting a parent know of his or her concern about the student based on his or her personal knowledge or observation.

How does HIPAA apply to students' education records?

The Health Insurance Portability and Accountability Act of 1996 (HIPAA) is a law passed by Congress intended to establish transaction, security, privacy and other standards to address concerns about the electronic exchange of health information. However, the HIPAA Privacy Rule excludes from its coverage those records that are protected by FERPA at school districts and postsecondary institutions that provide health or medical services for students. This is because Congress specifically addressed how education records should be protected under FERPA. For this reason, records that are protected by FERPA are not subject to the HIPAA Privacy Rule and may be shared with parents under the circumstances described above.

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. They are:

1. The right to inspect and review the student's education records within 45 days of the day the

University receives a request for access.

Students should submit to the registrar, dean, head of the academic department or other appropriate official, a written request that identifies the record(s) they wish to inspect. The University official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the University official to whom the request was submitted, that official shall refer the student to the correct official to whom the request should be addressed.

2. The right to request the amendment of the student's education records that the student deems inaccurate or misleading.

Students may ask the University to amend a record that they believe is inaccurate or misleading. They should write the University official responsible for the record, clearly identify the part of the record they want changed and specify why it is inaccurate or misleading.

If the University decides not to amend the record as requested by the student, the University will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the University in an administrative, supervisory, academic, research or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the University has contracted (such as an attorney, auditor or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the University discloses education records without consent to officials of another school in which a student seeks or intends to enroll.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by Austin Peay State University to comply with the requirements of FERPA.

The name and address of the office that administers FERPA is: Family Policy Compliance Office, U.S. Department of Education, 600 Independence Avenue, SW, Washington, DC 20202-4605

Confidentiality and Privacy of Student Records

Directory information concerning students is treated as public information and is released to the public unless otherwise requested by the student. "Directory information" includes the following: the student's name, address, telephone listing, e-mail address, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, the most recent previous educational agency or institution attended by the student, and degrees and awards received by a student. The University provides each student the opportunity to restrict disclosure of the designated directory information. The student will be given this opportunity at the beginning of each academic term. (Forms may be obtained from the Office of the Registrar).

A student's right of access to his or her education records includes the right to inspect and review the

content of such and obtain copies thereof at a reasonable cost within 45 days of requesting them. The right of access of a student does not include access to:

- (1) Financial records of the parents of the student or any information contained therein;
- (2) Confidential letters and statements or recommendations concerning admission, employment or the receipt of an honor, which were placed in the records prior to January 1, 1975, or concerning which the student has signed a waiver of access;
- (3) Administrative and educational personnel records ancillary thereto, which are in the sole possession of the maker thereof and which are not accessible to any person except a substitute;
- (4) Records of law enforcement officials;
- (5) Records relating exclusively to a person's employment at the institution when the person is not in attendance as a student of the institution and
- (6) Records maintained by professional or paraprofessional health-related personnel which are made in connection with the provision of treatment of a student and not available to persons other than the health-related personnel.

Information concerning educational records which is personally identifiable with a particular student, other than directory information, shall not be released to persons, agencies or organizations other than those hereinafter described unless:

1. There is written consent from the student specifying the records to be released, the reason for the release and to whom the information is to be released, with a copy to the student, if requested, or
2. Such information is furnished in compliance with a judicial order or a subpoena, provided that advance notice of the receipt of the order of subpoena shall be provided to the student prior to compliance if possible. Personally identifiable education records may be released to other school officials of the institution, including members of the faculty, who have legitimate educational interests.

Visit <http://www.apsu.edu/files/policy/3024.pdf> for the Confidentiality of Student Records Policy.

Students' Rights and Responsibilities

Anyone enrolling at Austin Peay State University is entitled to all rights granted to him/her by the Constitution of the United States and is entitled to the full protection of the law. Apart from those rights and duties enjoyed by nonstudents, enrollment in the University carries with it special privileges and imposes special responsibilities. The University has established regulations and certain due process procedures essential to an atmosphere of mutual respect which is sensitive to rights of all individuals. These rights and responsibilities follow:

1. Students have the right to enjoy the educational opportunities afforded by the University without discrimination because of age, race, sex, sexual orientation, disability, veterans status or national origin. (See University Affirmative Action Philosophy.)
2. Students are entitled to the right of due process as provided and explained by the University's Code of Student Conduct. (See APSU Code of Student Conduct.)
3. Students are entitled to freedom from unreasonable search and/or seizure regarding their person, their residence, and their personal property (See University Search and Seizure Policy.)
4. Students have a right to privacy, including the maintenance of confidential records in accordance with the provision of the Family Educational Rights and Privacy Act as amended and as qualified by the Tennessee Public Records Act. (See APSU Policy on Confidentiality of Student Records.)
5. Students have the right of access to campus crime statistics and graduation rates as defined by the Student Right-to-Know and Campus Security Act, as amended. (See APSU Policy.)
6. Students have the right to affiliate with officially registered student organizations if the membership requirements of those organizations have been met and the right to establish through

official procedures additional student organizations of their choosing. (See APSU Policy on Student Organizations.)

7. Students have the right to participate in University governance through the Student Government Association, student organizations and representation on University committees. (See Student Government Association Constitution and University Standing Committee Procedures.)
8. Students have a right to peaceably assemble in accordance with federal, state, local and Austin Peay State University regulations. (See APSU Policy.)
9. Students have the right of access to the University campus and facilities. (See APSU Policy.)
10. Students have the right to expect:
 - a. A campus environment conducive to learning and working that is free of any racial, sexual or other form of harassment.
 - b. A drug-free University environment.
 - c. Accurate information concerning institutional services, regulations, policies and procedures in published form.
 - d. Sound and accurate academic advice, including such matters as courses required for graduation, course and program prerequisites and course sequence.
 - e. Reasonable notice of any changes in academic requirements for programs and assurance that such changes will not be made in a way that unduly impedes the academic progress of a student already enrolled.
 - f. Flexibility in course scheduling (by dropping and adding) or withdrawing within University guidelines.
 - g. Information about the various types of financial assistance available.
 - h. Freedom to evaluate courses, programs and services and provide input to appropriate segments of the campus administration.
 - i. Classes to meet as scheduled and course and program requirements clearly stated.

