# TABLE OF CONTENTS

## PART I: Student Conduct Code

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>I. Office of Student Conduct Philosophy</td>
<td>1</td>
</tr>
<tr>
<td>II. Georgia Southern Statement on Student Conduct</td>
<td>1</td>
</tr>
<tr>
<td>III. Georgia Southern V.A.L.U.E.S.</td>
<td>1</td>
</tr>
<tr>
<td>IV. Diversity Statement</td>
<td>2</td>
</tr>
<tr>
<td>V. Georgia Southern University Campus Honor Pledge</td>
<td>2</td>
</tr>
<tr>
<td>VI. Student Conduct Authority</td>
<td>2</td>
</tr>
<tr>
<td>VII. Definition of Terms</td>
<td>2</td>
</tr>
<tr>
<td>VIII. Student Conduct Code Violations</td>
<td>4</td>
</tr>
<tr>
<td>1) Academic Dishonesty</td>
<td>4</td>
</tr>
<tr>
<td>2) Alcohol Possession and Use</td>
<td>4</td>
</tr>
<tr>
<td>3) Animals</td>
<td>5</td>
</tr>
<tr>
<td>4) Assault</td>
<td>5</td>
</tr>
<tr>
<td>5) Classroom Copyright Infringement</td>
<td>5</td>
</tr>
<tr>
<td>6) Classroom Disruption</td>
<td>5</td>
</tr>
<tr>
<td>7) Damage or Destruction of Property</td>
<td>5</td>
</tr>
<tr>
<td>8) Deception</td>
<td>5</td>
</tr>
<tr>
<td>9) Disorderly Conduct</td>
<td>6</td>
</tr>
<tr>
<td>10) Disorderly/Improper Assembly</td>
<td>6</td>
</tr>
<tr>
<td>11) Drugs</td>
<td>6</td>
</tr>
<tr>
<td>12) Failure to Comply</td>
<td>6</td>
</tr>
<tr>
<td>13) False Representation</td>
<td>6</td>
</tr>
<tr>
<td>14) Felony Conviction</td>
<td>6</td>
</tr>
<tr>
<td>15) Fire Safety</td>
<td>7</td>
</tr>
<tr>
<td>16) Gambling</td>
<td>7</td>
</tr>
<tr>
<td>17) Harassment</td>
<td>7</td>
</tr>
<tr>
<td>18) Hazing</td>
<td>7</td>
</tr>
<tr>
<td>19) Joint Responsibility</td>
<td>8</td>
</tr>
<tr>
<td>20) Sexual Misconduct and Interpersonal Violence</td>
<td>8</td>
</tr>
<tr>
<td>21) Solicitation</td>
<td>8</td>
</tr>
<tr>
<td>22) Student Identification Card Violations</td>
<td>8</td>
</tr>
<tr>
<td>23) Theft</td>
<td>8</td>
</tr>
<tr>
<td>24) Threats</td>
<td>8</td>
</tr>
<tr>
<td>25) Tobacco</td>
<td>8</td>
</tr>
<tr>
<td>26) Unauthorized Entry</td>
<td>9</td>
</tr>
<tr>
<td>27) Unauthorized Use</td>
<td>9</td>
</tr>
<tr>
<td>28) Unauthorized Use of Computer or Electronic Resources</td>
<td>9</td>
</tr>
<tr>
<td>29) Violation of Confidentiality</td>
<td>9</td>
</tr>
<tr>
<td>30) Violation of Law</td>
<td>10</td>
</tr>
<tr>
<td>31) Weapons and Firearms</td>
<td>10</td>
</tr>
<tr>
<td>IX. Student Notification Process for Student Conduct Code Violations</td>
<td>11</td>
</tr>
<tr>
<td>X. Electronic Communications Policy</td>
<td>11</td>
</tr>
<tr>
<td>XI. Student Withdrawals During the Student Conduct Process</td>
<td>12</td>
</tr>
<tr>
<td>Section</td>
<td>Title</td>
</tr>
<tr>
<td>---------</td>
<td>-------</td>
</tr>
<tr>
<td>XII.</td>
<td>Charges and Hearing Procedures</td>
</tr>
<tr>
<td>XIII.</td>
<td>Student Organization Disciplinary Procedures</td>
</tr>
<tr>
<td>XIV.</td>
<td>Sanctions</td>
</tr>
<tr>
<td>XV.</td>
<td>Interim Suspension</td>
</tr>
<tr>
<td>XVI.</td>
<td>Appeals</td>
</tr>
<tr>
<td>XVII.</td>
<td>Appeal Guidelines</td>
</tr>
<tr>
<td>XVIII.</td>
<td>Student/Student Organization Rights</td>
</tr>
<tr>
<td>XIX.</td>
<td>Victim’s Rights</td>
</tr>
<tr>
<td>XX.</td>
<td>Resources for Conflict Mediation</td>
</tr>
<tr>
<td>XXI.</td>
<td>Adjudication of Academic Dishonesty Cases</td>
</tr>
</tbody>
</table>

**PART II: University Housing Regulations**

<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>I.</td>
<td>University Housing Regulations</td>
<td>24</td>
</tr>
<tr>
<td>II.</td>
<td>Institutional Penalties for University Housing Violations</td>
<td>28</td>
</tr>
<tr>
<td>III.</td>
<td>University Housing Disciplinary Procedures</td>
<td>30</td>
</tr>
<tr>
<td>IV.</td>
<td>Inspection, Search, and Seizure</td>
<td>31</td>
</tr>
</tbody>
</table>

**PART III: Administrative Regulations**

<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>I.</td>
<td>Amnesty Policy</td>
<td>33</td>
</tr>
<tr>
<td>II.</td>
<td>Treatment</td>
<td>33</td>
</tr>
<tr>
<td>III.</td>
<td>University Policy on Alcohol Use</td>
<td>34</td>
</tr>
<tr>
<td>IV.</td>
<td>University Policy on Drug Use</td>
<td>35</td>
</tr>
<tr>
<td>V.</td>
<td>Student Conduct Policy on Parental/Guardian Notification</td>
<td>36</td>
</tr>
<tr>
<td>VI.</td>
<td>Sexual Misconduct and Interpersonal Violence Policy</td>
<td>36</td>
</tr>
<tr>
<td>VII.</td>
<td>Equal Opportunity and Affirmative Action Policy</td>
<td>44</td>
</tr>
<tr>
<td>VIII.</td>
<td>Student Conduct Actions/Housing Status</td>
<td>45</td>
</tr>
<tr>
<td>IX.</td>
<td>Student Conduct Actions/Recreational Facilities Status</td>
<td>46</td>
</tr>
<tr>
<td>X.</td>
<td>Student Conduct Records</td>
<td>46</td>
</tr>
<tr>
<td>XI.</td>
<td>Student Conduct Code Revisions</td>
<td>46</td>
</tr>
</tbody>
</table>

***portions of this document have been adapted from ATIXA and NCHERM model policies***
PART I: STUDENT CONDUCT CODE

I. OFFICE OF STUDENT CONDUCT PHILOSOPHY
The Office of Student Conduct emphasizes a developmental approach toward discipline that is educational and proactive and allows for maximum student growth. The office embraces the concept of a student-centered University. A student-centered University is committed to developing and establishing programs designed to enhance lifelong learning opportunities, foster a climate of personal growth and development, set high expectations for personal integrity, and assist students in the development of an informed set of values, ethics, and beliefs. A student-centered University embraces a campus climate in which civility and respect among members of the campus community is viewed vital to the overall ethical development of its students.

II. GEORGIA SOUTHERN STATEMENT ON STUDENT CONDUCT
Georgia Southern University students are expected to obey national, state, and local laws, to respect the rights of members of the campus community, and to accept responsibility for the consequences of their behavior. In the event students fail to demonstrate such behavior, Georgia Southern University reserves the right to take necessary and appropriate action to protect the safety and well-being of the campus community. Such action may include pursuing disciplinary action for violations of University rules and regulations, policies, violations of national, state, and local laws that occur on-campus, off-campus, or on the internet that adversely affects the educational interest of the University.

Georgia Southern University’s student conduct system is not a court of law. The Student Conduct Code is not written with the specificity of a criminal statute. In cases where civil or criminal proceedings also involve a violation of the Student Conduct Code, the University reserves the right to take appropriate disciplinary action against the student. Such action will be regarded as separate and distinct from proceedings in criminal or civil court and may be scheduled according to timelines that serve the interest of the University.

III. Georgia Southern V.A.L.U.E.S.
1) V – Voices
   Every voice has the right to be heard, and every word will be spoken with respect.
2) A – Accountability
   It is an expectation that we will hold each other accountable.
3) L – Lasting Traditions
   We will continue to pursue greatness while embracing our lasting traditions.
4) U – Unity
   Our community is united in celebrating our diversity in all its varied forms.
5) E – Ethical Behavior
   We will display ethical behavior and do what is right.
6) S – Scholarship
   As a community of scholars, we will pursue academic distinction through learning, teaching, and research.
IV. DIVERSITY STATEMENT

Georgia Southern University is dedicated to affirming and fostering an appreciation and understanding of cultural, ethnic, and gender diversity by creating a community that celebrates our many beliefs, traditions, and values.

Georgia Southern University values the richness of the cultural, ethnic, and gender diversity reflected in the different experiences each member of the campus community adds to the learning environment.

Georgia Southern University expects all University constituents to contribute to the enhancement and maintenance of a campus climate that reflects the principles of inclusiveness, equity, civility, and mutual respect and understanding by embracing the many dimensions of diversity which include but are not limited to race, ethnicity, class, gender identity, sexual orientation, religion, and ability.

V. GEORGIA SOUTHERN UNIVERSITY CAMPUS HONOR PLEDGE

“On my honor, I pledge to be academically honest in all my coursework and will not tolerate the academic dishonesty of others. I also pledge to engage in ethical behavior on-campus and off-campus, to live an honorable lifestyle, and to create a campus environment that is characterized by individual responsibility, civility, and integrity.”

VI. STUDENT CONDUCT AUTHORITY

The Director of Student Conduct shall develop policies for the administration of the student conduct program and the procedural rules for the conduct of hearings that are not inconsistent with the provisions of the Student Conduct Code.

The Director of Student Conduct, in consultation with the Dean of Students and Academic Affairs, will determine the composition of the University Student Conduct Board.

The Director of Student Conduct shall seek to ensure that the University Student Conduct Board and Hearing Officers are representative of the University’s students, faculty, and administrative staff members who are willing and able to offer fair and thoughtful consideration of each case heard.

VII. DEFINITION OF TERMS

1) The term "University" means Georgia Southern University.

2) The term "student" includes all persons taking courses at Georgia Southern University. Persons who are not currently enrolled, but who were previously enrolled, would be considered to have a continuing relationship with the University so long as they are eligible to enroll. Individuals who are admitted, but whose degree is not yet conferred, are considered students. Students also include SOAR participants, Ogeechee Technical College students, and East Georgia College students taking courses on the Georgia Southern University campus.

3) The term "faculty member" means any person employed by Georgia Southern University to conduct classroom activities.
4) The term "university official" includes any person employed by Georgia Southern University, performing assigned administrative or professional responsibilities.

5) The term "organization" means a recognized student organization.

6) The term "Student Conduct Officer" refers to any person designated by the Dean of Students to be responsible for the management of the student conduct program. The Conduct Officers are authorized to investigate, adjudicate or otherwise resolve any cases of alleged student misconduct.

7) The term "University Student Conduct Board" and "Formal Hearing Officer" means any person or persons authorized by the Dean of Students or his/her designee to recommend whether a student has violated the Student Conduct Code and to recommend sanctions.

