Georgia College & State University
Disciplinary Procedures and Sanctions Policy

General Statement
The Board of Regents of the University System of Georgia has delegated the responsibility for student conduct to the President of the University. The President has designated the Vice President for Student Affairs as the administrative official with primary responsibility for student discipline.

Georgia College has adopted the following policy on the standards and procedures for student nonacademic discipline, acknowledging both the need to preserve the orderly processes of the university with regard to its teaching, research, and public service missions, as well as the need to observe the student's procedural and substantive rights.

While the rules and regulations of Georgia College are not meant to duplicate general laws, there are some respects in which the lawful interests of the institution as an academic community coincide with the broader public interests treated in general laws. Students who commit offenses against the laws of municipalities, states, or the United States, are subject to prosecution by those authorities, as well as liability for the disciplinary action under Georgia College rules when their conduct violates institutional standards.

Students enjoy the same freedom of speech and peaceable assembly that is afforded to other citizens, but students are under certain legal obligations in the exercise of these freedoms by virtue of membership in the university community. Expression may be subjected to reasonable regulations of time, place, number of persons, and form under established regulations. Expression in the form of action which materially interferes with normal activities of the institution or invades the rights of others is prohibited. Georgia College pledges to protect lawful exercise of the rights of free speech and assembly and will invoke legal and disciplinary sanctions when necessary in the pursuit of this goal.

For those cases in which the alleged misconduct arises in residence halls, involves the residence halls, or violates residence hall rules and regulations of Georgia College and the accused is a student, the Director of University Housing may delegate the hearing of that case, depending upon the severity of the alleged violation, to the appropriate residence hall authority. Decisions of the residence hall authority are recommendations to the Director of University Housing and may be appealed through the administrative route outlined.
In cases where the alleged misconduct includes a student employee as a Resident Director, Resident Advisor, desk worker, or other position involved in the performance of assigned university duties and responsibilities, the Vice President for Student Affairs or his or her designee shall assume jurisdiction and handle discipline with due process and procedures as outlined below.

**Definition of Student**
Student, for the purposes of this document, means any person who is registered for study in the university for the current academic period. A person shall be considered a student during any period which follows the end of an academic period in which the student has completed, until the last day for registration for the next succeeding academic period, or until fourteen calendar days have elapsed after the commencement of classes for the next succeeding academic period, whichever occurs first.

**Inspection, Search and Seizure Policy**
Although students are guaranteed the rights of any citizen and will not be subject to unreasonable searches and seizures, the courts have recognized the right of universities to conduct reasonable inspections, searches, and seizures in order to enforce university regulations. Georgia College reserves the right to conduct such inspections, searches, and seizures within the limits of the law.

**Inspections:**
- The university reserves the right to inspect rooms for cleanliness and possible damage. Further, it reserves the right to enter rooms or other facilities at reasonable hours in order to effect any necessary inspection or repairs of equipment and/or facilities.
- The university reserves the right to enter rooms or other facilities at any time it has reasonable cause to believe that a violation of university regulations is occurring.
- The university reserves the right to enter rooms to ensure that the building is vacated during fire drills and/or emergencies and during vacation periods.

**Search:**
- The university reserves the right to conduct searches of individual rooms and lockers in a residence hall or other facility on the campus if there is reason to believe that a university regulation has been violated. Prior authorization for such a search must be secured from the Vice President for Student Affairs or his or her designee, and must be conducted under the supervision of a professional Georgia College staff member.
- Law enforcement officials may search facilities with or without authorization from the university by means of a search warrant or consent from the owner or occupant of the property.
- Efforts will be made to have the student available when a room is searched.
- All evidence seized can be used in Administrative Hearings and/or disciplinary procedures concerning violations of University rules, regulations, or policy.