Student Role/Participation in Institutional Decision Making

Austin Peay State University recognizes that students should (and do) participate in institutional decision making. Through the advice of the Student Affairs staff and through Austin Peay State University policies, the University exercises responsibility in directing student activities and student organizations. The Student Government Association (SGA) is an active and vital organization that serves as a link between the student body and the administration. The SGA (of which all students are members) addresses student issues to the Administration on a regular basis and serves as a governing body through the executive officers, the SGA Senate, and the Student Tribunal. The SGA president recommends student appointments for University standing committees, special committees, and search and selection committees. These recommendations are made through the SGA adviser and the vice president for student affairs to the president of the University. The student voice is an active component of the University's decision-making process.

PROCEDURES FOR APPEALS AND COMPLAINTS

Procedures for appealing University decisions

Fee adjustments for tuition-related university fees/charges, refunds, etc.

The University's guideline explaining how to file an appeal for a fee adjustment is available online. Please read the acceptable reasons (<http://www.apsu.edu/Appeals/FeeAdjustmentAppealPolicy.aspx>) for which fee adjustments are made. If your situation meets the criteria outlined, complete the Appeal Form (http://www.apsu.edu/Appeals/appeal_form.aspx) and submit to the Office of Enrollment Management and Academic Support (EMAS). Supporting documentation must be sent to the EMAS

office within five (5) business days of the submission of the appeal. The EMAS office will provide a decision in writing via e-mail to the appellant's official APSU e-mail account.

Decisions of the EMAS Office may be appealed in writing to the Fee Adjustment Appeals Committee, which meets twice each Fall and Spring semester. The committee chairperson will provide a decision in writing via e-mail to the appellant's official APSU e-mail account. Appeals of adverse decisions made by this committee must be in writing to the Assistant Vice President for Finance and Administration. A written decision of matters appealed to that office will be sent to the student's official APSU e-mail account. This concludes the fee adjustment appeals process.

Deadlines for Fee Adjustment Appeals:

- Fall Semester, Fall I FC and Fall II FC Terms — Feb. 15 of following year
- Spring Semester, Spring I FC and Spring II FC Terms — Oct. 15 of same year
- Maymester, Summer (Full), Summer I, Summer II and Summer III FC — Dec. 1 of same year

Appeals received after the stated deadlines will not be considered.

Admissions Appeals

Applicants who are not initially admitted to Austin Peay State University, upon application, may appeal their admission decision in writing to the University Admissions and Standards Committee. The information provided on the Appeal Form (http://www.apsu.edu/admissions/undergrad/online_forms), your admissions application, your academic credentials and all other application materials will be reviewed by the committee.

Residency Appeals

Students who have been classified as out-of-state for fee payment purposes may appeal their residency classification by completing the Residency Application (<http://www.apsu.edu/files/registrar/residapp.pdf>). The completed form and supporting documentation must be submitted to the Office of Admissions, Ellington Lobby, for new students and to the Office of the Registrar, Ellington 303, for currently enrolled students. All appeals must be submitted prior to the beginning of the term for which the appeal is filed. Applications for the current term will not be accepted if the term has already begun. Students wishing to further appeal the decision of the Office of Admissions or the Office of the Registrar may do so by contacting the Office of the Registrar and requesting for the application to be reviewed by the Residency Appeals Committee.

Traffic fines/citations Appeals

Traffic fines and citations may be appealed through the Traffic Citation Appeals Form (<https://www.apsu.edu/secure/police/appeal.asp>).

Housing and Residence Life and Dining Appeals

Residence hall and dining charges may be appealed using the Housing Appeals Form (https://www.apsu.edu/HOUSING/forms/Charge_Appeal_Form.pdf). The form must be printed, completed and submitted to the Housing Office located in Miller Hall.

Grades Appeal Policy

The purpose of the University's Student Grade Appeal policy is to hear students' grievances about the final grade awarded in a course or the method of evaluation. Students may appeal course grades in accordance with the Student Grade Appeal Policy, <http://www.apsu.edu/files/policy/3033.pdf>. Once a degree has been posted to the transcript, the academic record is deemed complete and changes will not be made on grades earned prior to the posted degree.

Other non-academic grievances

The purpose of the University's Non-Academic Grievance policy is to hear students' grievances and complaints about the action and performance of University personnel in non-academic matters, to determine the validity of the grievance or complaint and to recommend resolution. Visit <http://www.apsu.edu/files/policy/3008.pdf>.

University Harassment Policy

In order to provide an environment on campus conducive to learning and working, the University is prepared to act against any sexual, racial or other forms of harassment. Sexual and racial harassment are forms of discrimination prohibited by federal law. For more information or instructions on how to report incidents of harassment, see APSU Policy 5:003 or contact the Office of Affirmative Action at 7178.

TBR Statement of Grievance

Students should be aware that, should they have concerns or complaints about their program or their financial aid, this institution has a complaint procedure. (See Academic and Non-Academic Grievance Procedure contained herein.) To the extent possible, students should seek a resolution of such matters through the institution's complaint procedure before involving others. Should the institution not be able to resolve the problem or if the student has further concerns, the student may contact the Tennessee Board of Regents at (615) 366-4400.