8) The term "policy" is defined as the written regulations of the University as found in, but not limited to, the Student Conduct Code, University Housing Regulations, and Graduate/Undergraduate Catalogs, and all official publications of the University, whether in print or published on the Internet.

9) The term “possession” includes, but is not limited to, holding, no matter the duration, any prohibited item in hand, having such items in one’s clothing, purse, book bag, or similar case (wherever located), automobile, residence, or other personal belonging.

10) The term “use” includes, but is not limited to, drinking, ingesting, or introducing any amount of prohibited substance into one’s body.

11) The term “guest” refers to any non-student, faculty, or staff of the University and non-residents of a specific residence hall unit (e.g. residence hall, apartment, or suite).
VIII. STUDENT CONDUCT CODE VIOLATIONS

The following list of 31 violations of the Student Conduct Code is an example of behaviors that may result in disciplinary action by the University. It is not to be regarded as all-inclusive. In the event ambiguity, inconsistency, or a need for further clarification arises regarding what constitutes a violation of the Student Conduct Code, the Dean of Students shall make the final determination. Any student or student organization found to be responsible for misconduct is subject to University sanctions.

1) Academic Dishonesty

   Cheating
   a) submitting material that is not yours as part of your course performance;
   b) using information or devices that are not allowed by the faculty;
   c) obtaining and/or using unauthorized materials;
   d) fabricating information, research, and/or results;
   e) violating procedures prescribed to protect the integrity of an assignment, test, or other evaluation;
   f) collaborating with others on assignments without the faculty’s consent;
   g) cooperating with and/or helping another student to cheat;
   h) demonstrating any other forms of dishonest behavior.

   Plagiarism
   i) directly quoting the words of others without using quotation marks or indented format to identify them;
   j) using sources of information (published or unpublished) without identifying them;
   k) paraphrasing materials or ideas without identifying the source;
   l) self-plagiarism: re-submitting work previously submitted without explicit approval from the instructor;
   m) unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic material.

2) Alcohol Possession and Use

   a) possession or consumption of alcoholic beverages by persons under the age of 21;
   b) driving under the influence of alcohol;
   c) possession or consumption of alcoholic beverages in public locations on campus, including residence hall common spaces; Common spaces in residence halls refer to any public space that exists outside the room/apartment/suite of a specific residential unit. Examples include, but are not limited to kitchens, living rooms, bathrooms, group study/lounge spaces, laundry rooms, elevator lobbies, computer rooms etc. Common spaces also include the public spaces located on the outside grounds of a residence hall.
   d) the sale, distribution, or furnishing of alcoholic beverages to persons under the age of 21;
e) the use of alcohol in an irresponsible manner (games, contests, forced or ritualized consumption of alcohol, behaviors requiring the response of a University official or law enforcement officer, etc.);
f) providing alcoholic beverages to a person who is intoxicated;
g) any activity or conduct involving the use of alcohol that is in violation of law.

3) Animals

a) intentional abuse, inappropriate handling, or causing death to wildlife and/or animals
b) bringing any unauthorized animal into any building owned, leased, or controlled by Georgia Southern University

4) Assault

a) any intentional physical contact of an insulting or provoking nature;
b) any physical abuse, intentional injury, or physical harm of another person.

5) Classroom Copyright Infringement

a) any recording and transmission of classroom lectures and discussions by students without prior written permission from the class instructor, and without all students in the class as well as the guest speaker(s) being informed that audio/video recording may occur (it is not a violation if student has educational accommodations through the Student Disability Resource Center);
b) uploading any recordings of lectures and/or class presentations to publicly accessible web environments

6) Classroom Disruption

a) any classroom behavior that interferes with the instructor’s ability to conduct class or the ability of other students to learn.

7) Damage or Destruction of Property

a) any damage or destruction of University property or another person’s property.

8) Deception

a) any misuse of any University records, forms, or documents through forgery, unauthorized alteration, reproduction, or other means;
b) any giving or receiving of false information to the University or to any University official, administrator, or administrative unit;
c) providing false information to law enforcement officials;
d) possession of any fake, altered, or any other identification that belongs to another person;
e) any attempt to perpetrate a fraud against the University or a member of the University community.
9) Disorderly Conduct
   a) all lewd, obscene, indecent behavior, or other forms of disorderly conduct;
   b) any abuse or unauthorized use of sound amplification equipment;
   c) any conduct which materially interferes with the normal operation of the
      University, or with the requirements of appropriate discipline.

10) Disorderly/Improper Assembly
    a) any assembly for the purpose of causing a riot, destruction of property, or
       disorderly diversion, which interferes with the normal operation of the University;
    b) any obstruction to the free movement of other persons about campus or
       the interference with the use of University facilities.

11) Drugs
    a) the possession, use, manufacture, cultivation, distribution, sale, and/or misuse of
       any controlled or illegal substance, designer drug, or synthetic cannabinoid (i.e.
       Spice or K2)
    b) the possession and/or use of any drug paraphernalia, i.e. bowls, hookah pipes,
       bongs, “homemade” smoking devices, any other smoking device or smoking
       paraphernalia;
    c) any activity or conduct involving drugs that is in violation of local, state, or federal
       law.

12) Failure To Comply
    a) failing to respond to a lawful request by properly identified University officials or
       law enforcement officials in the performance of their duties;
    b) failing to report for a conference, meeting, or appointment with any University
       official or faculty member;
    c) failing to comply with any disciplinary condition imposed on a person by any
       student conduct body or administrator;
    d) fleeing from law enforcement or university officials,
    e) failing to follow established University policies or guidelines.

13) False Representation
    a) any unauthorized claim to speak and/or act in the name of Georgia Southern
       University or any organization, student, University officials or faculty members.

14) Felony Conviction
    a) being convicted of a felony:
    b) pleading guilty to a felony;
    c) pleading nolo contendere to a felony;
    d) receiving First Offender Treatment or similar pretrial diversionary treatment for a
       felony grade offense.
15) Fire Safety
   a) any failure to evacuate or immediately respond to a fire alarm;
   b) participation in creating or causing a false fire alarm;
   c) participation in tampering, disconnecting, or altering any fire alarm system, equipment or component;
   d) failure to follow the instructions of staff and emergency personnel during fire alarms;
   e) the possession, use, manufacture, and/or sale of any incendiary device;
   f) participation in setting or causing to be set any unauthorized fire;
   g) the possession and/or use of any type of fireworks.

16) Gambling
   a) Engaging in any form of gambling that is in violation of the law.

17) Harassment
   a) speech or other expression (words, pictures, symbols) that constitutes fighting words and is sufficiently severe, pervasive, or persistent so as to interfere, limit, or deny one’s ability to participate in or benefit from an educational program. Fighting words may include, but are not limited to, words, pictures or symbols that:
      i. are directed to an individual or individuals based on that person’s race, color, sex, religion, creed, age, sexual orientation, gender, gender identity, disability, veteran status or national origin, and
      ii. threaten violence, tend to incite an immediate breach of the peace or provoke a violent response.
   b) following, placing under surveillance, or contacting (in person, by phone, electronically, or by any other means) another person without his or her permission for the purpose of harassing or intimidating that person. Harassing or intimidating means a knowing and willful course of conduct that serves no legitimate purpose and causes emotional distress by placing another person in reasonable fear for the safety of him/herself or others.

18) Hazing
   a) any act which endangers the emotional, mental, financial, physical health or safety of a student, with or without their expressed permission, or which destroys or removes public or private property, for the purpose of initiation, admission into,
affiliation with, or as a condition for continued membership in a group or organization.

b) any act intended to or actually cause physical discomfort, embarrassment and/or ridicule of another person for the purposes mentioned above participation in hazing, either by facilitating or encouraging the act, or allowing oneself to be subject to acts of hazing

19) Joint Responsibility

a) Students who knowingly act or plan to act in concert to violate University regulations have individual and joint responsibility for their behavior;
b) Any student who knowingly allows another person to violate University regulations without reporting to a University Official;

20) Sexual Misconduct and Interpersonal Violence

a) See Part III, Part VI on pg.36 of this document for information

21) Solicitation

a) conducting an unauthorized sales campaign in a residence hall, classroom, or administrative building, or any other campus location;
b) placing door hangers or signs on cars on campus or in on-campus residential facilities, or other campus property;
c) any violation of the “Campus Advertising, Sales, and Solicitation Policy.” (see the following link for full policy http://bf.georgiasouthern.edu/advertising/)

22) Student Identification Card Violations

a) altering, lending, or selling a student identification card;
b) using a student identification card by anyone other than its original holder;
c) using a student identification card in any unauthorized manner.

23) Theft

a) taking, possessing, or attempting to sell or distribute any property that is the property of another person, organization, or entity (including but not limited to the University) without the owner’s permission;
b) taking or attempting to sell any service that belongs to the University without proper permission.

24) Threats

a) an expression of intention to inflict injury or damage;
b) to cause another person to feel fear for their safety or well-being.

25) Tobacco

a) the use of all forms of tobacco products on property owned, leased, rented or belonging to Georgia Southern University, or in any way used by the University or its affiliates, is expressly prohibited. “Tobacco Products” is defined as
cigarettes, cigars, pipes, all forms of smokeless tobacco, clove cigarettes and any other smoking devices that use tobacco such as hookahs or simulate the use of tobacco such as electronic cigarettes;

b) smoking in the residence halls (see Part II. Section 1.9, pg.28 for more information).

26) Unauthorized Entry

a) unauthorized entry on or into any University building, office, residence hall, off-campus residence, parking lot, motor vehicle, or other facilities;

b) remaining in any building after normal closing hours without proper authorization;

c) remaining overnight in public areas of the residence hall or surrounding areas without approval from University Housing staff.

27) Unauthorized Use

a) unauthorized use of University equipment;

b) unauthorized use of bathrooms, exits, or windows;

c) unauthorized use or duplication of keys;

d) unauthorized use or possession of any parking permit

28) Unauthorized Use of Computer or Electronic Resources

a) unauthorized entry into any network, computer, or file to use, read, or change the contents, or for any other purpose;

b) unauthorized transfer of a file;

c) unauthorized use of another individual’s identification and password;

d) use of computing facilities that interfere with the normal operation of the University computing system;

e) use of computing facilities that violate copyright laws;

f) all devices attached to the University network must be registered;

g) use of tools for port-scanning, “sniffing,” or to monitor or read transmissions from other users on the network is prohibited;

h) workstations attached to the University network are required to have virus protection software. Virus definitions must be updated at least every two weeks;

i) any violation of the University’s computer use policies.

29) Violation of Confidentiality

a) violating the confidentiality of a student’s educational record;

b) Student Conduct Advocates or University Student Conduct Board members may not disclose confidential student conduct information;

c) student employees may not disclose confidential work-related information.
30) Violation of Law

a) any act that violates a provision of the laws of the United States, the laws of any State in which such act occurs, the ordinances of any county, city, municipality, or other political subdivision, or the laws of another nation or political subdivision thereof in which such act occurs, is deemed to be a violation of the Student Conduct Code when that act:

i. occurs on the campus of the University, including all property owned, leased, licensed, or otherwise controlled by the University;
ii. occurs on the premises of any domicile of a recognized Greek letter organization;
iii. occurs in the context of any event planned, presented, sanctioned, or made available by the University, any affiliate of the University, or any student organization;
iv. occurs at any intercollegiate athletic event in which one of the University's teams is participating, home or away;
v. involves more than one member of the University community; or otherwise adversely affects the University.