**Seizure:**
- Illegal property confiscated during a search will be disposed of according to state law.
Involuntary Medical Withdrawal Policy
A student may be administratively withdrawn from the university, from university housing, and/or from one or more classes when, in the judgment of the Vice President for Student Affairs and a professional member of the university's health services or counseling services staff, it is determined that the student's physical, mental, emotional or psychological health:

- poses a significant danger or threat of physical harm to the person or property of others; or
- causes the student to interfere with the rights of other members of the university community or with the exercise of any proper activities or functions of the university or its personnel.

Except in emergency situations, a student shall, upon request, be accorded a meeting with a university official or a hearing prior to a final decision concerning his or her continued enrollment at the university. If the student requests a hearing on such a matter, the Vice President for Student Affairs shall appoint a hearing body, consisting of students, faculty, and/or staff.

Student Arrests
If a student is arrested, whether on-campus or off-campus, the university may judge the student's behavior to be a violation of a university regulation and in conflict with the recognized mission of the university. The university may initiate disciplinary procedures.

When a student is charged both with a criminal offense off the campus and charged with a violation of the student Code of Conduct or Honor Code at the university, the two processes are unrelated and conducted independently of each other. A student found not guilty in one setting may be found guilty in the other.

Withdrawal or Resignation
Nothing contained in this policy shall prevent the student during investigation or after a statement of charges has been served prior to a hearing, from submitting a written resignation or leave for misconduct from the university.

In the event of such resignation, a hold is placed on the student's record, requiring a hearing to be conducted before the student may be readmitted to Georgia College or be deemed in good disciplinary standing for transfer.

Whenever charges or appeals are pending, a student under charges, unless temporarily suspended, shall continue to have the same rights and privileges accorded all other students. However, diplomas may be withheld pending final determination of the charges. A current transcript shall be issued at the request of the student.
Standards for Student Conduct Investigation and Disciplinary Proceedings

These procedures apply to matters relating to student misconduct, except matters relating to sexual misconduct or academic dishonesty which are covered under separate Georgia College policies.

Reports of Student Misconduct
Complaints to the Office of Student Affairs whether from Georgia College Public Safety, Georgia College University Housing, or from a member of the Georgia College community, shall include as much information as possible such as (1) the type of misconduct alleged; (2) the name and contact information of the accused student; (3) the date(s), time(s), and place(s) of the misconduct; (4) the name(s) and contact information of any individual(s) with knowledge of the incident; (5) whether any tangible evidence has been preserved; and (6) whether a criminal complaint has been made.

Information from complaints may be shared as necessary to investigate and to resolve the alleged misconduct. Complaints shall be investigated and resolved as outlined below. The need to issue a broader warning to the community in compliance with the Clery Act shall be assessed in compliance with federal law.

Where appropriate, complainants may file a law enforcement report along with an institutional report.

- Confidentiality: Where a complainant or alleged victim requests that his or her identity be withheld or the allegation(s) not be investigated, Georgia College shall consider whether or not such request(s) can be honored while still providing a safe and nondiscriminatory environment for the institution. Georgia College generally cannot guarantee confidentiality especially when, honoring the request may limit the university’s ability to respond fully to the incident.

- Retaliation: Anyone who, in good faith, reports what she or he believes to be student misconduct, participates or cooperates in, or is otherwise associated with any investigation, shall not be subjected to retaliation. Anyone who believes he or she has been the target of retaliation for reporting, participating or cooperating in, or otherwise being associated with an investigation should immediately contact the Office of Student Affairs. Any person found to have engaged in retaliation in violation of the student conduct policy shall be subject to disciplinary action.

- False Complaints: Individuals who intentionally give false statements to a university official, or who submit false complaints or accusations, including during a hearing, in violation of policy shall be subject to disciplinary.
Amnesty: Individuals are encouraged to come forward and to report student misconduct notwithstanding their choice to consume alcohol or to use drugs. Information reported in good faith by an individual during an investigation concerning use of drugs or alcohol will not be used against that individual in a disciplinary proceeding and will not be voluntarily reported to law enforcement; however, individuals may be provided with resources on drug and alcohol counseling and/or education, as appropriate. (See Georgia College Amnesty Policy for relevant details.)