Complaints of accreditation and state law violations

Students or prospective students who wish to file a complaint related to accreditation or regarding violations of state law not resolved at the institution may submit a Student Complaint Form to the Tennessee Board of Regents at 1415 Murfreesboro Road, Suite 340, Nashville, Tenn. 37217, or by going on line and filling out the form electronically at <http://www.tbr.edu/contact/StudentComplaintForm.aspx>. Under Tennessee's open records law, all or parts of complaints will generally be available for review upon request from a member of the public.

Complaints regarding accreditation can also be made by contacting the Southern Association of Colleges and Schools Commission on Colleges, 1866 Southern Lane, Decatur, Georgia 30033-4097, telephone: 404-679-4500 (www.sacscoc.org).

Complaints of fraud, waste or abuse may be made by email at reportfraud@tbr.edu or by calling the Tennessee Comptroller's Hotline for Fraud, Waste and Abuse at 1-800-232-5454.

APSU POLICIES & GUIDELINES

Acceptable Use of Information Technology Resources Policy

Purpose

The purposes of this policy include:

- 1) To articulate the rights and responsibilities of persons using information technology resources owned, leased or administered by Austin Peay State University (APSU);
- 2) To protect the interests of users and APSU; and
- 3) To facilitate the efficient operation of APSU information technology systems.

General Information

The primary purpose of Austin Peay State University's information technology resources is to enhance and support the educational mission of the University. Access to the University's technology resources is a privilege granted to University students, faculty, staff, contractors, and approved guests. These resources include, but are not limited to: computer hardware, software, computer accounts, e-mail accounts and local area networks, as well as connections to other computer networks via the Internet. Users are expected to use these resources in a responsible manner.

Restrictions

- A. All users shall comply with the Tennessee Board of Regents Policy 1-08-00-00, Information Technology Resources, which may be found at the following URL: (<http://www.tbr.edu/policies/default.aspx?id=4862>). Said TBR policy (and any subsequent versions thereof) is hereby fully

incorporated and made a part of this university policy.

B. All users must not use Information Technology Resources for the following:

- 1) Entering, without authorization, into any account to use, read and transfer or change contents in any way;
- 2) Impersonating/misrepresenting another individual's computer account or e-mail user name;
- 3) Using computing resources to interfere with the work of other students, faculty, staff or University officials;
- 4) Using computing facilities to send obscene, abusive, threatening, defamatory or harassing messages;
- 5) Using computing resources for activities not directly related to academic or research endeavors in such a way that it causes disruption in a University lab or classroom;
- 6) Using computing resources to interfere with the normal operation of University computing systems and connected networks including, but not limited to: introducing viruses, flooding the network with messages or unfairly monopolizing resources that result in the exclusion of others;
- 7) Using University computing resources for personal profit or commercial purposes;
- 8) Using University- or state-owned equipment and or resources to access obscene or illegal material via the Internet;
- 9) Using University computer resources to illegally disperse or receive copyrighted or protected software and or software resources.

Consequences

Intentional failure to comply with this policy will result in action that may include suspension of user privileges or other disciplinary action, including suspension or expulsion from the University or termination of University employment. In addition, violations may result in referral for prosecution by local, state or federal authorities.

Privacy Considerations

The University reserves the right to view or scan any file, e-mail or software stored on University- or state-owned systems or transmitted over University networks. All users should be aware that e-mail messages are written records that could be subject to review with just cause and may be subject to Freedom of Information Act requests. When required by law, court order, or subpoena, e-mail or computer files may be disclosed to the appropriate authorities. Computer users will receive notice of such disclosures.

*APSU computer users are encouraged to become familiar with the Austin Peay State University Regulations for the Use of the VAXand/or Alpha Server, which can be accessed at: <http://www.apsu.edu/information-technology/vaxregs>.

Guidelines for Use of APSU Computer Labs

Purpose

This document describes the different types of computer facilities available, defines who may use these facilities, and provides guidelines for acceptable use.

These guidelines are intended to cover information which all facilities hold in common. Each facility may supplement these campus-wide guidelines with individual department or unit procedures or protocols to meet specific administrative or academic needs.

Violations of These Guidelines

Disciplinary actions for violating any provisions of these guidelines shall be governed by the applicable provision of the Code of Student Conduct found in the APSU Student Handbook.

Sanctions for violation of these guidelines may include revocation or suspension of computer access privileges in addition to any other sanctions permitted under the Code of Student Conduct and the Tennessee Board of Regents policy on Information Technology Resources (<http://www.tbr.edu/policies/default.aspx?id=1166>).

Violations of law may also be referred for criminal or civil prosecution. Resources covered by these guidelines include host computer systems, personal computers and workstations, computer peripherals, communications networks, software, removable media and files. The use of these resources is governed by federal and state law, as well as by Tennessee Board of Regents and Austin Peay State University policies and procedures. The University may monitor access to any of these resources in order to ensure security of its systems and networks and to enforce University policies.

Monitoring and Inspection of Electronic Records

Electronic records sent, received or stored on computers owned, leased, or administered by the TBR is the property of the Tennessee Board of Regents. As the property of the TBR, the content of such records, including electronic mail, is subject to inspection by TBR personnel. While the TBR does not routinely do so, the TBR is able and reserves the right to monitor and/or log all network activity of users without notice, including all e-mail and Internet communications. Users should have no reasonable expectation of privacy in the use of these resources.

Description of Facilities

The locations of computer facilities, as well as each facility's guidelines, procedures, equipment, and hours may be found at <http://www.apsu.edu/labinfo>. In addition, this information shall be clearly posted inside and/or outside each facility.

Different types of computer facilities exist on this campus. Some APSU computer facilities are designated as open access, while some are specialized departmental facilities used for classes and, occasionally, function as open access. Some facilities have posted hours and are staffed by attendants, while others have no posted hours and are only opened as needed. Open labs include campus network and Internet connections, which require a sign-in or identification procedure to ensure that only currently enrolled APSU students use the facility. Users should check each individual facility's procedures or protocols for specific information.