31) Weapons and Firearms

a) no student shall keep, use, possess, display, or carry any rifle, shotgun, handgun, or other lethal or dangerous device capable of launching a projectile by air, gas, explosion, or mechanical means (including BB guns, air-soft guns, stun guns, and paintball guns) on any property owned, controlled, or leased by the University unless specifically authorized by the administration or as part of a University-sanctioned event.

b) no student shall use, possess, display or carry any toy weapon which resembles a real weapon, any swords, any illegal knives, any explosives (including fireworks and sparklers), any martial arts weapons or any devices which are used to threaten the safety and well-being of a person on any property owned, controlled, or leased by the University unless specifically authorized by the administration or as part of a University-sanctioned event.

c) anything used to injure, attempt to injure, or harass another person is considered a weapon.

d) Illegal or unauthorized possession of weapons that include but are not limited to: firearms, explosives, tasers, other weapons, or dangerous chemicals;

e) any violation of federal or state Law against carrying a weapon.
IX. STUDENT NOTIFICATION PROCESS FOR STUDENT CONDUCT CODE VIOLATIONS

When a student is charged with a violation of the Student Conduct Code, the student will be notified to appear for a meeting with a Student Conduct Officer to respond to the charges in the following manner:

a) An e-mail will be sent to the student’s Georgia Southern e-mail account instructing the student to respond to the charges on or before a specific date.

b) If a student does not respond to this request as instructed, a hearing will be held in the student’s absence and action will be taken as warranted by the facts in the case, which may include disciplinary probation, suspension, or expulsion. The decision from a hearing held in a student’s absence will be final. The student will not be afforded an appeal.

c) Students will not be permitted to enroll in subsequent semesters until their disciplinary case is resolved.

X. ELECTRONIC COMMUNICATIONS POLICY

Georgia Southern University considers Electronic Communication an official method of communication. The University recognizes that it allows and promotes timely delivery of information to our students and assists us in achieving our strategic objective of linking students and faculty members and fellow students and staff. Students can expect important notices about deadlines, upcoming events, and other information to be sent electronically to their email accounts. Students are expected to regularly check their accounts for activity. Any mass electronic mailing to all students must be made in consultation with the Vice President for Student Affairs and Enrollment Management or his/her designee.

Computer accounts are available to all members of the Georgia Southern student body, faculty, and staff, and are issued automatically to new students. Students holding computer accounts are required to follow all Georgia Southern University Policies and Procedures governing the use of Georgia Southern and the University System of Georgia computer resources. Computer use must be in accordance with all applicable laws, regulations, and policies, including but not limited to the Georgia Computer Systems Protections Act, O.C.G.A. Sections 16-9-90 et. seq.

Students are assigned a User ID and password for their personal use only and must not cause them to be known or used by any other person. Access to any university computer resource is a privilege granted by Georgia Southern and account holders are solely responsible for the security of the assigned User ID(s) and password(s). In the event this security is compromised, the account holders must notify the Georgia Southern Computer Help Center at 912-478-5429. Account holders should understand that periodic audits of their activities on any Georgia Southern computer resource may be made by the system administrator.

Georgia Southern University does not routinely monitor electronic communications passing through campus servers. However, e-mails that pass through these servers may be automatically stored for a period of time. These e-mails may also be stored in other locations. The stored e-mails are subject to state and federal laws concerning law enforcement investigations, court discovery requests, University investigations, network diagnostics, and the
Open Records Act. Similarly, while the University does not routinely monitor Web page visits, such data may be collected pursuant to the needs of law enforcement authorities. Also, such data may be automatically stored on individual computers. Accordingly, Georgia Southern University cannot and does not guarantee the privacy of any e-mail message or Internet session sent from or received at any campus computer.

Students should be aware that information and communications they post on the Internet, including but not limited to social media, Internet message boards, forums, web pages and blogs are public in nature. Where information and communications posted in these manners violate the Student Conduct Code, or provide information documenting a violation of the Student Conduct Code such information or communications may be used in conduct proceedings. In particular, communications that violate the Student Conduct Code, such as threats and harassment, are violations whether they are transmitted in person, by phone, over the Internet, or by any other means.

XI. STUDENT WITHDRAWALS DURING THE STUDENT CONDUCT PROCESS

A student withdrawal from the University does not absolve the student from student conduct responsibility. Students who withdraw before their case is closed will have their cases adjudicated according to the hearing procedures outlined in this document (Part I, Section XII).

XII. CHARGES AND HEARING PROCEDURES

1) Any member of the University community may file a complaint against a student alleging a violation of the Student Conduct Code. The complaint should be in written form and filed as soon as possible after the incident occurs. Persons filing complaints should do so in a timely manner in order to avoid unnecessary delays in the student conduct process. Complaints of alleged violations other than academic dishonesty shall proceed as follows; complaints involving allegations of academic dishonesty shall proceed in accordance with the provisions of Article (Part I, section XXI).

2) All formal charges shall be presented to the accused student in written form (usually by email). A time shall be set for a meeting which normally will not be less than two (2) days and will not be more than twenty (20) calendar days after the student has been presented with the charges. Maximum time limits for the scheduling of meetings may be extended at the discretion of the student conduct officer. In certain situations a student may waive the right to the 2 day notice of charges.

3) Distance learning students who are not able to attend an in-office hearing must have their case adjudicated either through a telephone conference, e-mail correspondence, or through video chat. A follow-up letter with sanctions (if applicable) will be emailed to the student upon completion of the hearing. Failure of distance learning students to set up a meeting will result in the case being heard and decided in the student’s absence. There is no appeal for cases heard in the student’s absence.

4) During holidays, between semesters, and summer sessions or when the University Student Conduct Board cannot meet, a formal hearing officer may be assigned to hear any case.

5) In order to expedite the process, the student conduct officer may conduct an initial investigation to determine if the complaint can be resolved administratively. The
accused student and the student conduct officer must agree to an administrative
decision. An administrative decision will be final and there will be no subsequent
proceedings. If the complaint cannot be adjudicated administratively, the case will be
resolved in a formal hearing.

6) A student cannot drop a course or withdraw from the university to avoid being
charged with a violation of the conduct code. If the student chooses not to participate
in the process, the case will be heard in the student’s absence.

7) Students charged with a violation of the Student Conduct Code other than academic
dishonesty can have their case heard in the following manner (see Part I, Section
XXI- Academic Dishonesty):
   a) Before a student conduct officer (administrative decision);
   b) Before the University Student Conduct Board;
   c) Before a formal hearing officer;
   d) The student conduct officer may at his/her discretion refer any case to the
      University Student Conduct Board or a formal hearing officer.

8) Hearings for alleged violations other than academic dishonesty shall be
conducted according to the following guidelines:
   a) Normally, a formal hearing will be conducted in private. Formal hearings may be
      conducted by alternative means for students who are enrolled in distance
      learning programs.
   b) The student conduct officers may make an audio recording of formal hearings.
      No other recording devices or court reporters are permitted to record or
      transcribe a formal hearing. The audio recording is the property of the University
      and may be reviewed by the accused student or the complainant for the purpose
      of preparing an appeal. The time and location of such a review is subject to the
      discretion of the student conduct officer.
   c) Admission of any person to a formal hearing shall be at the discretion of the
      chairperson of the formal hearing.
   d) The complainant and the accused student (as well as any victim/witness who is
      not also the complaining party) shall have the right to be assisted by an advisor.
      The advisor will be of the individual's own choosing and may be an attorney. The
      student conduct officer will present the case for the complainant and the
      University. The accused student will be responsible for presenting his or her case
      and may be assisted by an advisor. Advisors, including attorneys, are not
      permitted to represent accused students in any portion of formal hearing, but
      may only offer advice to the accused student. Advisors, may address only the
      accused student during formal hearing proceedings. This communication may
      only be in written form. Advisors may not question or examine witnesses, and
      may not act as witnesses in any capacity.
   e) The complainant, the student conduct officer, and the accused student have the
      right to call witnesses. The University Student Conduct Board, the formal hearing
      officer and the University Student Conduct Board chairperson may question
      witnesses, including the complainant and the accused student. The complainant
      and the accused student may question witnesses, including each other. The
      complainant and the accused student will be permitted to review and examine
evidence during the hearing, if approved by the chairperson of the University Student Conduct Board or formal hearing officer.

f) Pertinent records, exhibits and taped or written statements may be accepted as evidence for consideration at the discretion of the University Student Conduct Board chairperson or formal hearing officer.

g) Procedural questions are subject to the final decision of the chairperson of the University Student Conduct Board or formal hearing officer.

h) After a formal hearing, a decision will be made by the University Conduct Board or formal hearing officer. In the case of a formal hearing with the University Conduct Board, the Board, along with the chairperson will go into closed. The chairperson may participate in the deliberations of the board. After deliberations, a finding of fact and a recommendation will be forwarded to the appropriate approving body. In the case of a formal hearing with a formal hearing officer, the evidence presented during the formal hearing will be reviewed by the formal hearing officer and a decision including finding of fact and sanctions will be sent to the appropriate approving body.

i) The University Student Conduct Board’s or formal hearing officer’s finding of fact and recommendation will be made on the basis of whether, by a preponderance of the evidence presented at the hearing, it is more likely than not that the accused student committed the violation(s) as charged.

j) Upon approval of a decision made by the University Student Conduct Board or formal hearing officer, a conduct officer will inform the student of the decision and the penalty via Georgia Southern email.

k) A conduct officer will inform students of their right to appeal the decision or the sanction(s) and be given a written statement of the decision and the sanction(s).

l) The student has the right to appeal any decision provided that relevant grounds for an appeal be cited (see Part I, Section XVII, pg.18 – Appeal Guidelines).

m) Should an accused student fail to appear for his/her hearing or choose to limit or withhold a response to charges against him/her, the chairperson shall nevertheless proceed with the hearing. An accused student shall not be found responsible for a violation of the Student Conduct Code solely because he/she chooses to remain silent.

XIII. STUDENT ORGANIZATION DISCIPLINARY PROCEDURES

1) The rights of student organizations can be found in Part I, section XVIII.

2) The following rules of procedure for adjudicating alleged violations of the Student Code of Conduct are established for use by student organizations:

a) A Conduct Officer from the Office of Student Conduct shall notify the organization involved of a possible violation of the Student Conduct Code and an email request to the President’s Georgia Southern email account will be sent instructing the President to respond to the charges on or before a specific date.

b) If the organization accepts responsibility for the violation in the student conduct meeting, the President may waive all further hearings and accept the decision and sanctions of the Conduct Officer as final and binding for all purposes.
c) If the organization denies the charge, he/she may request a formal hearing. (see Part I, section XII, pg.12).

d) The decision from a formal hearing may be appealed. (see Part I, section XVI, pg.17).

e) In cases involving disciplinary action, all documents and materials will be kept in the Office of Student Conduct for inclusion in the organization’s disciplinary record.

XIV. SANCTIONS

- A student or student organization found responsible for violating the Student Conduct Code other than academic dishonesty may receive one or more of the sanctions listed below, as determined by the Director of Student Conduct after review of the findings of fact and recommendations of the University Student Conduct Board or Hearing Officer. Prior to issuing a sanction, the Student Conduct Officer will inform the Director of Student Conduct or the Hearing Officer if the accused student or student organization has any previous violations of the Student Conduct Code. This may have an effect on the type and level of the sanction(s) to be imposed.

- When a student organization engages in an act of misconduct, the University reserves the right to take action not only against the organization but also against the individual student members of the organization.

- The following list of sanctions is intended to show the range of sanctions that may be imposed on a student or student organization, either individually or in combination.

- This list is not to be regarded as all-inclusive but rather as a sample of sanctions that may be imposed. Other University policies and regulations may impose specific penalties for specific violations, and nothing in this Article is intended to limit the imposition of those specific sanctions.

1) Disciplinary Warning – An official written reprimand stating that unacceptable behavior has occurred and any further inappropriate behavior or other violations of the Student Conduct Code may result in more serious student conduct actions by the University.

