

## **STUDENT CODE OF CONDUCT AND DISCIPLINARY PROCEDURE**

Student Code of Conduct and Disciplinary Procedure

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### **Student Affairs**

Student Affairs at East Georgia State College is dedicated to the promotion of the physical, cultural, and personal development of the individual student. The Office of Housing and Residence Life student activities program is designed to involve the student in co-curricular and extra-curricular activities of the college, so as to make them an integral part of the total college experience of the student. The function of Student Affairs is to meet the needs of the individual students; to promote good communication and working relationships among students, faculty, and staff; and to heighten awareness of civic responsibility.

All East Georgia State College students, regardless of their location in attending classes, are required to be conscious of and abide by the policies and procedures outlined in this document. Information contained herein applies to all students with regards to rights, privileges, and constraints against certain actions. If you have questions or concerns with any of the information contained in this document, please contact the Provost.

### **Student Conduct Code**

One of the primary purposes of this publication is to set forth the minimal requirements for student conduct. Below you will find the East Georgia State College Student Conduct Code. Please read this information carefully. It is not to be regarded as all-inclusive. In the event that there arises ambiguity, inconsistency, or a need for further clarification regarding what constitutes a violation of the Student Conduct Code, the Associate Vice President for Student Conduct and Title IX shall make the final determination. Any student or student organization found to be responsible for misconduct on East Georgia State College property is subject to College sanctions. When a student organization engages in an act of misconduct, EGSC reserves the right to take action not only against the organization but also against the individual student members of the organization. Violation of these policies can impact your continued participation as a student at East Georgia State College.

### **Jurisdiction**

The EGSC Student Code of Conduct applies to student conduct that occurs on or off campus or on institution-controlled property, at college sponsored or college affiliated events, which violates the college's Student Code of Conduct. EGSC Statesboro students are also subject to the Georgia Southern University's (GSU) Student Conduct Code while on GSU's campus, at GSU sponsored events, which violates the GSU Student Code of Conduct. EGSC Augusta students are also subject to the Augusta University's (AU) Student Code of Conduct and Disciplinary Procedure applies while on AU's campus, at AU Sponsored events, and for conduct which violates the AU Student Code of Conduct.

## **Academic Misconduct**

### **Academic Honesty**

In an academic community, honesty and integrity must prevail if the work done and the honors awarded are to receive respect. The erosion of honesty is the academic community's ultimate loss. The responsibility for the practice and preservation of honesty must be equally assumed by all members. Allegations of academic misconduct will not be handled under the Student Disciplinary Process described herein, but will be addressed using the procedure stated in the [EGSC Academic Honesty Policy](#).

## **Non-Academic Misconduct**

### **Alcohol**

For the complete policy, please view the [EGSC Drug and Alcohol Policy](#).

### **Possible Disciplinary Sanctions for Alcohol Code of Conduct Violation**

For complete policy, please view the [Disciplinary Sanctions for Alcohol and Drug Code of Conduct Violations Page](#).

### **Assault**

For the complete policy please view [EGSC Code of Conduct - Assault](#).

### **Civility**

In order to keep a safe learning environment, students must engage in civil communication. This includes, but is not limited to, not yelling or screaming, not using profane language, not touching/using items that do not belong to you, not bullying or demeaning, including using electronic means (Facebook, Twitter, texting, etc.), not using cultural or racial slurs and not spreading rumors or gossip. Exceptions may be made for yelling or screaming at sports events, at demonstrations or protests and other appropriate venues.

### **Disruptive Behavior**

See the [Disruptive Behavior Policy](#).

### **Disorderly Conduct**

1. Any classroom behavior that interferes with the instructor's ability to conduct class or the ability of other students to learn is prohibited.
2. Any conduct which materially interferes with the normal operation of EGSC or with the requirements of appropriate discipline, including pranking, is prohibited.
3. The abuse or unauthorized use of sound amplification equipment indoors or outdoors during classroom hours is prohibited (use of sound amplification equipment for events must be cleared through the Student Life office).
4. No student shall enter or attempt to enter any dance, social, athletic or any other event sponsored or supervised by EGSC or any recognized college organization without proper credentials for admission. This includes a ticket, student identification card, invitation or

- any reasonable qualifications established for attendance, such as a costume or proper evening attire.
5. Conduct and/or expressions which are lewd, obscene or which are patently offensive to the prevailing standards of the academic community are prohibited.
  6. No student shall incite others to partake in violations of the East Georgia State College Student Conduct Code.

