Rationale:

The Senate Committee on Student Life and Development appointed a subcommittee to review the Student Code of Conduct - General Conduct. The subcommittee recommends the following policy change:

**Sexual Assault Policy:** Rename the current Sexual Assault Policy to Sexual Misconduct Policy. Changing the policy to sexual misconduct broadens it to encompass a range of non-consensual actions that include, but are not limited to acts of sexual assault, rape, sodomy, aggravated sodomy, assault, child molestation, non-consensual kissing, voyeurism, and public indecency.

Additionally, the following procedural changes to the policy are recommended:

- A Sexual Misconduct Board would be established for adjudicating alleged sexual misconduct violations. The establishment of the Sexual Misconduct Board addresses the special needs of the students, particular policy adjudication requirements, and the legal requirements of the Family Educational Rights and Privacy Act (FERPA). Membership of the Board would include five faculty members identified from the membership of the Senate Committee on Student Discipline and Student Life and Development, five students from the Student Judicial Board and three staff from Staff Council. Annual training would be provided to the Board by the Office of the Dean of Students and Legal Affairs.

- Students may now request a formal or informal resolution of alleged incidents of sexual misconduct
  - Informal
    Mediation would be the informal resolution of the complaint. Mediation would require the consent of the complainant, the referred student and the Dean of Students.
  - Formal
    A hearing by the Sexual Misconduct Panel would be the formal resolution route. The members of a Sexual Misconduct Hearing Panel would be identified from the membership of the Sexual Misconduct Board. Each Hearing Panel would be comprised of two faculty, two students and one staff. The Dean of Students will identify the chair of the Hearing Panel.
Corresponding changes for the *Student Code of Conduct* include:

- The definition of sexual misconduct would now be included in the Definition Section.
- An investigation of each reported incident “shall” occur in order to foster a safe and healthy campus environment for students and to minimize the University’s liability.
- Georgia State University would reserve the right to act as the complainant in cases where the University interests of the University community would be served by a continuation of the investigation and/or judicial proceeding.
- The University would reserve the right to close hearings for alleged violation of sexual misconduct against student organizations. Closed hearings will continue to occur for an alleged violation of sexual misconduct against individual students.

Members of the subcommittee include: Jean Barrett, Lanette Brown, Edward Bullwinkel, Elisabeth Burgess, Joan Collier, Chad Hardy, La Loria Konata, Valerie Miller, Mindy Stombler, Rebecca Stout, and Tekia Timmons,

*Policy and Code changes passed by the Student Life and Development Committee on Feb 22, 2007*