2) Disciplinary Probation – Disciplinary Probation is a specific period of time, generally not less than three months, during which further violations of the Student Conduct Code may result in suspension or expulsion. Violations of disciplinary probation generally will result in more serious disciplinary action against the student, such as suspension or expulsion from the University.

3) Suspension* – Suspension indicates that a student, by his/her actions, has forfeited the privilege of attending Georgia Southern University for a specified period of time. Suspended students are prohibited from entering the campus without specific authorization from the Office of Student Conduct. Students who reside on campus will have a minimum of 48 hour notice to remove all of their belongings out of the residence hall after notification that the penalty of suspension is in effect. All residence hall fees and deposits may be forfeited. Georgia Southern University will not recognize any academic credit earned from another institution during the period of suspension.
Students must apply for readmission following suspension according to the "Guidelines for Readmission Following Suspension" document from the Office of Student Conduct.

4) **Expulsion** – Expulsion is the most serious sanction that can be imposed on a Georgia Southern University student. Expulsion is a permanent forced withdrawal from the University. An expelled student may not enter any part of the campus without specific authorization from the Office of Student Conduct. Students who reside on campus will have a minimum of 48 hour notice to remove all of their belongings out of the residence hall after notification that the penalty of expulsion is in effect.

5) **Restitution** – Requiring restitution allows for the compensation of loss, damage or injury caused by a student or student organization’s misconduct. Compensation may take the form of appropriate service, and/or monetary or material replacement. The Office of Student Conduct will not take responsibility for the facilitation of these exchanges.

6) **Fines and Fees** – There are fines for alcohol and/or drug charges as well as fees for the alcohol and/or drug education programs. Once a fine or fee is added to a student’s account, a hold will automatically be added to the student’s account which will prevent the student from registering from classes until the fine or fee is paid.

7) **Educational Sanction** – An educational sanction may consist of the assignment of specific projects to be performed by a student or student organization, such as writing a research paper on a specific topic, performing community service hours, attending an educational program, and/or writing reaction papers on a specified topic. Educational sanctions also include completing mandated alcohol and drug education programs and enrolling in web- based online alcohol and drug education programs.

8) **Loss of Privileges** – Denial of specific privileges for a designated period of time.

9) **Residence Hall Suspension** – Separation of the student from the residence halls for a specific period of time. Students who are suspended from the residence hall are banned from all residence hall buildings throughout the duration of the suspension.

10) **Residence Hall Expulsion** – Permanent separation of the student from the residence halls. Students who are expelled from the residence hall are banned from all residence hall buildings indefinitely.

11) **Organizational Sanctions** – Loss of privileges, including University recognition for a specific period of time or permanently. Loss of privileges may include, but is not limited to, a prohibition on social events, fund-raising projects, intramural events, and completion of community service hours and special projects.

12) **Deferred Suspension** – A student placed in deferred suspension status will be allowed to remain in school pending the completion of certain assigned sanctions or conditions. The sanctions and conditions vary on a case-by-case basis. If all assigned sanctions and/or conditions are met within the time allotted for completion, the student will not be suspended and will return to appropriate disciplinary status. If any one condition or sanction is not met within the time allotted, the student will be immediately suspended without further proceedings. If the conditions placed on the student included a prohibition of additional disciplinary findings, a student on deferred suspension status will be suspended following the exhaustion of all appeals and/or appeal periods at the campus level for additional violations of the conduct code. In order to be considered to
return to Georgia Southern after suspension, the student must complete all sanctions and conditions originally assigned.

*If a student may be facing these sanctions at the end of a semester it is their responsibility to contact the Office of Student Conduct prior to the start of a new semester, as the Office of Student Conduct is not responsible for additional fees and charges that may accrue at the start of a new semester with an open conduct case.

**XV. INTERIM SUSPENSION**

1) In certain circumstances, the Dean of Students (or designee) may impose a University or residence hall suspension prior to a hearing. Interim suspension may be imposed only:
   a) to ensure the safety and well-being of members of the University community or preservation of University property;
   b) to ensure the student’s own physical or emotional safety and well-being;
   c) if a student poses a threat to themselves or others;
   d) if a student poses a threat of disruption of or interference with the normal operations of the University.

2) During an interim suspension, students may be denied access to the residence halls and/or to the campus (including classes) and/or all other University activities or privileges for which the student might otherwise be eligible, as the Student Conduct Officer may determine to be appropriate. The student will be responsible for working with faculty members to make-up any missed work (if possible).

3) If an interim suspension is imposed, the notice and hearing should follow within ten (10) business days.

**XVI. APPEALS**

The purpose of an appeal is to review the procedures of the formal hearing in order to determine if there has been any error. Students have the right to appeal formal hearing decisions provided relevant grounds for an appeal are cited.

All appeal request and responses in this process are transmitted by electronic mail (which accommodates distance learning students). First appeals (except in Academic Dishonesty cases) are made to the Dean of Students (or to such other person as she or he may designate). The appeal must be received by electronic mail to the Conduct Officer within 48 hours after the original decision has been communicated to the student. The Dean of Students will communicate to the student by electronic mail the decision regarding the appeal, including the process for a further appeal to the Vice President of Student Affairs and Enrollment Management, if applicable.

The Dean of Students shall constitute the final appeal in all disciplinary cases not resulting in a suspension or expulsion (except in Academic Dishonesty cases). Second appeals are allowed only if the sanctions include suspension or expulsion. These appeals are made to the Vice President for Student Affairs and Enrollment Management (or to such other person as she or he may designate) by electronic mail within 48 hours after the Dean of Students’s decision has been communicated to the student. The Vice President of Student Affairs will communicate to
the student by electronic mail the decision of the second appeal, including the process for a third appeal to the Board of Regents of the USG. The decision of the Vice President of Student Affairs will stand until a decision is determined by the Board of Regents (if applicable).

The student will not be granted an appeal if the case has been heard in the student’s absence. Appeals of academic dishonesty cases will be decided by the Provost or his/her designee.

In all appeals involving Title IX hearing decisions the Student Conduct Officer will share the appeal by one party with the other party(s) when appropriate under procedure or law (e.g. if the responding student appeals, the appeal is shared with the complainant, who may also wish to file a response, request an appeal on the same grounds or different grounds). All appeal documents received in this case are forwarded to the Dean of Students or their designate.

XVII. APPEAL GUIDELINES

1) Purpose
   a) The purpose of an appeal is to review the procedures of the hearing in order to determine if there has been any error.

2) Grounds for Appeal
   a) A violation of due process.
   b) Evidence of prejudicial treatment by the original hearing body.
   c) Evidence that does not support a finding.
   d) Sanction(s) inappropriate for the nature of the violation.
   e) Evidence that becomes available during the review process that was not previously available during the original hearing.

1) Procedure
   a) In the first level of appeal (except in cases of Academic Dishonesty; See Section XVIII- Academic Dishonesty), the Dean of Students or designee will review all material related to the case including: (a) the record made before the hearing body; (b) all pertinent documents, including the audio recording of the hearing, witness statements, incident reports, prior violations, and sanctions against the student. The Dean of Students or designee may:

   i. Affirm the original decision.
   ii. Change the sanctions imposed.
   iii. Refer the case for rehearing before another hearing body.
   iv. Find the accused student not in violation and terminate the proceedings.

2) In the second level of appeal (except in cases of Academic Dishonesty; See Part I, Section XXI- Academic Dishonesty), the Vice President or designee will review decisions made by the Dean of Students by reviewing all material related to the case including: (a) the record made before the hearing body; (b) all pertinent documents, including the audio recording of the hearing, witness statements, incident reports, prior violations, and sanctions against the student. The Vice President of Student Affairs or designee may:
PART I: Student Conduct Code

XVIII. STUDENT/STUDENT ORGANIZATION RIGHTS

A student or student organization of Georgia Southern University charged with a violation of the Student Conduct Code has the following rights:

1) To receive a written statement of the charges.
2) To receive a fair and impartial hearing.
3) To know the nature of the evidence against them and the names of witnesses scheduled to appear.
4) To present evidence and witnesses in their own behalf.
5) To be accompanied at a hearing by an advisor or Student Conduct Advocate of their choice.
6) To be present at the hearing during the presentation of any evidence or material on which a recommendation will be made. If a student/student organization fails to attend the hearing, it will be held in their absence.
7) To refuse to answer questions. (if the charges are made against an individual).
8) To ask questions of witnesses (either directly or through a Hearing Officer at the discretion of the Hearing Officer).
9) To receive a decision based solely on the evidence presented.
10) To have a record made of the hearing.
11) To receive a written notice of the decision and sanctions.
12) To appeal decisions resulting from a formal hearing.
13) Students or organizations may waive these rights by agreeing to administrative adjudication. No student is required to agree to administrative adjudication.

XIX. VICTIM’S RIGHTS

As a student of Georgia Southern University, if you feel you are a victim of either a violation of the law or of the Student Conduct Code, you have the following rights:

1) Regardless of whether an act is in violation of the law, the victim may file a report alleging a violation of the Student Conduct Code.
2) To have an advisor accompany them throughout the student conduct process.
3) To submit a victim impact statement prior to a penalty being imposed.
4) To have past unrelated behavior excluded from the hearing.

XX. RESOURCES FOR CONFLICT MEDIATION

Georgia Southern University has resources available to all students to assist in resolving conflicts that may not require formal student conduct intervention. Unlike the formal student conduct process, mediation is viewed as an educational experience in which the emphasis is not on determining guilt, but rather upon seeking resolution to a conflict that meets the unique
needs of the students involved in the conflict. Not all student conflicts are appropriate for mediation and violations of the Student Conduct Code may not be a subject to mediation. This service can be arranged by contacting the Office of Student Conduct.

XXI. ADJUDICATION OF ACADEMIC DISHONESTY CASES

1) The following procedures are designed to adjudicate violations of academic dishonesty:
   a) In the case of a first violation, it will be encouraged that disputes of academic dishonesty are handled between the faculty member and the student.
   b) Cases not adjudicated between the faculty member and the student will be processed through the Office of Student Conduct. Any allegations of academic dishonesty which are referred to the formal hearing process will be heard by the University Student Conduct Board.
   c) All formal charges shall be presented to the accused student in written form. A time shall be set for a meeting which normally will not be less than two (2) days and will not be more than twenty (20) calendar days after the student has been presented with the charges. Maximum time limits for the scheduling of meetings may be extended at the discretion of the Student Conduct Officer.
   d) A student cannot drop a course or withdraw from the university to avoid being charged with academic dishonesty.
   e) The faculty member (complainant) responsible for filing the academic dishonesty charges will be responsible for providing information that supports his/her claims.
   f) Normally, a hearing will be conducted in private.
   g) The University Student Conduct Board Chairperson may make an audio recording of the hearings. No other recording devices or court reporters are permitted to record or transcribe a University Student Conduct Board hearing. The audio recording is the property of the University and may be reviewed by the accused student or the complainant. The time and location of such a review is subject to the discretion of the Director of Student Conduct.
   h) The complainant and the accused student (as well as any witness who is not also the complaining party) shall have the right to be assisted by an advisor. The advisor will be of the individual's own choosing and may be an attorney. The faculty member filing the academic dishonesty charge will provide the evidence for the case. The accused student will be responsible for presenting his or her case and may be assisted by an advisor. Advisors, including attorneys, are not permitted to represent accused students in any portion of Student Conduct Board proceedings, but may only offer advice to the accused student. Advisors, including attorneys, may not address the Board or any member of the Board, may not question or examine witnesses, and may not act as witnesses in any capacity.
   i) The complainant, the Student Conduct Officer and the accused student have the right to call witnesses.
j) The members of the University Student Conduct Board may question witnesses, including the complainant and the accused student. The complainant and the accused student may question witnesses, including each other. The complainant and the accused student will be permitted to review and examine evidence during the hearing, if approved by the University Student Conduct Board Chairperson.