Users and Their Responsibilities

Access to APSU's computer labs is limited to currently enrolled APSU students. Exceptions are made for APSU academic pursuits and approved workshops, seminars or other special events.

Users are responsible for ethical use of APSU computer resources, including both honesty in their academic pursuits and respect for others who share these resources. If requested, users should be prepared to sign in and/or may be requested to present a valid APSU picture ID when they enter a computing facility.

Guidelines for Use

A. Access to resources in computing facilities.

Computers for individual use are assigned on a first-come, first-served basis.

APSU computing and networking resources are limited; therefore, the first priority should be the fulfillment of academic instructional objectives for students using the computer facilities. Users may be asked to justify the academic legitimacy of their activities to lab management. N.B. Users should be aware of state and federal laws governing the distribution and display of obscene materials (refer to APSU Policy 4:032 and TBR Policy 1:08:00:00).

Students engaged in non-academic pursuits may be asked by attendants to relinquish machines for students who need to do work for their classes.

Some computers are reserved for specific purposes because of special features such as an attached

plotter or specialized software. These computers are clearly identified in each facility, and students needing those resources shall have priority on those machines.

B. Care of computing resources.

Malfunctioning equipment should be reported immediately to the attendant or manager in charge of the facility.

The consumption of foods and beverages, including bottled water, is prohibited except in designated areas.

Computers are configured according to the needs of students and faculty/staff. Users must not change hardware or software configuration settings. Users who have suggestions for a hardware or software configuration change should speak to the person who manages the facility.

Users are expected to exercise good judgment when submitting printing tasks and take proper care of the computers, printers and all other equipment found in the facilities (see section C, below).

C. Reducing wasteful use of paper and printing supplies.

Users are expected to be conservative in their use of paper and to exercise discretion when printing documents to prevent waste of expensive printing materials. Because color cartridges are costly, users must be prudent when sending print jobs to color printers.

Users should submit the print command only once to avoid printing multiple copies of a document. Users should allow adequate time to ensure a successful print job before re-sending a print command.

Users who need multiple copies of a document must use a photocopying machine for duplication of documents. Coin-operated photocopiers are available in the Woodward Library (during library hours) as well as in the Printing Services center at APSU, which can be accessed via an exterior door of the Woodward Library building (during normal work hours).

Users are urged to use the "print preview" command before submitting a print job. Blank pages that appear in the "print preview" result should be deleted before the print job is sent.

Users should make sure they have sent their printing job to the correct printer. To do this, instead of immediately clicking on the printer icon, users should click the File command in the main menu toolbar and then select "Print," which will open the Print dialog box where settings can be checked and adjusted before sending a print command.

Users must only print materials of academic relevance or co-curricular significance.

Users should notify the lab attendant if the printer has failed to respond correctly after the first print command. If users have submitted an incorrect print job, they should notify the lab attendant so that the attendant can attempt to cancel the job.

Users should save personal e-mail, Web pages and any kind of academically irrelevant materials to removable media, such as jump/thumb drives, external hard drives, CD-R or CD-RW disks.

D. Respect for others using the facilities.

Those using the facilities should work quietly. Loud conversations and disruptive behavior disturb others who are trying to do academic work.

Users may not encroach on others' use of computing resources. Such activities include, but are not limited to, sending harassing messages, introducing viruses or anything else which damages software or hardware and misrepresenting one's identity in electronic communication.

Persons who are disruptive in computer lab facilities will be asked to leave immediately. The lab attendant may summon the lab supervisor or the faculty advisor if a student refuses to leave. Campus security may be summoned to the facility if a user poses a threat to the safety of the facility.

Repeated incidents of disruptive or harassing behavior will result in loss of computer use privileges.

E. Skills needed to use APSU facilities.

Campus computer labs are primarily self-service facilities. Users are responsible for learning the skills necessary to use the computer applications. Software documentation and manuals may be made available to users in some facilities.

The lab attendant's responsibilities include (a) insuring that users properly sign in and sign out; (b) troubleshooting hardware; (c) correcting printer malfunctions; and (d) enforcing these lab guidelines. In addition to these primary responsibilities, attendants may be able to provide limited assistance to users based on the attendant's knowledge of specific software.

F. Software and data on APSU computer lab facilities.

Only software owned by or licensed to Austin Peay State University shall reside on campus lab computers.

All applicable copyright laws and licenses must be observed.

No software or "freeware" shall be installed on any APSU lab computer without express permission from the facility manager.

Users must save their work to removable media, such as jump/thumb drives, external hard drives, and CD-R or CD-RW disks.

G. Obscene materials.

The distribution and display of obscene materials is prohibited by the laws of Tennessee (see Tenn. Code Ann. § 39-17-902). Obscene materials are defined under Tennessee law (see T.C.A. § 39-17-901(10)) as those materials which:

- a) The average person applying contemporary community standards would find that the work, taken as a whole, appeals to the prurient interest;
- b) The average person applying contemporary community standards would find that the work depicts or describes, in a patently offensive way, sexual conduct; and the work, taken as a whole, lacks serious literary, artistic, political or scientific value. Federal law (18 U.S.C. 2252) prohibits the distribution across state lines of child pornography.

H. Students with disabilities.

Computers on campus are open for student use on a first come, first served basis. Some facilities provide stations for users with disabilities. When users identify themselves as disabled and request immediate access, they shall be given access to a designated station only if a vacant computer is available for the student who is being relocated. Policy statement also available at www.apsu.edu/labinfo/computer-lab-policy.