## **Drugs**

For the complete policy, please view the [EGSC Drug and Alcohol Policy](https://www.ega.edu/about/at-a-glance/policies-and-procedures-of-the-college/04-alcohol-and-other-drug-policy.html) <https://www.ega.edu/about/at-a-glance/policies-and-procedures-of-the-college/04-alcohol-and-other-drug-policy.html>

## **Possible Disciplinary Sanctions for Drug Code of Conduct Violation**

For complete policy, please view the [Disciplinary Sanctions for Alcohol and Drug Code of Conduct Violations Page](#).

## **Failure to Comply**

For the complete policy, please view the [Failure to Comply Policy](#).

## **False Complaints/Statements**

Individuals who intentionally give false statements to an East Georgia State College employee, or who submit false complaints or accusations, including during a hearing, in violation of policy shall be subject to disciplinary action.

## **Falsification of Records**

No student shall alter, counterfeit, forge, or cause to be altered, counterfeited, or forged, any record, form or document used by EGSC. For complete policy view the [Falsification of Records Policy](#).

## **Firearms, Weapons and Explosives (Campus Carry Policy)**

For complete policy, please view the [Firearms, Weapons and Explosives Policy](#).

## **Fire Safety**

1. The unauthorized possession, sale, furnishing or use of any incendiary device is prohibited.
2. The possession or use of fireworks on college property or at events sponsored or supervised by EGSC or any recognized college organization is prohibited. Fireworks are defined as any substance prepared for the purpose of producing a visible or audible effect by combustion, explosion or detonation.
3. No student shall make, or cause to be made, a fire or false fire alarm.
4. No student shall intentionally or recklessly obstruct a fire exit.
5. No student shall fail to exit a College building when the fire alarm sounds.

6. No student shall operate, tamper with, discharge or remove any fire extinguisher equipment, exit sign, smoke detector or evacuation equipment without proper authorization.
7. No student shall intentionally or recklessly create a fire hazard with household trash, refuse or other flammable materials.

### **Fraudulent Reporting**

No student shall intentionally make a false report to any college official, including statements made on any paperwork submitted.

### **Gambling**

The playing of cards or any other game of skill or chance for money or other items of value where there is risk of personal loss is prohibited.

### **Harassment/Threats**

1. No student shall harass, threaten or perform any act of intimidation toward another person in any manner, including terroristic threats. A person commits the offense of a terroristic threat when he or she threatens to commit any crime of violence, to release any hazardous substance or to burn or damage property with the purpose of terrorizing another or of causing the evacuation of a building, place of assembly, or facility of public transportation or otherwise causing serious public inconvenience or in reckless disregard of the risk of causing such terror or inconvenience.
2. No student shall intentionally or repeatedly follow, stalk or contact another person in a manner that intimidates, harasses or places another in fear of their personal safety or that of their property.
3. For complete policy prohibiting discrimination, harassment and threatening conduct see [EGSC Non-Discrimination and Anti-Harassment Policy](#).

### **Hazing**

All rites and ceremonies of induction, initiation, or orientation into college life or into the life of any college group which tend to occasion or allow physical or mental suffering are prohibited. See [EGSC Code of Conduct- Hazing](#).

### **Information Technology Violations**

For the complete policy, please view the [Information Technology Acceptable Use Policy](#).

### **Repeated Violations**

Repeated violations of published rules or regulations of EGSC, which cumulatively indicate an unwillingness or inability to conform to the standards of EGSC for student life, are prohibited.

### **Residence Hall Violations**

1. [Noise Violation Policy](#)
2. [Visitation Policy](#)
3. [Health and Safety](#)

### **Retaliation**

Anyone who, in good faith, reports what she or he believes to be student misconduct, participates, or cooperates in, or is otherwise associated with any investigation, shall not be subject to retaliation. Anyone who believes he or she has been the victim of retaliation for reporting, participating, or cooperating in, or otherwise being associated with an investigation should immediately contact the appropriate department or individual(s) for East Georgia State College. Any person found to have engaged in any retaliation is in violation of the Student Conduct Code shall be subject to disciplinary action.