k) Pertinent records, exhibits and taped or written statements may be accepted as evidence for consideration at the discretion of the University Student Conduct Board Chairperson.

l) Procedural questions are subject to the final decision of the University Student Conduct Board Chairperson.

m) After the hearing, the University Student Conduct Board will go into closed session. The Chairperson may participate in the deliberations of the board. After deliberations, a recommendation will be forwarded to the Dean of Students or his designee.

n) The University Student Conduct Board's findings of fact and recommendation will be made on the basis of whether, by a preponderance of the evidence presented at the hearing, it is more likely than not that the accused student committed academic dishonesty as charged.

o) Upon a consultation with the Dean of Students or his/her designee, and taking into account the findings of fact and recommendations of the University Student Conduct Board, a decision will be made by the Dean of Students or his designee. The Student Conduct Officer will inform students of the decision via their Georgia Southern email account, normally with 72 hours of the hearing date.

p) The Student Conduct Officer will inform students of their right to appeal the decision or the penalty and be given a written statement of the decision and the penalty.

q) The student has the right to appeal any decision provided that relevant grounds for an appeal be cited (see Part I, Section XVII, pg.18 – Appeal Guidelines). Student must send appeal by electronic mail within 48 hours after the original decision has been communicated to the student. Appeals for academic dishonesty cases will be decided by the Provost or his/her designee. The decision of the Provost shall be final.

r) Should an accused student fail to appear for his/her hearing or choose to limit or withhold a response to charges against him/her, the Chairperson shall nevertheless proceed with the hearing. There will be no appeal for any student who does not attend his or her hearing. An accused student shall not be found responsible for a violation of the Student Conduct Code solely because he/she chooses to remain silent.

2) First Offense – In Violation Plea

a) When an instructor has decided that a case for academic dishonesty can be made, he or she should contact the Director of Student Conduct in order to determine if it is a first offense and if the evidence is sufficient to warrant a
charge of academic dishonesty. It is the instructor’s responsibility to provide evidence that would warrant an academic dishonesty charge.

b) If it is a first offense, the instructor should talk with the student about the alleged violation. If the student pleads in violation in writing and the instructor decides to adjudicate the case, the following procedures will be followed:

c) The student will be placed on Disciplinary Probation for a minimum of one semester by the Office of Student Conduct.

d) The student will be subject to any academic sanctions imposed by the professor. There will be no appeal of the finding or the sanction.

e) A copy of all the material involved in the case (Academic Dishonesty Report Form and Request for Instructor to Adjudicate Form) and a brief statement from the professor concerning the facts of the case should be mailed to the Office of Student Conduct for inclusion in the student’s discipline record.

3) First Offense – Not in Violation Plea

a) If the instructor and the Director of Student Conduct agree that the evidence is sufficient to warrant a charge of academic dishonesty, the student will be charged with academic dishonesty and the

b) University Student Conduct Board will hear the case. It is the instructor’s responsibility to provide evidence that would warrant an academic dishonesty charge.

c) If the student was found to be in violation of academic dishonesty, the following penalty would normally be imposed:

d) The student will be placed on Disciplinary Probation for a minimum of one semester.

e) The student will be subject to any academic sanctions imposed by the professor.

4) Second Offense – In Violation Plea

a) When an instructor has decided that a case for academic dishonesty can be made, he or she should contact the Director of Student Conduct in order to determine if it is a first or second offense and if the evidence is sufficient to warrant a charge of academic dishonesty. It is the instructor’s responsibility to provide evidence that would warrant an academic dishonesty charge.

b) If it is a second offense, the instructor should refer the case to the Office of Student Conduct for adjudication. If the student wishes to plea in violation, the following procedures will be followed:

c) A Student Conduct Officer will administer the non-academic student conduct sanction that may consist of a penalty that includes suspension or expulsion.

d) The student will be subject to any academic sanctions imposed by the professor.

e) There will be no appeal of the finding or the sanction.
5) **Second Offense – Not in Violation Plea**
   a) If the instructor and the Director of Student Conduct agree that the evidence is sufficient to warrant a charge of academic dishonesty, the student would be charged with academic dishonesty and the University Student Conduct Board will hear the case. It is the instructor’s responsibility to provide evidence that would warrant an academic dishonesty charge. If the student was found to be in violation of academic dishonesty, the following penalty would normally be imposed:

   b) Non-academic student conduct sanctions may consist of a penalty that includes suspension or expulsion.

   c) The student will be subject to any academic sanctions imposed by the professor.

6) **Not in Violation Finding**
   a) When the University Student Conduct Board find a student “not in violation” of academic dishonesty, the work in question (assignment, paper, test, etc.) should be forwarded to the Department Chair to ensure that the work is evaluated by a faculty member other than the individual who brought the charge and to submit a final grade for the course to the Registrar’s Office. For the protection of the faculty member, the work in question should not be referred back to the faculty member who charged the student with academic dishonesty.

   b) The Department Chair, the faculty member, and the student should reach an agreement regarding completion of any remaining course requirements. In some cases, placing the student in another section of the same course may be an option. If the student remains in the class with the faculty member who charged the student with academic dishonesty, the Department Chair may ask another faculty member in the department to evaluate any subsequent work submitted by the student. In the case of a Department Chair bringing charges against the student, the Department Chair, an administrator at the Dean’s level, and the student should reach an agreement regarding completion of any remaining course requirements. An administrator at the Dean’s level may ask another faculty member in the department to evaluate any subsequent work submitted by the student.

   c) This process is designed to protect the faculty member from any suspicion of retaliation against the student. It is not intended to question the ability of the faculty member to evaluate student performance objectively.
PART II: UNIVERSITY HOUSING REGULATIONS

Please refer to your Community Guide for items that are allowed and not allowed in Residence Halls.

I. UNIVERSITY HOUSING VIOLATIONS

1) Alcohol Possession and Use in the Residence Halls
   a) In the privacy of a student’s room or personal unit common space (e.g., kitchen or living room) alcoholic beverages are permitted only for those persons 21 years of age or older in accordance with state law, provided at least one 21 year old residents of the unit is present while the alcohol is consumed.

   Additionally:
   
   b) legal or illegal consumption of alcoholic beverages in public areas (e.g., breezeways, hallways and lounges) of the residence hall, other than private student units, is not allowed.
   
   c) should a room/unit have of-age and under-aged residents residing together, all alcohol must be labeled with the name of the of-age resident.
   
   d) while consuming, alcohol containers must be in possession of the of-age resident.
   
   e) guests who are of-age may not consume alcoholic beverages in the room of an underage host.

   **Refer to Section VIII of the University Student Code of Conduct under “Alcohol Possession and Use” for more information**

2) Animals
   a) possession of any animal within a residence hall, with the exception of a service animal or fish in a properly maintained aquarium with a capacity of ten gallons or under, for any length of time;
   
   b) feeding of stray animals in or around residential facilities.

3) Athletic Activities
   a) failure to keep a safe distance from residential facilities while participating in athletic
   
   b) activities that involve objects which may cause damage to persons or property(such as, but not limited to, playing soccer or throwing a football or Frisbee in the hallway);
   
   c) participation in any athletic games or activities in the residence hall, including but not limited to, i) exterior corridors, ii) internal hallways or iii) common areas of a residence hall without prior approval from the Resident Director.

4) Bicycles, Rollerblades, and Skateboards
   a) storing or riding a bicycle or similar object within a residence hall, apartment/suite unit or patio/patio closets;
b) securing a bicycle or similar object to anything other than bicycle racks provided by University Housing;
c) using rollerblades, skateboards, or similar devices within a residence hall;
d) using skateboards or similar devices on the grounds of residential facilities in a manner that defaces or degrades landscaping or hard surfaces.

5) Community Living
   a) violating any provision of a Residence Hall Community Guide;
   b) violating any provision of a signed Roommate or Apartment Agreement;
   c) failure to abide by the specific Housing agreements and requirements of a special residential community;
   d) an accumulation of University Housing violations; the student has been found responsible for and sanctioned for three (3) or more University Housing violations (i.e. violations listed in Part II, Section I of this Code.)

6) Facilities and Equipment
   a) tampering with or removing window screens from residence hall windows;
   b) activating a residence hall panic alarm when emergency assistance is not required;
   c) throwing or dropping any item out of a window;
   d) propping open any exit or fire door;
   e) unauthorized use of cable, computer access, or telephone access (including the splicing of wires);
   f) painting any surface in a residence hall room or common area, hallways, patios, and/or residence hall grounds;
   g) loaning or transferring University-issued keys to any person for any period of time;
   h) entering or exiting a residence hall through windows or unauthorized doors;
   i) entering or attempting to enter any restricted area (including, but not limited to: attics, basements, mechanical rooms, and roofs);
   j) tampering with, adding, or removing any locking device on any residence hall door or window;
   k) removal of any door from its hinges;
   l) moving common space furniture from its designated area in clubhouses or multipurpose rooms;
   m) suspending hammocks from any surface within a residence hall, patio or signs on residence hall grounds.

7) Fire Safety
   a) tampering with any life safety equipment (including, but not limited to: smoke detectors, fire alarm pull stations, panic alarms, fire extinguishers, fire hoses, and sprinkler systems);
   b) propping apartment / suite doors within interior corridor halls;
   c) possession or use of candles in any residence hall;


d) failure to comply with allowed and disallowed appliances lists, as outlined in the Residence Hall Community Guide;
e) engaging in unsafe cooking practices that create or increase the risk of fire.

8) Furniture

a) removing or tampering with furniture from a designated residential area, such as either a student unit or floor common areas, from inside apartment units to patios, or moving furniture in public spaces without permission;
b) placing furniture into elevators or stairwells;
c) suspending any furniture from the ceiling;
d) possession or use of a waterbed in a residence hall;
e) constructing a loft or any other structure within a residence hall without the prior approval of University Housing.

9) Guests and Visitation

a) residents assume responsibility for their guests, both behaviorally and financially, upon the guests arrival at a residence hall;
b) guests within or around a residential facility must abide by all Student Conduct Code and Housing policies;
c) guests must be escorted within interior corridor residence halls at all times;
d) permission of all residents assigned to a unit must be obtained before allowing entry to a guest;
e) overnight guests must be of the same sex as their host;
f) overnight guests must be at least 16 years of age;
g) no guest may stay within a residence hall for more than three consecutive nights;
h) no resident may have overnight guests for more than 15 nights total in one semester;
i) guests involved in an incident/policy violation may be asked to leave the residence hall by Housing staff or University Police.

10) Improper Behavior

a) participating in behavior that is disruptive to the community, including, but not limited to: water fights, food fights, and shaving cream fights, in on-campus residential facilities or parking lots without prior approval from the Resident Director.

11) Littering/Trash Disposal

a) discarding or temporarily placing trash of any kind on the grounds of a residential facility other than in appropriate receptacles;
b) disposing of non-recyclable trash within a receptacle designated for recyclable materials;
c) disposing of bags of personal trash in a public or common area trash receptacle.
12) Motorcycles, Mopeds, and Scooters
a) storing or operating any motorized vehicle within a residence hall, apartment/suite unit or patio/patio closets;
b) parking any motorcycle, moped, scooter, or other motorized device anywhere that is not a designated parking area.

13) Noise
a) creating excessive noise inside or around a residence hall, as defined in the Residence Hall Community Guide;
b) failure to abide by the Courtesy Hours policy as defined in the Residence Hall Community Guide;
c) creating noise during the final exams period of the semester when 24 hour quiet hours are in effect.

14) Posting
a) posting any material inside residence hall common spaces (i.e.: community rooms or study lounges, kitchens, or clubhouses) or outside of on-campus residential facilities without prior approval from University Housing.