Search and Seizure

University staff may search a student, while on campus, a resident's room or apartment, on campus, and may seize evidence when it has been determined that STRONG PROBABLE CAUSE exists to believe that University policies or state laws are being violated.

Any illegal items or substances found during such a search may be confiscated and used as evidence in University disciplinary procedures. Such a search and seizure activity will have been approved by an appropriate APSU administrator.

Additionally, in the event a staff member enters a student's room or apartment in the course of normal room entry for the purpose of maintaining conditions of health, safety and the enforcement of University Residence Halls regulations, and the staff member observes illegal items or substances "in plain view," such evidence may be confiscated and used in University disciplinary procedures.

For additional information on policies, please refer to the Residence Hall Handbook ("Notes for Living") or consult an appropriate staff member in Residence Life/Housing.

AIDS Statement

Medical research indicates that Acquired Immune Deficiency Syndrome (AIDS) is not transmitted

through casual contact but only through the exchange of body fluid by intimate contact or transfusions of infected blood. APSU will regard a diagnosis of AIDS, AIDS-related complex or HIV positive as a medical problem, and as such, award it the same privilege of confidentiality as any other medical problem. APSU does expect, however, anyone with a diagnosis of HIV or AIDS to alert Boyd Health Services, which is in Ellington 202 or can be reached by phone at 221-7107.

Visit <http://www.apsu.edu/files/policy/3021.pdf> for the Acquired Immune Deficiency Syndrome (AIDS) Policy.

University Affirmative Action Policy

It is the objective of Austin Peay State University to provide men and women with educational opportunities to achieve their fullest potential, both as individuals and as members of society. It is therefore imperative that artificial barriers to achievement be eliminated and that the only limits placed on the potential of individuals be those of their own abilities. The University is committed to a nondiscriminatory philosophy that extends to all constituents. In its educational activities, all are treated equally without regard to race, color, religion, ethnic or national origin, sex, sexual orientation or gender identity, disability, age or status as a covered veteran.

To ensure the realization of this goal and be supportive of its educational philosophy, the University has developed a plan for providing equal employment opportunity, as well as affirmative action for protected classes. For this plan to be effective, management at all levels must make positive contributions to implementing it. This affirmative action plan commits the University to comply with all pertinent legislation, regulations, and executive orders in providing affirmative action, as well as equal employment opportunity, without regard to race, color, religion, ethnic or national origin, sex, sexual orientation or gender identity, disability, age or status as a covered veteran.

For more information, see APSU Policy 5:003 (Complaints Alleging Discrimination and/or Harassment) or contact the Office of Affirmative Action at 7178.

APSU Policy on Smoking

All smoking is prohibited on the APSU campus, except in designated locations. APSU promotes a healthy, sanitary environment free from tobacco smoke in University facilities, grounds and state-owned vehicles. Regardless of whether classes are in session, this policy prohibits smoking in all buildings, grounds and state-owned vehicles 24 hours a day, year round. People who want to use smoke-free tobacco products may do so 30 feet from each building exit and entrance. Smoke-free tobacco product use is prohibited in University buildings and state-owned vehicles

Employee violations of this policy should be reported to the appropriate supervisor. Student violations of this policy should be reported to the Office of Student Affairs. There shall be no reprisals against anyone reporting violations of this policy.

(See APSU Policy 99:022 and campus smoking map at www.apsu.edu/smoking.)

Minors-on-Campus Policy

The Minors on Campus policy can be viewed at www.apsu.edu/files/policy/3032.pdf.

Reporting of Rape Allegations

In compliance with the Robert 'Robbie' Nottingham Campus Crime Scene Investigation Act of 2004, all APSU staff and faculty are required by law to report to APSU Campus Police, for investigation, any information they receive alleging that any degree of rape or sexual assault has occurred on property owned or controlled by the University. The only persons granted an exception to this requirement to report allegations of rape to the police are licensed counselors and licensed medical professionals who have received a report of such allegations while performing their official duties as an employee of the University.

Details of this act may be accessed via the APSU Campus Police Web site at www.apsu.edu/police/.

Free Speech Area Guidelines

Anyone enrolling at Austin Peay State University is entitled to all rights granted to him/her by the Constitution of the United States and is entitled to the full protection of the law. Apart from those rights and duties enjoyed by non-students, enrollment in the University carries with it special privileges and imposes special responsibilities. The University has established regulations and certain due process procedures essential to an atmosphere of mutual respect which is sensitive to rights of all individuals. (The Free Speech Area is applicable for promotion of goods and/or services. See Policy 3:001 for guidelines.)

Location: The Free Speech Area is designed to allow for free speech activities without causing undue interference to classes and other normal operations of the campus. The Free Speech Area is located in The Plaza between The Morgan University Center and the Harvill Bookstore. The stage is for the delivery of the issue, speech or topic. Should the Plaza be booked for a previously scheduled event or activity an alternate location will be provided. However, two Free Speech activities cannot occur at the same time.

Rules For Use: The use of the Free Speech Area is for any organization (campus or non-campus) or individual (campus or non-campus) for the exhortation of a position, topic or issue. Use of the Free Speech Area requires advance registration if non-university personnel are involved in any way with the topic or issue. Students or student organizations must register the event if they are using non-university personnel to present the issue or topic. When non-university personnel are involved the Use of the Free Speech area is limited to once a semester.

Registered use of the space takes precedent over an unregistered free speech event. In order to reserve the Free Speech Area, any registered student organization, or non-student group should contact the University Facilities Office at 221-6617 or visit the website www.apsu.edu/mtg.

Distribution of materials: A table may be requested during the registration process for display and distribution of literature. Literature distribution is only permitted at the table.

Amplification: The use of amplification devices for free speech purposes is prohibited.