### **Sexual Misconduct**

Sexual misconduct includes dating violence, domestic violence, stalking, nonconsensual sexual contact, sexual exploitation, sexual harassment and stalking. Sexual misconduct can fall under one of two adjudication processes. For Non-Title IX alleged incidents, EGSC will follow sections 4.6.5.1-2, and 4.6.5.5- 7 of the USG Student Disciplinary Process. For all Title IX alleged incidents, EGSC will follow the appropriate sections of the USG Policy, the [EGSC Sexual Misconduct Policy](#) and the [EGSC Standards for Handling Sexual Misconduct of Students](#).

### **Information and Support Services for Sexual Misconduct Complainant and Respondents**

For complete policy, please view the [Information and Support Services for Sexual Misconduct Complainants and Respondents Policy](#)

### **Smoking and the Use of Tobacco Products**

EGSC is a "Tobacco and Smoke Free" campus. See [the Tobacco Free Campus Policy](#).

### **Solicitation**

The conducting of a sales campaign or other activities representative of eliciting financial compensation by private retail entities or in representation of similar bodies is prohibited on campus.

### **Misuse of Student Identification Cards**

For complete policy see [Misuse of Student Identification \(Cat\) Cards in Section 4, Code of Conduct](#).

### **Theft**

Taking, attempting to take, or keeping in a person's possession items not legally possessed by the person including, but not limited to items belonging to EGSC or items belonging to students, faculty, staff, student groups, student organizations, or visitors to the campus is prohibited.

### **Unauthorized Entry or Use of College Facilities**

1. No student shall make unauthorized entry into any college building, office, or other facility, nor shall any person remain without authorization in any building after normal closing hours.
2. No student shall make unauthorized use of any college facility.
3. No student shall possess, use, make or cause to be made any key or other means of access to any college facility without proper authorization.

### **Vandalism**

No student shall destroy, deface, or damage College property or property belonging to students, faculty, staff, or guests of EGSC.

### **Violations of Federal, State or Local Laws**

1. Violation of federal, state or local law is prohibited. EGSC may take disciplinary action independent of any civil/criminal actions. If arrested, a student must report the arrest to the AVP for Student Conduct and Title IX and may not return to EGSC until permission is granted in writing.
2. A student in any unit of the University System of Georgia who is charged with or indicted for a felony or crime involving moral turpitude may be suspended pending the disposition of the criminal charges against them. Upon request, the student shall be accorded a hearing as provided in this Handbook. At such hearing, the student shall have the burden of establishing that his or her continued presence as a member of the student body will not be detrimental to the health, safety, welfare or property of other students or members of the campus community or to the orderly operation of the institution. Upon final conviction, the student shall be subject to appropriate disciplinary action.

### **Disciplinary Process for Conduct Code Violations**

Official Communication: The official means of communication with all students is via their EGSC email account. Any mention of a student being notified in writing should be construed to mean via their EGSC email account. Disciplinary Procedures: In cases that involve action or misconduct that would cause a student(s) to be subjected to disciplinary action, the student(s) will be provided due process. EGSC will follow the procedures outlined in USG 4.6.5 Standards for Institutional Student Conduct Investigation and Disciplinary Proceedings the and the EGSC procedural clarifications as noted below.

### **The following procedural clarifications, timelines and related EGSC policy apply for Sexual Misconduct, Harassment and Discrimination matters:**

**Sexual Misconduct, Harassment and Discrimination matters:** Sexual misconduct or other forms of harassment and discrimination allegations will be initially reviewed by the Title IX Coordinator to determine if the alleged behavior, if proven, violates the [EGSC Sexual Misconduct Policy](#) or the [EGSC Nondiscrimination and Anti-Harassment Policy](#). Sexual misconduct can fall under one of two adjudication processes, Sexual Misconduct Non-Title IX or Sexual Misconduct Title IX. All sexual misconduct matters will be handled per the disciplinary procedures set forth in Board of Regent's Policy 4.6.5 (above) and the [EGSC Standards for Handling Sexual Misconduct of Students](#).

If the Title IX Coordinator deems that the alleged incident falls under EGSC Sexual Misconduct Policy, then an investigator (EGSC or USG) will be assigned. Following the process in the Board of Regent's

Policy 4.6.5 noted above, the investigator will investigate and issue a final investigative report with findings and recommendations to the Title IX Coordinator. After review by the Title IX Coordinator, the Title IX Coordinator will seek informal resolution, as appropriate, or refer the matter to the Director of Student Conduct for handling per the disciplinary procedures set forth in Board of Regent's Policy 4.6.5. The Director of Student Conduct manages the student disciplinary process. The [EGSC Interim Suspension Policy](#) may apply to student respondents.