No Contact Orders: The Vice President for Student Affairs or his or her designee may at any time instruct a student to refrain from contacting another student if that contact is unwanted by the other student. Such an order does not require a judicial process.

Process for Resolving Uncontested Reports OR Contested Reports for which Possible Outcomes do not Include Suspension and/or Expulsion

Rights Of the Accused
Prior to a hearing, the accused student is entitled to the following:
- Notice of the charge or charges and an outline of these rights. Notice may be given in person, or electronically via the university’s official email.
- Review of all available information documents and exhibits.
- A preliminary meeting with the appropriate official in which these rights, responsibilities, and procedures are explained.
- For allegations of Code of Conduct violations, a student may choose between an Administrative Hearing Board and a Student Judicial Board hearing. Honor Code offenses are typically heard by the Student Judicial Board, in accordance with the Honor Code policy. The Office of Student Affairs may decide to refer any case to an administrative board if it determines that it would be inappropriate to be heard by a student board.

Scope Of The Student Judicial Board
The procedures outlined in this document do not prohibit the establishment of other student judicial bodies, which will serve as courts for original cases coming from the residence halls, and for which the Student Judicial Board will be the first appellate court.

The Student Judicial Board shall interpret and enforce all policies of the Student Government Association and have original jurisdiction in any cases concerning Student Government Association policies, laws, and activities, including elections.
Composition of the Student Judicial Board
The Student Judicial Board shall be composed as follows:

- The Student Judicial Board shall consist of five student members and two nonvoting faculty advisors, with only one of the faculty advisors serving as chair of the board at any hearing. Multiple Boards may be established in order to provide timely hearing dates.

- A quorum shall consist of three student members and one faculty advisor who will act as chairperson. The Student Judicial Board may meet only when a faculty chairperson is present. During Maymester, summer sessions and interim periods between semesters, a quorum shall consist of two student members and the faculty chairperson.

- The five student members shall be appointed by the President of the Student Government Association. Since the Student Judicial Board exists primarily to provide an educational peer review process, at least three of the student members must be undergraduate students. Faculty advisors are appointed by the Deans of the academic colleges. The President of the Student Government Association may appoint replacements for student members at any time that the original appointees are unable to serve.

- The Vice President for Student Affairs may designate a person (usually, the Student Government Attorney General) to present charges for all cases brought before the Student Judicial Board.

Composition of the Administrative Board
An Administrative Hearing will be one in which the director of university housing or the Vice President for Student Affairs, or their designee hears the case him or herself or chairs a Board of university faculty and/or staff who determines the responsibility or innocence of the accused student, and imposes sanctions, if applicable, on the student. The Administrative Board shall be composed as follows:

- A quorum shall consist of no three (3) members and the designated chair. During Maymester, summer sessions and interim periods between semesters, a quorum shall consist of (2) two members and the chairperson.

- The Vice President for Student Affairs may designate a person (usually, the Student Government Attorney General) to present charges for all cases brought before the administrative board.

Recusal/Challenge for Bias
Any party may challenge the participation of any institution official, employee or student board member in the process on the grounds of personal bias by submitting a written statement to the Office of Student Affairs setting forth the basis for the challenge. The designee may not be the same individual responsible for investigating or adjudicating the conduct allegation. The
written challenge should be submitted within a reasonable time after the individual reasonably should have known of the existence of the bias. The institution’s designee will determine whether to sustain or deny the challenge, and if sustained, the replacement to be appointed.

**Procedures for Administrative or Student Judicial Board Hearings**

Hearings shall not be open to the public. Hearings shall be scheduled as expeditiously as possible on the first open date of the Student Judicial Board schedule with only the student’s class schedule taken into consideration. The Office of Student Affairs sets the hearing dates and times for the Student Judicial Board at the beginning of each term. Administrative Hearings are scheduled as needed or when the accused student requests such a board. All hearings shall be held on the dates scheduled, except for good cause shown.