Regulations: Use of this area must be consistent with the provisions of the Student Code of Conduct found in the Student Handbook and with local, state and federal law. These guidelines are applicable to all persons: both students and non-students.

- a) The demonstration must not constitute, advocate or encourage conduct dangerous to others.
- b) The demonstration must not become disorderly.
- c) The demonstration must not become disruptive to classes or the learning environment.
- d) The demonstration must not cause damage to property.
- e) The demonstration must not inhibit the ability of others to pass through the Free Speech Area.

Violations of the rules of conduct by students or non-students may result in charges being filed against violators through the University and/or external judiciary system.

Relevant APSU Policies:

3:001 — Use of University Facilities

3:015 — Off-Campus Speakers

3:032 — Minors on Campus

Inclement Weather Policy

During severe inclement weather the University will remain open, classes will be held, and the faculty and staff will be expected to perform their normal duties. Unless a modified schedule or an official closing due to catastrophic conditions (such as loss of heat, power outage, etc.) is announced over AP Alert, radio or TV broadcasts, employees are expected to report for work and students are expected to attend class. In cases of severe inclement weather or hazardous roads, students are to exercise their own judgment in making decisions about class attendance. For more information, visit <http://www.apsu.edu/alert/weather>.

University Recreation Statement

Austin Peay State University and the University Recreation program assume no responsibility or liability for injuries occurring during recreation activities, including team sports and the use of facilities.

Participants are strongly urged to consult their physicians to determine whether they are physically fit to engage in recreational activities prior to participation. Participants are urged to carry medical insurance. (See additional policies and guidelines for APSU students.)

Additional Expectations for APSU Students

All APSU students are expected to comply with University policies included in the handbook and/or printed in other official University publications. The following actions are prohibited:

- Advertisement Flyers and Brochures — Improper distribution or placement of advertising flyers and related literature onto parked vehicles on campus except if (1) the vehicle is owned by the person distributing the flyer; or (2) the person had the express consent of vehicle owner to place the material on the vehicle. (See Poster Guidelines for further details,)
- Duplication of Keys — Making or causing a key to be made for any University facilities, without proper authorization.
- Litter — Dispersing litter in a form on campus grounds or in facilities of the campus.
- Student Identification Cards —
 - (1) Failure to possess at all times a valid student identification card, or
 - (2) Failure to surrender ID card to University personnel/officials upon proper request.
- Rollerblading/Skateboarding — APSU does not permit rollerblading or skateboarding on campus (policy 4:013).

It is your responsibility to become aware of all policies affecting student behavior.

Student Emergency Medical Assistance Program

If you have an on-campus emergency and you are unable to be seen at Boyd Health Services Clinic, contact Public Safety at 221-7786. Officers will respond quickly and assist you in obtaining proper medical care. For more information, contact Boyd Health Services Clinic at 221-7107.

Illegal Downloading

All Austin Peay State University students, faculty and staff should be aware that it is illegal to acquire (via digital or other form of transfer) any copyrighted material unless you have legally purchased or have otherwise obtained the express permission of the copyright holder. Copyrighted material includes, but is not limited to, music, videos, books, images and software.

With the advancement in technology and easy access via the internet to music, videos, books, images and software programs, and programs with which to copy the material, you may not be aware whether certain material may be legally copied or not.

A helpful list of types of copyright protected material and copyright laws can be found at <http://www.copyright.gov>, and additional information, including frequently asked questions, can be found at <http://www.apsu.edu/legal-affairs/illegal-downloading.html>.

Additional Policies and Guidelines

Additional policies and guidelines for APSU students are available on the APSU web site.

1. Policies (See A-Z, click on "P," click on Policies)

- 3:001 Use of Campus Property and Facilities
- 3:012 Student Organizations
- 3:015 Off-Campus Speakers
- 4:032 Code of Computing Practice

2. Guidelines

- E-Mail Guidelines
www.apsu.edu/files/information-technology/electronic-communications-guidelines.pdf
- Crime Statistics for APSU Campus
www.apsu.edu/police/crime

The Federal Campus Sex Crimes Prevention Act

The Federal Campus Sex Crimes Prevention Act and the Tennessee College and University Campus Sex Crimes Prevention Act of 2002 require that whenever a sex offender becomes employed, enrolls as a student or volunteers at an institution of higher education in the state of Tennessee, he or she must complete or update the Tennessee Bureau of Investigation (TBI) sexual offender registration/monitoring form and deliver it to TBI headquarters in Nashville.

As defined in section 40-39-102 of the Tennessee Code, a "sexual offender" means a person who is, or has been, convicted in this state of committing a sexual offense or who is, or has been, convicted in another state or another country, or who is or has been convicted in a federal or military court, of committing an act which would have constituted a sexual offense if it had been committed in this state. A "sexual offense" means the commission of acts including but not limited to aggravated and statutory rape, sexual battery, sexual exploitation of a minor, aggravated prostitution and kidnapping.

Both acts designate certain information concerning a registered sexual offender as public information and therefore amend and supercede the Family Educational Rights and Privacy Act (FERPA) and other federal and state laws that previously prohibited the disclosure of such personal information. Since the laws require the publication of information pertaining to sexual offenders employed, enrolled or volunteering at an educational institution, said publication does not constitute grounds for a grievance or complaint under institutional or Tennessee Board of Regents policies or procedures.

Drug and Alcohol Policy

Policy on Alcohol and Other Illicit Drugs

Austin Peay State University strictly prohibits the use, possession, or distribution of alcohol and other illicit drugs. See APSU Policy: 3:014, 5:051 and Code of Student Conduct.