Resolution/ Hearing Decisions will be communicated in writing to the student complainant and respondent by Title IX Coordinator or Director of Student Conduct, as appropriate based on the charges, within five business days of the resolution meeting or hearing. Both complainant and respondent will be notified of the right to appeal, as applicable.

### **Disciplinary Sanctions**

Disciplinary sanctions for Non-Academic Misconduct may be imposed upon a student or student organization for an infraction of the Student Conduct Code. This list shall not be taken to be exhaustive. The AVP for Student Conduct and Title IX or hearing panel may issue discretionary sanctions that are directly related to the violation or conduct, and to enlarge or modify sanctions to meet particular circumstances in any given case.

The following are possible disciplinary sanctions which may be imposed upon a student or student organization for an infraction of the Student Conduct Code.

1. Expulsion - permanent severance of the student's relationship with EGSC.
2. Suspension - temporary severance of the student's relationship with EGSC for a specific period of time.
3. Probation - notice to the student that any further major disciplinary violation may result in suspension.
4. Residence Hall Removal –severance of the student's relationship with on-campus housing at EGSC can be temporary or permanent.
5. Withdrawal of Recognition of Student Organization – disbanding of membership and withdrawal of recognition and privileges associated with being a student organization at EGSC.
6. Educational Sanctions – specific projects to be completed by the student, such as, but not limited to, writing a research paper on a specific topic, performing community service or attending an educational event.
7. Reprimand a. Oral Reprimand - an oral disapproval issued to the student by the deciding disciplinary official(s). b. Letter Reprimand - a written statement of disapproval from the disciplinary official(s).
8. Restrictions - exclusion from participation in: a. Social activities b. Recreational areas c. Identification card privileges d. Visitation procedures inside on-campus housing
9. Restitution - reimbursement for damage to or misappropriation of property; this may take the form of appropriate service or other compensation.
10. Forced Withdrawal - from the academic course within which the offense occurred without credit for the course.
11. Class Change – removal from a specific class and placement in another.

12. Disciplinary Hold –a HOLD will be placed on a student’s EGSC account when they have not completed sanctions imposed as a result of a Conduct Code violation or when a student fails to participate in the disciplinary process. 1
13. Banned - students lose their privilege to be on any EGSC campus site or at any EGSC sponsored event. A banned student may not enter any part of the campus without specific authorization from the Office of Student Conduct.
14. No Contact – The student(s) may be prohibited from personal contact with specific person(s).
15. Loss of Institutional Privileges – Student may be prohibited from availing themselves of customary institutional privileges granted to all students.
16. Behavior Contract - Disciplinary Process Sanction

### **Appeals Process and Deadlines:**

**Initial appeal** – to President of EGSC or designee must be made within five business days of final written decision.

President’s Decision on appeal must be made and communicated to student within five business days of receipt of appeal. The decision of the President or his designee shall be the final decision of the institution.

The appeal shall be a review of the record only and no new meeting with the respondent or complainant is required. At the conclusion of the review by the President, a decision will be made within the range of possible outcomes as stated in Board of Regents’ Policy 4.6.5.

**Application for Discretionary Review to University System of Georgia:** the student may file an application for discretionary review in writing to University System of Georgia (USG) Office of Legal Affairs within 20 calendar days following the final institution decision. USG Legal Affairs may, in its discretion, deny the application for review or refer the application to a committee for review. The decision of the USG is final and binding for all purposes. This constitutes the final appeal per Board of Regents’ Policy 4.6.5 and 6.28.

### **Recusal/Challenge for Bias**

Any party may challenge the participation of any institution official, employee or student panel member in the process on the grounds of personal bias by submitting a written statement to the institution’s designee setting forth the basis for the challenge. The designee shall not be the same individual responsible for investigating or adjudicating the conduct allegation. The written challenge should be submitted within a reasonable time after the individual knows or reasonably should have known of the existence of the bias. The institution’s designee will determine whether to sustain or deny the challenge and, if sustained, the replacement to be appointed. The College has appointed the following designee: Ashley Woods, Vice President for Information Technology – [awoods@ega.edu](mailto:awoods@ega.edu); telephone: 478-289-2066.