15) Residence Hall Computer Labs
a) bringing food or drink into a residence hall computer lab;
b) changing, removing, reconfiguring, or physically damaging any workstation hardware or software;
c) changing, or attempting to change, the settings on computer lab printers;
d) changing, or attempting to change, network connections for computer lab workstations or printers.

16) Room Changes
a) residents changing their current room assignment to another without prior approval from the appropriate University Housing staff member.
b) occupying more than one space (unless for a designated period of time approved by University Housing in the process of an approved room change).

17) Room Decorations
a) failure to keep posters or decorations at least six inches from the ceiling and/or floor; and maintain less than 50% of an given wall with postings or decorations;
b) suspending any item from the ceiling, including, but not limited to: fishnets, parachutes, stripper poles, holiday lights, and flags;
c) possession or displaying of alcohol paraphernalia, including, but not limited to: funnels, beer bongs, shot dispensers, or other methods of alcohol delivery; or empty alcohol containers within a residence hall;
d) affixing any item to a wall, ceiling, or floor in a manner that may create damage to the surface;
18) Sanitation and Cleanliness
   a) failure to observe acceptable standards of cleanliness and sanitation in room,
      bathrooms, and common areas of residence hall units, as determined by
      University Housing;
   b) disposal of any waste material on floors, wall, etc.;
   c) deliberately clogging or attempting to clog plumbing fixtures;
   d) use of cooking facilities for purposes other than food preparation.

19) Tobacco
   a) Use of any tobacco product, or smoking, in any residence hall facility or
      surrounding property as Georgia Southern University is a tobacco free campus
      per University System of Georgia. This ban includes traditional cigarettes and
      chewing tobacco as well as e-cigarettes, clove cigarettes, pipes, and hookahs.
      The goal of this policy is to protect and improve the health, comfort and
      environment of students, employees and any other persons occupying USG
      campuses. (see Part I, Section VIII.25., pg.8 of this document for further
      information regarding Tobacco on campus). Please note the institutional
      penalties that may be assigned to residence hall students (see Part II, Section
      I.7, pg.25 (Fire Safety above).

20) Vandalism
   a) theft of, possession of, or use of any signage which is the property of
      University Housing or Georgia Southern University;
   b) theft of, possession of, or use of residential facility property without permission.

II. INSTITUTIONAL PENALTIES FOR UNIVERSITY HOUSING VIOLATIONS

Many violations of University Housing Policies come with standard minimum sanctions.

1) Fire Safety – Students responsible for tampering with any life safety device will
   be subject to at least the following sanctions as well as possible criminal charges:
   i. First Offense: $100.00 fine and possible removal from the residence hall
      without refund and/or suspension from Georgia Southern University.
   ii. Second Offense: $200.00 fine and possible removal from the residence
       hall without refund and/or suspension from Georgia Southern University.
2) **Animals** – Students responsible for violating the Animals Policy will be subject to at least the following sanctions:
   i. First Offense: $250.00 fine and a disciplinary warning.
   ii. Second Offense: $500.00 fine and disciplinary probation.
   iii. Third Offense: Removal from the residence hall without refund for the entire term of the contract and further conduct action.

3) **Bicycles** – Students responsible for violating the Bicycles Policy will be subject to at least the following sanctions:
   i. First Offense: Removal of the bicycle from the unit by University Housing and a disciplinary warning.
   ii. Second Offense: Removal of the bicycle from the unit by University Housing and a $250.00 fine.
   iii. Third Offense: Further conduct sanctions and fines.

4) **Littering and Trash** – Student responsible for violating the Littering/Trash Disposal Policy will be subject to at least the following sanctions:
   i. First Offense: #25.00 fine and disciplinary warning.
   ii. Second Offense: $50.00 fine and disciplinary probation.
   iii. Third Offense: Referral to the Office of Student Conduct and further conduct action, including possible removal from the residence hall without refund.

5) **Smoking** – As Georgia Southern University is a tobacco free campus, smoking is not allowed in any residence hall or adjacent space (such as residence hall porches and patios) as it is a fire hazard. Student responsible for violating the Smoking Policy will be subject to at least the following sanctions:
   i. First Offense: $25.00 fine and disciplinary warning.
   ii. Second Offense: $50.00 fine and disciplinary probation.
   iii. Third Offense: Referral to the Office of Student Conduct for further conduct action, including possible removal from the residence hall without refund.

6) **Theft of Signage** – Students responsible for signage theft will be subject to at least the following sanctions:
   i. First Offense: $100.00 fine and disciplinary probation.
   ii. Second Offense: Referral to the Office of Student Conduct and further conduct action, including possible removal from the residence hall without refund.
III. UNIVERSITY HOUSING DISCIPLINARY PROCEDURES

University Housing Hearings

1) The following rules of procedure for adjudicating alleged violations of the Student Code of Conduct are established for use by on-campus residential staff for violations of University Housing Regulations:

   a) Written notification of the alleged violation(s) shall be filed by a University Housing Student Conduct Officer.
   b) The University Housing Student Conduct Officer shall notify the student involved of a possible violation of the Student Conduct Code and request that he/she report to the University Housing Student Conduct Officer for a conference or a student conduct appointment letter will be sent to the student. The letter will outline the charge(s).
   c) Prior to adjudication, the University Housing Student Conduct Officer must answer two questions:
      i. Does the accused student have a previous disciplinary record? This information is available in Maxient, the Office of Student Conduct data management tool.
      ii. Does this incident involve alcohol or drugs?

   If the answer to either of these questions is “yes,” the case may be referred to the Office of Student Conduct for adjudication.

   d) If the case is not referred to the Office of Student Conduct and the student accepts responsibility for the violation in the student conduct meeting, he/she may waive all further hearings and accept the decision and sanctions of the University Housing Student Conduct Officer as final and binding for all purposes.
   e) If the student denies the charge, he/she may request a formal hearing before a University Housing Hearing Officer.
   f) When unusual circumstances, the case will be referred to the Office of Student Conduct.
   g) The University Housing Hearing Officer may impose all disciplinary sanctions except suspension and expulsion. If the alleged offense is serious enough to result in possible suspension or expulsion, the University Housing Student Conduct Officer will refer the case to the Office of Student Conduct for adjudication. The University Housing Student Conduct Officer may consult with the Director of Student Conduct, or their designee in making this determination.
   h) In cases involving disciplinary action, all documents and materials will be kept in the University Housing Office for inclusion in the student’s disciplinary record.
i) For cases referred to the Office of Student Conduct for adjudication, all documents and materials will be maintained in the Office of Student Conduct.

j) The University Housing Student Conduct Officer shall hold hearings in absentia if the student fails to attend.

IV. INSPECTION, SEARCH, AND SEIZURE

Students are guaranteed the rights of any citizen and therefore will not be subject to unreasonable searches and seizures. The courts, however, have recognized the right of the University to conduct reasonable inspections, searches and seizures in order to enforce University regulations. Georgia Southern University reserves the right to conduct such inspections, searches and seizures within limits of the law.

1) Inspections
   a) The University reserves the right to inspect rooms for possible damage, health, and safety concerns.
   b) The University reserves the right to enter rooms or other facilities at reasonable hours.
   c) The University reserves the right to enter rooms or other facilities at any time there is reason to suspect a violation of University regulations is occurring.

2) Searches
   a) The University reserves the right to conduct searches of individual rooms and lockers in a residence hall or other facility on campus if there is reason to believe that a University regulation has been violated.
   b) Law enforcement officials may search facilities with or without authorization from the University by means of a search warrant.
   c) Efforts will be made to have the student available when a facility is searched.
   d) Evidence seized during a search can be used in disciplinary procedures concerning a violation of University regulations.
   e) In addition to the above, the University reserves the right to conduct searches of individual rooms and lockers in a residence hall or other facility on campus if a University official determines that an emergency situation exists.

3) Administrative Search Procedures/Guidelines
   a) The need for an administrative search must be established by a University staff member. Suspicion of any violation may warrant an administrative search.
   b) If the need for an administrative search is established, University staff will request consent from the student to search the room if the student can be located. If the student denies the request for consent or if the student is unable to be located, University staff may seek approval from the Dean of Students or his/her designee to conduct a search in the absence of consent.
   c) If consent to search the room is granted by the student, University staff (authorized by the Dean of Students or his or her designee) will conduct the room search. A report will be filed with the Office of Student Conduct.
d) If the search produces evidence that indicates a possible violation of the law, University Police may be contacted and the student may be arrested.

e) If permission to search a room is authorized by the Dean of Students or his/her designee, a room search will be conducted by a University Housing official and a report will be filed with the Office of Student Conduct. During a search authorized by the Dean of Students or his/her designee, the University Police will be present.

f) Non-administrative searches of residence hall rooms conducted by University Police may occur under the authorization of a warrant or other applicable law.
PART III: ADMINISTRATIVE REGULATIONS

I. AMNESTY POLICY

At Georgia Southern University, we are concerned about student health and safety, especially with regards to alcohol and other drugs. The University is committed to provide guidance so that students can learn to develop a responsible approach to social challenges, including whether to use alcohol, how to do so in moderation, and how to comply with local, state, and federal laws governing alcohol consumption. It is expected that the students will abide by the laws and the policies established by the University.

Amnesty:

a) For those who request assistance for others

To encourage students to request or call for help and assistance for others, Georgia Southern University pursues a policy of amnesty for violations when students request help for others in need. At the discretion of the Director of Student Conduct, amnesty may also be extended on a case-by-case basis to the person receiving assistance. If amnesty is granted, no conduct proceedings or disciplinary charges will result; however, a meeting will be required where educational and support options will be explored.

b) For victim

Georgia Southern University provides amnesty to victims of other offenses who may be hesitant to report to University officials because they fear they may be accused of policy violations, such as underage drinking, at the time of the offense. If amnesty is granted, no conduct proceedings or disciplinary charges will result; however, a meeting will be required where educational and support options will be explored.

c) Safe Harbor

Georgia Southern University has a Safe Harbor rule for students. The University believes that students who have a drug and/or addiction problem deserve help. If any University student brings their own use, addiction, or dependency to the attention of University officials outside the threat of drug tests or conduct sanctions and seeks assistance, a conduct complaint will not be pursued. If amnesty is granted, no conduct proceedings or charges will result; however, a meeting will be required where educational and support options will be explored. (see Part III, Section II. TREATMENT, below)

II. TREATMENT

If a student is identified by Georgia Southern University as having a substance abuse problem, the student will be referred to community treatment centers for rehabilitation counseling and/or treatment. This treatment will be at the student’s expense. For further information about rehabilitation counseling, treatment programs, and educational resources, please contact the Office of Alcohol and Other Drug Programs (478-0108 or http://students.georgiasouthern.edu/aod/resources.htm) or the Counseling Center (478-5541).
III. UNIVERSITY POLICY ON ALCOHOL USE

Georgia Southern University expects the University community including students, faculty, staff and guests to make responsible decisions about the use of alcohol. The illegal use of alcohol will not be tolerated at Georgia Southern University.

The law serves as the basic guideline for all citizens of the community. Georgia Southern University encourages all members of the campus community to make informed decisions regarding their personal use of alcohol. Those who legally choose to use alcohol must use it in a responsible manner that will not interfere with the rights of others. Abuse is not a responsible choice.

Georgia Southern University provides guidelines and programs to aid members of the University community in making responsible decisions. These include appropriate rules and regulations concerning the use of facilities, guidelines for individual conduct both on and off-campus, as well as services designed to inform and support individuals and groups. These services include individual and group counseling, alcohol education programs, and legal liability information.