Philosophy

Austin Peay State University's fundamental purpose is to produce educated men and women equipped to use their abilities productively and wisely. The curricula and extra-curricular activities of the University are routes to intellectual maturity and means to the development of ideas, insights, values and competencies which form a permanent, personal capacity for thought and action. The University strives to provide an environment for students to construct their own education and to acquire the means of making self-education the rewarding enterprise of a lifetime, enabling them to become effective agents of social change. An environment free of the illegal or abusive use of alcohol or other drugs by members of the academic community encourages this educational development. Therefore, Austin Peay State University is committed to having a campus that is free of alcohol and other drug use.

In keeping with its primary purpose, Austin Peay will utilize educational strategies as its major approach to the problem of alcohol and other drug use. It is important, however, that everyone be aware that any member of the University community who uses illegal drugs or abuses any drug including alcohol may be subject to prosecution and punishment by the civil authorities and to disciplinary proceedings by the University. Austin Peay's interest in punishing offenders is not punitive but rather to establish clear limits of conduct for all members of the campus community.

This policy does NOT punish people who seek rehabilitation. All information provided by people who voluntarily avail themselves of alcohol or other drug counseling or rehabilitation services will be confidential. It will NOT be used against the individual seeking assistance.

Policy on Substance Abuse

It is the policy of this institution that the unlawful manufacture, distribution, acquisition, possession, or use of alcohol and illegal drugs on the APSU campus, on property owned or controlled by APSU, or as part of any activity of APSU is strictly prohibited.

Austin Peay is dedicated to the pursuit and dissemination of knowledge and, as such, expects all members of the academic community to behave in a manner conducive to that end. The highest standards of personal and professional conduct must be maintained by faculty, staff, and students. Illegal or abusive use of alcohol and other drugs by members of the University community adversely affects the mission of the University and is prohibited.

Accordingly, Austin Peay State University adopts the following policy, consistent with federal, state, and local laws. The policy is intended to accomplish the following:

1. Prevent substance abuse through strong educational efforts;
2. Encourage and facilitate the use of counseling services and rehabilitation programs by those members of the University community who require assistance in stopping substance abuse; and,
3. Discipline appropriately those members of the University community who engage in illegal substance-related behaviors.

Educational Efforts to Prevent Substance Abuse

In keeping with its primary mission of education, Austin Peay will conduct a strong educational program aimed at preventing drug abuse and illegal drug or alcohol use. Educational efforts shall be directed toward all members of the University community and will include information about the incompatibility of the use or sale of illegal substances with the goals of APSU, the health hazards associated with illegal drugs or alcohol use, the incompatibility of substance abuse with the maximum achievement of education, career and other personal goals and the potential legal consequences of involvement with illegal drugs or alcohol.

Services to Prevent Substance Abuse

Those faculty, staff, or students who seek assistance with a substance abuse-related problem shall be provided with information about alcohol and other drug counseling and rehabilitation services through APSU and also through community organizations. Those who voluntarily avail themselves of University services shall be assured that applicable professional standards of confidentiality will be observed.

Disciplinary Actions to Prevent Substance Abuse

Students, faculty and staff are responsible, as citizens, for knowing about and complying with the provisions of Tennessee law that make it a crime to possess, sell, deliver or manufacture those drugs designated collectively as "controlled substances" in 39-17-405-39-17-426 of the Tennessee Code Annotated. Any member of the University community who violates those laws is subject both to prosecution and punishment by the civil authorities and to disciplinary proceedings by the University.

It is expected that APSU students, faculty, and staff who use or possess alcoholic beverages will do so as legally prescribed by the laws of the state of Tennessee, within the regulations of Austin Peay State University and live in a manner that does not disrupt the lives of others. A person whose conduct is outside these parameters will be subject to the judicial rules and procedures of the University.

It is not “double jeopardy” for both the civil authorities and the University to proceed against and punish a person for the same specified conduct. The University will initiate its own disciplinary proceeding against a student or employee when the alleged conduct is deemed to affect the interests of the University.

Sanctions will be imposed by the University in accordance with this policy, Staff Handbook, Faculty Handbook, Code of Student Conduct and other appropriate University policies. Students, faculty, and staff members of APSU with substance abuse problems are encouraged to take advantage of available diagnostic, referral, counseling and prevention services. However, employees and students availing themselves of these services will not be granted special privileges and exemptions from standard academic and student conduct requirements. Austin Peay will not excuse acts of misconduct committed by employees and students whose judgement is impaired due to substance use.

Employees

(This includes regular and temporary employees, student employees and employees working at the University under the guidelines of federal contract or grant. Compliance with the policy is considered a condition of employment under the terms of the employment.)

As a condition of employment, each employee must abide by the terms of this statement and must notify the director of Human Resources of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction. Failure to provide this notification within five days after conviction will result in termination of employment. A conviction includes a finding of guilt, a plea of nolo contendere, or imposition of a sentence by any state or federal judicial body.

Possible disciplinary sanctions for failure to comply with this statement, other than notification, may include one or more of the following:

1. termination;
2. suspension;
3. mandatory participation in, and satisfactory completion of, a substance abuse program or rehabilitation program; and,
4. recommendation for professional counseling.

Students

(This shall mean any person who is registered for study at Austin Peay State University for any academic period. A person shall be considered a student during any period that follows the end of an academic period which the student has completed until the last day for registration for the next succeeding regular academic period and during any period while the student is under suspension from the University.)

Possible disciplinary sanctions for failure to comply with the terms of this statement may include one or more of the following:

1. expulsion;
2. suspension;
3. probation; and,
4. mandatory educational program.

In addition to the above, students may be required to participate in, and satisfactorily complete, a substance abuse program or rehabilitation program. Finally, in addition to imposed University sanctions, a student may be referred for criminal prosecution.

As a condition for receiving federal Title IV financial aid, each student must certify that he/she will not engage in the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance and must notify the director of Student Financial Aid of any conviction within five days after such conviction. A student convicted of violating the regulation may lose his/her federally funded financial aid and may be subject to disciplinary action under the Code of Student Conduct.