Because these hearings are for the purpose of enforcing the Student Code of Conduct and/or the Honor Code and are not conducted in the same manner as cases in civil or criminal courts, professional legal counsel is generally not of use to accused students. Accordingly, students are expected to represent themselves at these hearings, but may choose to have an advisor or counsel chosen from the faculty, staff, student body of the university, or an attorney present to provide advice to them. The advisor or counsel, upon request of the accused student, may:

- Advise the student of the preparation and presentation of his or her case;
- Accompany the student to all judicial proceedings; and
- Participate in the disciplinary proceedings, other than advising the student, only at the discretion of the hearing authority.

During a hearing, the accused student is entitled to:

- Appear in person, hear all testimony, present any relevant information in his behalf, call witnesses, and ask questions of any present at the hearing (questions directed towards a complainant present in the hearing must be given in writing to the Student Attorney General rather than asked directly to the complainant).
- Elect not to appear at the hearing. Absence shall be noted without prejudice and the hearing shall be conducted in the student’s absence.
- Refuse to answer any questions or to make a statement; however, the hearing authority shall make its decision based on information available to it.
- Be judged responsible only according to what a reasonable person believes to have occurred based upon the information introduced during the hearing.

The Vice President for Student Affairs may offer opposing parties in a judicial case the opportunity to resolve the case through a mediation process rather than having a hearing. In such a case, a hearing will be scheduled only if the mediation effort proves unsuccessful.
The faculty advisor shall chair the meetings of the Student Judicial Board exercising control over the hearing to avoid needless consumption of time through repetition of information and preventing the harassment or intimidation of participants. Any member of the hearing body may request that the body go into private session to discuss and decide a matter by majority vote. The faculty advisor may recess the hearing at any time. The faculty advisor shall ensure that all procedures are appropriately followed. The Vice President for Student Affairs or his or her designee shall chair an Administrative Hearing.

All hearings shall be conducted in an informal manner and technical rules of evidence will not be applied. Witnesses may make statements and be questioned by members of the board and/or the faculty advisor. When a witness unavoidably cannot be present at a hearing, a written deposition or communication by telephone or other electronic means shall be acceptable.

After all information has been presented and the accused has made a final statement, the hearing body shall meet in private to discuss the case and reach its decision. Decisions of the board shall be by a majority vote of members. A tie vote of the Board shall constitute a finding of “not responsible.”

Honor Code cases are typically heard by the Student Judicial Board. Charges of lying, stealing, or vandalism are heard in order to determine the responsibility or innocence of the accused student. In charges of cheating or plagiarism, the appropriate faculty member(s) shall determine that academic dishonesty occurred. The Student Judicial Board hears these cases to determine whether additional sanctions are warranted under the Honor Code. The Office of Student Affairs may decide to refer any case to an administrative board if it determines that it would be inappropriate to be heard by a student board.

The Vice President for Student Affairs, faculty advisor, or designee shall, upon request by the accused student, make an audio and/or video recording of all judicial and appellate board hearings. The accused student shall have the right, upon request, to listen to or view the recording in the presence of a staff member of the Office of Student Affairs.

The Vice President for Student Affairs, faculty advisor, or designee shall be responsible for notifying the accused student in writing of the decision of the hearing board. Notification can be sent either in hardcopy via U.S. Mail, hand delivered, or electronically via the university’s official email. Official notice shall be considered received by the student at the time it is mailed, hand delivered, or sent electronically.

**Possible Sanctions**
In determining the severity of sanctions or corrective actions the following shall be considered: the frequency, severity, and/or nature of the offense, history of past conduct, an offender’s willingness to accept responsibility, previous institutional response to similar conduct, and the university’s interests. The Student Judicial Board, an Administrative Board, or a hearing officer will determine sanctions and issue notice.
The broad range of sanctions may include: fines; volunteering/community service; educational assignments; temporary or permanent separation of the parties (e.g., change in classes, reassignment of residence, no contact orders, limiting geography of where parties can go on campus) with additional sanctions for violating orders; required participation in sensitivity training; required participation in alcohol and other drug awareness and abuse prevention programs; counseling or mentoring; loss of institutional privileges; delays in obtaining administrative services and benefits from the institution (e.g., holding transcripts, delaying registration, graduation, diplomas); additional academic requirements relating to scholarly work or research; financial restitution; or any other discretionary sanctions directly related to the violation or conduct.