Decisions about the use of alcohol in particular campus facilities will be determined by rules and by the legal rights of those involved. Alcohol may be used in some facilities, but only if those present are of legal age to consume alcohol.

Finally, the University recognizes the right of all members of the University community to be private citizens and to exercise all legal rights and privileges. However, when an individual, publicly identified as a member of the University community, engages in an illegal act involving the misuse of alcohol, the University, as an educational institution concerned with the welfare of its membership, can and may take appropriate disciplinary action. Every member of the University community should know the rules and procedures of the University involving the proper use of alcohol and conscientiously follow them.

Institutional Penalties – Alcohol

The following are guidelines regarding penalties for alcohol related violations; however, cancellation of the Housing Contract, suspension or expulsion may occur whenever a Student Conduct Officer, Hearing Officer or panel deems it appropriate for the gravity of the violation.

Three-Strike Alcohol Policy

1) First Violation – Students will be placed on Disciplinary Probation for their next three months of enrollment and be required to complete an alcohol education course. There is a $50.00 fee to register for the course. Students will also be subject to a $150.00 fine. Students who fail to attend the assigned course will be required to pay for an additional course. Additional sanctions will be assigned at the discretion of the Student Conduct Officers, University Student Conduct Board, or University Hearing Officers.
2) **Second Violation** - Students will be placed on Disciplinary Probation for their next six months of enrollment and be required to complete an alcohol assessment program offered by the Office of Alcohol and Other Drugs Programs. There is a $50.00 fee for the course. Students will also be subject to a $200.00 fine. Additional sanctions will be assigned at the discretion of the Student Conduct Officers, University Student Conduct Board, or University Hearing Officers.

3) **Third Violation** - Students found responsible for violating the University's alcohol policy for a third time (regardless of the time elapsed between violations) may be suspended for a minimum of one semester. Additional requirements pertaining to substance abuse may be a condition for readmission.

**IV. UNIVERSITY POLICY ON DRUG USE**

In higher education today, drug use and abuse is a major concern. Georgia Southern University aggressively promotes and requires a drug free campus. The University actively encourages employees and students who feel they have a substance abuse problem to seek counseling and treatment. The Counseling Center and the Health Center will help students, faculty, and staff seeking assistance with a substance abuse related problem. Those seeking such assistance are assured that professional standards of confidentiality will be observed.

**Institutional Penalties – Drugs**

*The following are guidelines regarding penalties for drug related violations; however, cancellation of the Housing Contract, suspension or expulsion may occur whenever a Student Conduct Officer, Hearing Officer or panel deems it appropriate for the gravity of the violation.*

1) **First Violation of Less Than One Ounce of Marijuana** - Students will be placed on Disciplinary Probation for their next six months of enrollment and be required to enroll in a drug education course. There is a fee to register for the course. Students will also be subject to a $200.00 fine. Additional sanctions will be assigned at the discretion of the Student Conduct Officers, University Student Conduct Board, or University Hearing Officers.

2) **Second Violation of Less Than One Ounce of Marijuana** - Students found in violation of the University's policy related to misdemeanor drug possession for a second time (regardless of the time elapsed between violations) may be suspended from Georgia Southern University for a minimum of one semester. Additional requirements pertaining to substance abuse may be a condition for readmission.
PART III: Administrative Regulations

3) Violation of More Than One Ounce of Marijuana or Any Other Drugs - Students may be suspended from Georgia Southern University for a minimum of one academic year. Additional requirements pertaining to substance abuse may be a condition for readmission.

V. STUDENT CONDUCT POLICY ON PARENTAL/GUARDIAN NOTIFICATION

1) Georgia Southern University is committed to the elimination of alcohol and drug abuse within the University community. The University is concerned with the safety and welfare of students. The approach to violations of the alcohol and drug policy is designed to be proactive. While the primary approach in response to alcohol and drug violations is educational, it should be clear that violations of the alcohol and drug policy will also result in disciplinary sanctions imposed by the University.

2) The University may notify the parents of students who are under the age of 21 on the date of adjudication of any violations of University policies involving the use, possession, or distribution of alcohol or drugs.

3) EXCEPTIONS
   i. The parents or legal guardians of students under the age of 21 who are financially independent from their parents will not be notified.
   ii. The parents or legal guardians of students under 21 years of age may not be notified in view of various social, religious, or cultural customs and practices, or under extraordinary circumstances. This will be determined on a case-by-case basis by the Office of Student Conduct in consultation with other offices within the Division of Student Affairs and Enrollment Management.

VI. SEXUAL MISCONDUCT AND INTERPERSONAL VIOLENCE POLICY

Members of the university community, guests, and visitors have the right to be free from all forms of sex-based discrimination, including but not limited to, sexual violence, sexual harassment, dating violence, domestic violence, and stalking. These offenses, whether committed by a stranger, friend or acquaintance are serious offenses. Students engaging in this activity are subject to both criminal and civil prosecution in a court of law and is subject to disciplinary action by Georgia Southern University. In addition to being potentially criminal actions, these offenses are also some of the most underreported crimes on American college campuses. Georgia Southern University encourages victims of these offenses to report them and to seek assistance from appropriate campus and community resources.

- GLOSSARY OF TERMS RELATING TO THIS POLICY:
  i. Definition of Domestic Violence
     Includes all felony offenses and certain misdemeanor offenses (battery, simple battery, simple assault, assault, stalking, criminal damage of property, unlawful restraint, and criminal trespass) committed by the victim’s current or former spouse, current or former cohabitant, persons who are the parents of the same child, or anyone else protected under domestic or family violence law.
ii. Definition of Dating Violence
Includes violence by a person who has been in a romantic or intimate relationship with the victim. Whether such a relationship has existed is determined by the length, type and frequency of interaction between the parties.

iii. Definition of Stalking
Includes a course of conduct directed at a specific person that causes the victim to reasonably fear for her, his, or others’ safety or to suffer substantial emotional distress (Please refer to Part I, Section VIII.17.b, pg.7)

iv. Definition of Consent
a) Consent is considered clear, knowing and voluntary. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable clear permission regarding willingness to engage in (and the conditions of) sexual activity.
b) Consent to any one form of sexual activity cannot automatically imply consent to any other forms of sexual activity.
c) Previous relationships or prior consent cannot imply consent to future sexual acts.

v. Definition of Force
a) Force is considered to be the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats) and coercion that overcome resistance or produce consent (example: “Have sex with me or I’ll hit you. Okay, don’t hit me, I’ll do what you want”).
b) Coercion is unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type or pressure someone uses to get consent from another. When someone makes clear to you that they do not want sex, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

• NOTE: There is no requirement that a party resists the sexual advance or request, but resistance is a clear demonstration of non-consent. The presence of force is not demonstrated by the absence of resistance. Sexual activity that is forced is by definition non-consensual, but non-consensual sexual activity is not by definition forced.
• In order to give effective consent, one must be of legal age.
• The sexual orientation and/or gender identity of individuals engaging in sexual activity is not relevant to allegations under this policy.
vi. Definition of Incapacitation

Incapacitation is a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g. to understand the “who, what, where, why or how” of their sexual interaction). A person who is incapacitated cannot give consent. Incapacity may result from, among other things, mental disability, sleep, involuntary physical restraint, or alcohol or drug use (including rape drugs). Possession, use and/or distribution of any of these substances (including, but not limited to Rohypnol Ketamine, GHB, Burundanga, etc.) is prohibited and administering one of these drugs to another student or person is a violation of this policy. More information on these drugs can be found at http://www.911rape.org/

Use of alcohol or other drugs will never function as a defense for any behavior that violates this policy. For reference to the pertinent state statutes on sex offenses, please see The Official Code of Georgia.

OFFENSES UNDER THIS POLICY INCLUDE:

a) Sexual Harassment
b) Non-Consensual Sexual Contact (or attempts to commit same)
c) Non-Consensual Sexual Intercourse (or attempts to commit same)
d) Sexual Exploitation

a) Sexual Harassment

Sexual Harassment is:

i. Unwelcome conduct of a sexual nature that is,

ii. Severe or pervasive enough to,

iii. Create a hostile work or academic environment,

Depending on severity, it is possible for a single incident to be sufficient to constitute a hostile environment.

Examples include, but are not limited to, an attempt to coerce an unwilling person into a sexual relationship, to repeatedly subject a person to egregious, unwelcome sexual attention, to punish a refusal to comply with a sexual based request to condition a benefit on submitting to sexual advances, sexual violence, intimate partner violence, stalking.
b) Non-Consensual Sexual Contact

Non-Consensual Sexual Contact is:

i. Any intentional touching
ii. However slight,
iii. With any object,
iv. That is without consent and/or by force

Sexual Contact includes:

Intentional contact with the breasts, buttock, groin, or genitals, or touching another with any of these body parts, whether on the body part or directly on the clothing covering the body part, or making another touch you or themselves with or on any of these body parts, any intentional bodily contact in a sexual manner, though not involving contact with/of/by breasts, buttocks, groin, genitals, mouth or other orifice.

c) Non-Consensual Sexual Intercourse:

Non-Consensual Sexual Intercourse is:

i. Any sexual intercourse,
ii. However slight,
iii. With any object,
iv. That is without consent and/or by force.

Intercourse includes:

Vaginal penetration by a penis, object, tongue or finger, anal penetration by a penis, object, tongue, or finger, and oral copulation (mouth to genital contact or genital to mouth contact), no matter how slight the penetration or contact.

d) Sexual Exploitation:

Occurs when a student takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of other sexual misconduct offenses. Examples of sexual exploitation include, but are not limited to:

i. Invasion of sexual privacy
ii. Prostituting another student or person,
iii. Non-Consensual video or audio-taping of sexual activity or distributing or posting without consent, such audio or video,
iv. Going beyond boundaries of consent (such as letting your friends hide in the closet to watch you having consensual sex),
v. Engaging in voyeurism,vi. Knowingly transmitting an STI or HIV to another student or person,vii. Exposing one’s genitals in non-consensual circumstances, inducing another to expose genitals,viii. Stalking may also be a form of sexual exploitation.

Other misconduct offenses which apply:

➢ Where applicable, other regulations from the Student Conduct Code may be applied in addition to the umbrella term of Sexual Misconduct and Interpersonal Violence.

• INVESTIGATIVE PROCESS:
  a) Georgia Southern University will conduct a thorough and confidential investigation of all complaints of sexual misconduct and interpersonal violence. Any act that may violate this policy will subject the offender to sanctions up to and including dismissal after compliance with due process requirements.
  b) In order that the University can take measures to correct the behavior, persons who feel that they have been subjected to actions that violate this regulation, and persons who may have knowledge of these violations, should:

     i. File a report with the Director, Equal Opportunity and Title IX Office or any member of the University’s faculty or staff.

     OR

     ii. If anyone is unwilling or unable to file a report during normal business hours, they may call Public Safety at (912) 478-5234.

c) Retaliation against a person who participates in a good faith investigation of a sexual harassment complaint is a violation of state and federal laws for which the offender shall be subject to disciplinary action.

d) For more information about the procedures for reporting sexual misconduct and interpersonal violence contact the Equal Opportunity and Title IX Office at (912) 478-5136 or TDD (912) 478-0273. Inquiries concerning Title IX may be referred to the Title IX Coordinator in the University’s Equal Opportunity and Title IX Office or to the United States Department of Education Office for Civil Rights.
• **Procedures for Processing a Student Title IX/VAWA Case**
  
a) Report filed with the Equal Opportunity and Title IX Office.

b) Interim measures and support are provided through the Dean of Students Office.

c) Investigation completed as determined by the Director of the Equal Opportunity and Title IX Office.

d) Investigator generates a report after the investigation is completed and forwards it to the Director of the Equal Opportunity and Title IX Office. The Director reviews the report and determines one of the following:

- No charges, close the case and continue providing support measures.