Drugs, Alcohol and Their Risks

Types of Drugs and Health Risks

Schedule I: Heroin, LSD, Peyote, Mescaline, Psilocybin (Shrooms), Other hallucinogens, Methaqualone (Quaaludes), Phencyclidine (PCP) and MDA

Health Risks: Psychologically and physically addictive; depression, withdrawal symptoms, convulsions, death, unpredictable behavior with hallucinogens; possible damage to unborn fetus.

Schedule II: Morphine, Demerol, Codeine, Percodan, Percocet, Fentanyl, Dilaudid, Seconal, Nembutal, Cocaine, Amphetamines, and other opium, opium extracts and narcotics.

Health Risks: Psychologically and physically addictive; withdrawal symptoms, convulsions, respiratory failure, frequent accidents; possible damage to unborn fetus; death; cocaine and amphetamines increase blood pressure which can lead to irregular heartbeat and death; amphetamines can cause agitation, increase in body temperature, hallucinations, convulsions, possible death.

Schedule III: Certain barbiturates such as amobarbital and codeine containing medicine such as Fiorinal #3, Doriden, Tylenol #3, Empirin #3, and codeine-based cough suppressants such as Tussionex and Hycomine and all anabolic steroids.

Health Risks: Psychologically and physically addictive; potential liver damage, nausea and vomiting; dizziness, disorientation, shallow breathing, cold and clammy skin, coma, possible death; withdrawal symptoms--anxiety, tremors, insomnia, convulsion; possible damage to unborn fetus.

Schedule IV: Barbiturates, narcotics, and stimulants, including Valium, Talwin, Librium Equanil, Darvon, Darvocet, Placidyl, Tranzene, Serax, Ionamin (yellow jackets).

Health Risks: Psychologically and physically addictive; drowsiness, withdrawal symptoms--tremors, abdominal and muscle cramps, insomnia, anxiety, convulsions, possible death; possible damage to unborn fetus.

Schedule V: Compounds that contain very limited amounts of codeine, dihydrocodeine, ethlmorphine, opium, and atropine, such as Terpene Hydrate with codeine and Robitussin AC.

Health Risks: Psychologically and physically addictive; nausea, gastrointestinal symptoms, drowsiness, withdrawal symptoms--runny nose, watery eyes, panic, chills, cramps, irritability, nausea; possible damage to unborn fetus.

Schedule VI: Marijuana, THC, Hashish, Hash Oil, Tetrahydrocannabinol.

Health Risks: Psychologically addictive; increased risk of lung cancer, bronchitis, and emphysema; contributes to heart disease, fatigue, paranoia, possible psychosis; withdrawal symptoms insomnia, hyperactivity and decreased appetite; depression of the immune system; decrease sperm count in men and irregular ovulation in women.

Types of Alcohol: Unfortified wine is wine not more than 17% alcohol. Malt beer, 2 of 1% to Malt beverage is beer, 2 of 1% to 6% alcohol. Fortified wine is wine not more than 24% alcohol. Spirituous liquor is distilled spirits or ethylalcohol, including spirits of wine, whiskey, rum, brandy, gin, etc. Mixed beverage is a drink composed in whole or part of spirituous liquor.

Health Risks: Psychologically and physically addictive; respiratory depression; depression of the immune system; increase risk of heart disease, cancer, accidents, hypertension; brain damage; liver damage; damage to the unborn fetus; impotence at high dosage levels.

University Affiliated Resources

- Campus Police SH, Ext. 7786
- Student Counseling Services, EL 202, Ext. 6162
- Boyd Health Services, EL 104, Ext 7107
- Housing/Residence Life and Dining Services, ML 121, Ext. 7444
- Office of Student Affairs, MUC 206, Ext. 7341
- For more information about these offices, please see the Useful Information section in this handbook.

Non-University Affiliated Resources

- Self-Help Groups
 - Alcoholics Anonymous (AA) and Al-Anon, 951 Clark St., 647-0225
- Hotlines
 - Crisis Call Line, 24-hours, 648-1000
 - Alcohol Abuse, 24-hour, 877-345-3370
 - Alcohol Abuse and Crisis Intervention, 800-234-0246
- Treatment Centers
 - Chattanooga
 - Council for Alcohol and Drug Abuse Services, Alcohol Information Center, 207 Spears Ave., Chattanooga, TN 37405, 423-267-7591
 - Clarksville
 - Centerstone, 511 Eighth St., Clarksville, TN 37040, 920-7200
 - Memphis
 - Comprehensive Counseling Network, (901) 353-5440, 2150 Whitney Ave., Memphis, TN 38127
 - Nashville
 - Alcohol and Drug Council, (615) 269-0122, 2612 Westwood Dr., Nashville, TN 37204
 - Bethlehem Centers of Nashville, (615) 329-3386, 1417 Charlotte Ave., Nashville, TN 37203
 - Cumberland Heights, 800-646-9998, 8283 River Road Pike, Nashville, TN 37209
 - Centerstone, (615) 463-6600, Mainline, Nashville, TN 37201
 - Edgehill Center, (615) 256-5108, 935 Edgehill Ave., Nashville, TN 37203
 - Meharry Medical College, (615) 327-5572, 1005 Dr. D.B. Todd Jr. Blvd, Nashville, TN 37208
 - Oasis Center, (615) 327-4455, 1221 16th Ave. S., Nashville, TN 37212
 - Parthenon Pavilion, (615) 342-1000
 - Samaritan Recovery Community, (615) 244-4802, 319 4th St., Nashville, TN 37206
 - Vanderbilt Mental Health Center, (615) 322-2427, 1161 21st Ave. S., Nashville, TN 37201