**Appeal Procedures**

A student found responsible for a violation of the Student Code of Conduct and/or the Honor Code shall have the right to appeal. The request for appeal shall be addressed to the Dean of Students or the faculty advisor for the Student Judicial Board and must set forth one or more of the bases outlined below. The request must be in writing and must be submitted within five (5) business days of the date of the final written decision.

The student shall have the right to appeal the outcome only on the following grounds:

1. to consider new information, sufficient to alter the decision, or other relevant facts not brought out in the original hearing, because such information was not known or knowable to the student appealing during the time of the hearing;
2. to allege a procedural error within the hearing process that may have substantially impacted the fairness of the hearing, including but not limited to whether any hearing questions were improperly excluded or whether the decision was tainted by bias; or
3. to allege that the finding was inconsistent with the weight of the information.

The Dean of Students may act on the appeal him or herself, or may appoint an ad hoc committee of faculty/staff and students to review the initial finding and make a preliminary recommendation regarding the outcome of the appeal. The Dean of Students shall have the right to accept, modify, or reject any or all of the recommendations of the committee.

If the Dean of Students has previously been involved in the case, he or she may refer the appeal to the Vice President for Student Affairs.

The Dean of Students shall issue a decision in writing to the student within a reasonable time period.

The decision of the Dean of Students can be appealed to the Vice President for Student Affairs with the same timeframe and procedures as listed above. The decision of the Vice President for Student Affairs shall be the final level of appeal, and shall end the administrative processes at Georgia College related to that charge.
Process for Investigating and Resolving Contested Reports for which Possible Outcomes Include Suspension and/or Expulsion

Access to Advisors: The accused student and alleged victim (where applicable), as parties to these proceedings, shall have the right to use an advisor (including an attorney) of his or her choosing, and at his or her own expense, for the express purpose of providing advice and counsel. The advisor may be present during meetings and proceedings during the investigatory and/or resolution process at which his or her advisee is present. The advisor may advise his or her advisee in any manner, including providing questions, suggestions, and guidance on responses to any questions of the advisee, but shall not participate directly. The institution shall not prohibit family members of a party from attending if the party requests such attendance, but may limit each participant to two family members.

Training: Georgia College’s individual(s) tasked with investigating allegations of student misconduct shall not be responsible for training the Student Judicial Board or Administrative Board members.

Initial Evaluation of Student Conduct Reports: Regardless of how Georgia College becomes aware of misconduct, it shall ensure a prompt, fair, and impartial review and resolution of complaints alleging student misconduct. Where a report of student misconduct has been made to the Office of Student Affairs, the office shall review the complaint to determine whether the allegation(s) describes conduct in violation of the Student Code of Conduct and/or Honor Code. If the reported conduct would not be a violation of the Student Code of Conduct and/or Honor Code then the report should be dismissed. Otherwise, a prompt, thorough, and impartial investigation and review shall be conducted into each complaint received to determine whether charges against the accused student should be brought.

Throughout any investigation and resolution proceedings, an accused student shall receive notice of the alleged misconduct, shall be provided an opportunity to respond, and shall be allowed to remain silent during the investigation and resolution process, without an adverse inference resulting. If the accused student chooses to remain silent, the investigation may still proceed and policy violation charges may still result, and may be resolved against the accused student. Further, unrelated charges and cases shall be investigated separately, unless the accused student consents to having them aggregated.

Where the potential sanctions for the alleged misconduct may involve a suspension or expulsion Georgia College’s investigation and resolution procedures provide these additional safeguards:

1. The accused student shall be provided with written notice of the complaint/allegations, pending investigation, possible charges, possible sanctions, and available support services. The notice should also include the identity of any investigator(s) involved. Notice shall be provided via Georgia College email to the student’s Bobcat email
address. Official notice shall be considered received by the student at the time it is sent electronically. Where applicable, a copy shall also be provided to the alleged victim via the same means.