  OR

- Charges, send to the Office of Student Conduct for notification to include any additional charges under the Student Conduct Code.

e) The Office of Student Conduct will send a notice of charges and hearing to the accused and complainant(s).

f) Hearing occurs with the Title IX Hearing Committee (members of the committee will be appointed annually by the Vice President for Student Affairs and Enrollment Management).

g) The decision from the hearing with the Title IX Hearing Committee is shared with all parties at the same time via Georgia Southern email.

h) For information regarding appeals please see *Part I, Section XVI., pg.17* for information regarding Appeals.

• **WHAT TO DO IF YOU BECOME A VICTIM:**
  
a) If you have been the victim of one of these offenses, you are encouraged to take immediate action. Whether the incident or course of conduct occurred on or off-campus you may report the assault to the Department of Public Safety. If the incident or course of conduct has occurred off-campus, it may be reported to the appropriate agency, such as Statesboro Police Department or the Bulloch County Sheriff’s Office. The Department of Public Safety will also involve these outside law enforcement units as necessary depending on the facts of each individual case. Student Conduct Code violations may be reported to the Office of Student Conduct. In addition, these offenses may be reported to the Title IX Coordinator in the Equal Opportunity and Title IX Office. It is the victim’s option whether or not to seek assistance from law enforcement and campus authorities.

b) If you have been sexually assaulted or physically abused, seek immediate medical attention, preferably within 72 hours of the assault or as soon as possible:

c) You may elect to file criminal charges in a court of law or file a report under the Georgia Southern University Student Conduct Code, or both,
d) Call the Statesboro Regional Sexual Assault Center (SRSAC) crisis line if it occurred in Statesboro (912-489-6060 or 1-866-489-2225). They will instruct you on where to meet the Sexual Assault Nurse Examiner (SANE) who will provide you medical attention. If you go to the emergency room, you may be charged for those services which are free through SRSAC.

e) Through the SANE, the victim will be provided a physical examination for possible internal or external injuries. Staff will also conduct a pregnancy test and a test for sexually transmitted diseases. If necessary, they will provide antibiotics and the morning after pill. It is important to note the morning after pill should be taken within 72 hours of the sexual contact.

f) Medical evidence of a sexual assault will be collected by the SANE assigned to you by SRSAC. This is done through a Sexual Assault Kit. The Sexual Assault Kit is provided by the police officer investigating the assault; however, having one completed does not mean you have to press criminal charges. It is important not to bathe, douche, or use mouthwash before receiving a medical examination. Doing so could interfere with the collection of evidence. If you want to change clothes, the removed clothing should be saved and should not be washed.

g) If a student happens to go to the Georgia Southern University Health, Health Services will contact a Victim’s Advocate through SRSAC if the victim agrees to the Sexual Assault Kit. If a victim does not want the staff to contact SRSAC, Health Services will put the victim in touch with Counseling Services. This person will provide support and explain what options are available to you under the law and from the University conduct system, and help you decide what, if anything, you want to do next. The main objective is to provide you with support, information, and options. Even if you choose not seek medical care, you may seek services through the Counseling Center on your own.

h) While it is always your option to contact law enforcement, it is important you strongly consider doing so, regardless of whether you intend to press criminal charges, file a report with the Office of Student Conduct, or seek a protective order. When it is established in a court of law a substantial amount of time has elapsed before reporting a sexual assault to law enforcement officials, it may tend to diminish your credibility. If you decide to press criminal charges, it is important a prompt report be on file with the appropriate law enforcement agency. It is important to understand reporting the incident to the police does not obligate you to press criminal charges or file a report with the Office of Student Conduct.

i) Georgia Southern University will investigate complaints of sexual misconduct and interpersonal violence, domestic violence, dating violence, and stalking, promptly, fairly, and impartially. Confidentiality, including exclusion of the victim’s personal identifiable information, will be respected to the extent permitted by law if requested by the victim. Investigations will be conducted by officials who receive annual training on issues related to these offenses, how to conduct an investigation and hearing process which protects the safety of the victims and promotes accountability.
Possible sanctions for Sexual Misconduct and Interpersonal Violence:

Possible sanctions for a student found in violation of sexual misconduct and interpersonal violence, domestic violence, dating violence, and/or stalking include, but are not limited to, disciplinary probation, suspension, or expulsion from the University.

If a student is charged with one of these offenses and is prosecuted in a court of law, student conduct sanctions may be imposed in addition to any criminal penalties if the student is convicted, pleads guilty or nolo contender or is granted First Offender treatment (in which case the student conduct sanctions may be imposed until all conditions of First Offender treatment are successfully completed).

In any campus disciplinary proceedings related to this policy, the complainant and the accused student will be informed of the outcome of the case, along with any sanctions imposed. The Director of the Equal Opportunity Office and Title IX Office, or designee, may also implement other interim measures, including but not limited to no contact agreements and bans from certain areas of campus. Violation of any such no contact agreement or ban may result in a separate charge of Failure to Comply. The University may impose an interim suspension when it is determined it is appropriate against an accused student under this policy (see PART I, Section XV, pg.17 for more information).

• YOUR RIGHTS AS A VICTIM AND ACCUSED:
  In cases of sexual misconduct and interpersonal violence, both the victim and the accused have the following rights:
  a) The victim has the right to choose to charge the accused student with a violation of law. The victim may also file a report alleging a violation of the Student Conduct Code, resulting in an investigation and possible action under the Student Conduct Code. See Part III, Section VI, Investigative Process, pg.40 for information about filing a report.
  b) The victim has the right to have his/her name withheld from “timely reports” issues under the Clery Act.
  c) Both the victim and the accused have the right to have an advisor of his/her choice accompany him/her throughout the process.
  d) Both the victim and the accused may submit a Personal Impact Statement prior to any penalty being imposed.
  e) Both the victim and the accused will be informed simultaneously, in writing, of the outcome of the disciplinary proceeding, and when the result becomes final.
  f) In appropriate cases, both the victim and the accused may request reasonable accommodations including but not limited to adjustments in academic programs and campus living arrangements.
  g) Both the victim and the accused may appeal the decision (see Part I, Section XVI, pg.17 for more information).
The victim has the right to have orders of protection, no contact agreements, restraining orders, or similar lawful orders issued by criminal, civil or tribunal courts, enforced on campus.

**RESOURCES:**
Below you will find a list of resources for both the victim and the accused. This is not a comprehensive list.

- GSU Counseling Services (student can confidentially report cases of sexual misconduct or interpersonal violence here), (912) 478-5541
- GSU Health Services (student can confidentially report cases of sexual misconduct or interpersonal violence here), (912) 478-4636
- GSU Equal Opportunity and Title IX Office (912) 478-5136
- GSU Dean of Students Office (912) 478-3326
- GSU Office of Student Conduct (912) 478-0059
- GSU Public Safety, (912) 478-5234
- Statesboro Police Department, (912) 764-9911 or 911
- Bulloch County Sheriff’s Office, (912) 764-8888 or 911
- Statesboro Regional Sexual Assault Center, (912) 489-6060
- East Georgia Regional Medical Center, (912) 486-1000

Note: Portions of this policy have been adapted from ATIXA's Gender-Based and Sexual Misconduct Model Policy and Model Grievance Process.

**VII. EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION POLICY**

It continues to be the policy of Georgia Southern University to implement equal opportunity to all employees, students, applicants for employment or admission, and participants in any of the University’s programs without regard to race, color, sex, sexual orientation, national origin, religion, age, veteran status, political affiliations, or disability. Georgia Southern University is committed to the fulfillment of this policy which prohibits any employee, student, or patron from unlawfully harassing, threatening or physically or verbally abusing another individual with the intent of unreasonably interfering with that person’s work or academic performance or of creating an intimidating, hostile, or offensive work or academic environment.

Responsibility for ensuring continued implementation of this policy has been assigned to the Equal Opportunity and Title IX Office. Any questions regarding the University’s policy of equal opportunity should be addressed to the Director of Equal Opportunity and Title IX at (912) 478-5136 or TDD (912) 478-0273.

In compliance with the regulation listed above, Georgia Southern University does not discriminate against any employee, student, applicant for employment, or applicant for admission in regard to any position for which the individual is qualified.

Georgia Southern University will provide reasonable accommodation to all employees, applicants for employment, students, and patrons who have physical and/or mental disabilities. Georgia Southern University will take affirmative action to employ and advance in employment persons who are qualified disabled veterans, veterans of the Vietnam Era, or other covered persons.

All University employees are expected to comply with the Institution’s equal opportunity policy and practices and to demonstrate commitment to the University’s equal opportunity objectives. All members of the staff, faculty, and student body are expected to embrace this policy and ensure that the Institution’s commitment to nondiscrimination is followed and upheld. A copy of the University’s Affirmative Action Program is available for inspection in the Equal Opportunity and Title IX Office (Room 1066 of the Rosenwald Building).

Anyone who reports what they believe to be discrimination or harassment, or who participates or cooperates in any investigation, will not be subjected to retaliation. Anyone who believes they have been the victim of retaliation for reporting discrimination or harassment or participating or cooperating in an investigation should immediately contact the Director of the Equal Opportunity and Title IX Office. Any person found to have retaliated against a person who has participated or cooperated in an investigation will be in violation of this policy and will be subject to disciplinary action. For more information about the procedures for reporting discrimination or retaliation, contact the Equal Opportunity and Title IX Office at (912) 478-5136 or TDD (912) 478-0273.

VIII. STUDENT CONDUCT ACTIONS/HOUSING STATUS

- If a housing contract is cancelled as the result of a student conduct action:
  a) The student must vacate the assigned room within 48 hours of notification by the University of the cancellation or by the date indicated by the Student Conduct Officers, University Student Conduct Board, or University Hearing Officers,
  b) No portion of the current semester’s housing fees will be refunded, and
  c) If removed during the Fall Semester, you will also be charged 50% of the Spring Semester Housing charges.

- Application for admission to live on campus following the termination of a housing contract must be made to the Office of Student Conduct, P.O. Box 8070. Each request to be reinstated will be made on a case-by-case basis by the Director of Student Conduct.
IX. STUDENT CONDUCT ACTIONS/RECREATIONAL FACILITIES STATUS

As a result of non-compliance with any University or Campus Recreation (CRI) and Intramural policy students may be ejected from the Recreational Activities Facilities by Campus Recreation and Intramurals staff. These facilities include: Recreation Activity Center, University Park Golf Course, MC Anderson Park, and the Shooting Sports Education Center. Students who are ejected will be informed in writing and have the opportunity to schedule to meet with the CRI Facility Coordinator or their designee to appeal this ejection (see the Member Policies on the CRI web page at http://recreation.georgiasouthern.edu/member-policies/).

Students who are ejected may also be referred to the Office of Student Conduct and face conduct charges based on their reported behavior. Any alleged violation of the Student Conduct Code will be handled through the office and may include sanctions as outlined in Part I, Section XIV, pg.15 of this document.

X. STUDENT CONDUCT RECORDS

Access to student records is provided to each student in accordance with the Family Educational Rights and Privacy Act (FERPA). Student conduct records are not noted on the official transcript. Requests for conduct records by anyone other than the student can be made utilizing the Open Records request process through the Office of Legal Affairs. See http://president.georgiasouthern.edu/legal/services/open-records-and-subpoenas/ for more information.

XI. STUDENT CONDUCT CODE REVISIONS

The contents of this edition of the Student Conduct Code, revised in July 2015, supersede all previous editions. Georgia Southern University reserves the right to revise or correct the Student Conduct Code as needed. Revisions and corrections will be posted on the Internet at www.georgiasouthern.edu/sta/guide. Those revisions and corrections shall supersede all earlier printed and Internet versions.