2. Upon receipt of the written notice, the accused student shall be given three (3) business days to respond in writing. In that response, the accused student shall have the right to admit or deny the allegations, and to set forth a defense with facts, witnesses, and documents – whether written or electronic – in support. A non-response will be considered a general denial of the alleged misconduct.

3. Based upon this response, the investigation shall consist of interviews of the accused student, the alleged victim (where applicable) and witnesses, and the collection and review of documents or other physical or electronic information, as well as other steps as appropriate. The investigator should retain written notes and/or obtain written or recorded statements from each interview. The investigator shall also keep a record of any witnesses not interviewed, along with a brief, written explanation.

4. The investigation shall be summarized in writing in an initial investigation report and provided to the accused student and the alleged victim (where applicable) in person or via email. This summary should clearly indicate any resulting charges (or alternatively, a determination of no charges), as well as the facts and evidence in support thereof, witness statements, and possible sanctions.

5. To the extent that the accused student is ultimately charged with any violation, he or she shall also have the opportunity to respond in writing. The accused student’s written response to the charge(s) shall be due three (3) business days following the date of the initial investigation report. The accused student’s written response should outline his or her plea in response to the charge(s), and where applicable, his or her defense(s), and the facts, witnesses, and documents – whether written or electronic – in support. A nonresponse to the charge(s) by the accused student will be interpreted as a denial of the charge(s).

6. The investigator shall conduct further investigation and update the investigative report as warranted by the accused student’s response.

7. The final investigative report shall be provided to the hearing officer for consideration in adjudicating the charges brought against the accused student. A copy shall also be provided to the accused student and alleged victim (where applicable) before any hearing. The investigator may testify as a witness regarding the investigation and findings, but shall otherwise have no part in the hearing process and shall not attempt to otherwise influence the proceedings outside of providing testimony during the hearing.

8. The accused student shall have a preliminary meeting with the appropriate official in which these rights, responsibilities, and procedures are explained.

**Interim Suspensions**

Interim suspensions – that is, suspensions while the investigation and adjudication process are proceeding – should only occur where necessary to maintain safety, and should be limited to those situations in which the accused student might pose a serious and immediate danger or threat to persons or property. In taking such an assessment, Georgia College shall consider the
existence of a significant risk to the health or safety of the campus community; the nature, duration, and severity of the risk; the probability of potential injury; and whether less restrictive means might be used to significantly mitigate the risk.

Before an interim suspension is issued, Georgia College shall make all reasonable efforts to give the accused student the opportunity to be heard on whether his or her presence on campus poses a danger. If an interim suspension is issued, the terms of the suspension shall take effect immediately. When requested by the accused student, a hearing to determine whether the intermediate suspension should continue will be held within three (3) business days of the request.

**Procedures for Administrative or Student Judicial Board Hearings of Contested Reports in which Possible Outcomes Include Suspension and/or Expulsion**

Where the accused student indicates that he or she contests the charges, and once the investigative report has been finalized and copies provided to the accused student and alleged victim (where applicable) the case shall be set for hearing; however, the alleged victim (where applicable) and accused student may have the option of selecting mediation as a possible resolution in certain student misconduct cases where they mutually agree, except where deemed inappropriate by the Vice President for Student Affairs, or his or her designee.

Where a case is not resolved through mediation, the accused student shall have the option of having the charges heard either by an Administrative Board or the Student Judicial Board. Notice of the date, time, and location of the hearing, shall be provided to the accused student and alleged victim (where applicable) five (5) business days prior to the hearing. Notice shall be provided via Georgia College email or alternative method, if necessary. Additionally, the following standards will apply to any such hearing:

- The accused student shall have the right to present witnesses and evidence to the hearing officer or board, as well as to ask questions to any witnesses. At the determination of the hearing officer or the board, this questioning shall take place through the submission of written questions to the board or hearing officer for consideration. The hearing officer or board shall ask the questions as written, and will limit questions only if they are unrelated to determining the veracity of the charge leveled against the accused student(s). In any event, the hearing officer or board shall err on the side of asking all submitted questions, and must document the reason for not asking any particular questions.

- Where the hearing officer or board determines that a party or witness is unavailable and unable to be present due to extenuating circumstances, the hearing officer or board may establish special procedures for providing testimony from a separate location. In doing so, the hearing officer or board must determine there is a valid basis for the unavailability, ensure proper sequestration in a manner that ensures testimony has not
been tainted, and make a determination that such an arrangement will not unfairly disadvantage any party.

- Formal civil rules of evidence do not apply to the investigatory or resolution process.

- The standard of review shall be a preponderance of the evidence; however, any decision to suspend or to expel a student must also be supported by substantial evidence at the hearing.

- Georgia College maintains documentation of the proceedings, which may include written findings of fact, transcripts, audio recordings and/or video recordings.

- Following a hearing, both the accused student and alleged victim (where applicable) shall be provided a written decision via Georgia College email of the outcome and any resulting sanctions. The decision will include details on how to appeal, as outlined below. Additionally, the written decision summarizes the evidence in support of the sanction.

**Possible Sanctions**
In determining the severity of sanctions or corrective actions the following should be considered: the frequency, severity, and/or nature of the offense, history of past conduct, an offender’s willingness to accept responsibility, previous institutional response to similar conduct, and the Georgia College’s interests. The Student Judicial Board, Administrative Board, or hearing officer will determine sanctions and issue notice of the same, as outlined above.

The broad range of sanctions includes: expulsion; suspension for an identified time frame or until satisfaction of certain conditions, or both; fines; volunteering/community service; educational assignments; temporary or permanent separation of the parties (e.g., change in classes, reassignment of residence, no contact orders, limiting geography of where parties can go on campus) with additional sanctions for violating orders; required participation in sensitivity training; required participation in alcohol and other drug awareness and abuse prevention programs; counseling or mentoring; loss of institutional privileges; delays in obtaining administrative services and benefits from the institution (e.g., holding transcripts, delaying registration, graduation, diplomas); additional academic requirements relating to scholarly work or research; financial restitution; or any other discretionary sanctions directly related to the violation or conduct.

**Appeals of Disputed Reports which Result in Suspension and/or Expulsion**
Where the sanctions imposed include a suspension or expulsion, the following appellate procedures shall be provided to the accused student. The alleged offender shall have the right to appeal the outcome on any of the following grounds: (1) to consider new information, sufficient to alter the decision, or other relevant facts not brought out in the original hearing, because such information was not known or knowable to the person appealing during the time
of the hearing; (2) to allege a procedural error within the hearing process that may have substantially impacted the fairness of the hearing, including but not limited to whether any hearing questions were improperly excluded or whether the decision was tainted by bias; or (3) to allege that the finding was inconsistent with the weight of the information.

The appeal must be made in writing, and must set forth one or more of the bases outlined above, and must be submitted within five (5) business days of the date of the final written decision.

The appeal shall be made to the Vice President for Student Affairs or his or her designee. The appeal shall be a review of the record only, and no new meeting with the accused student or any alleged victim will be held. The Vice President or designee, may affirm the original findings and sanctions; affirm the original findings but issue a new sanctions of lesser severity; remand the case back to the decision-maker to correct a procedural or factual defect; or reverse or dismiss the case if there was a procedural or factual defect that cannot be remedied by remand.

The Vice President or designee shall then issue a decision in writing to the accused student within a reasonable time period.

The decision of the Vice President or designee may be appealed in writing within five (5) business days (as determined by the date of the decision letter) to the President of Georgia College solely on the three grounds set forth above. The President may affirm the original findings and sanctions; affirm the original findings but issue a new sanctions of greater or lesser severity, remand the case back to the decision maker to correct a procedural or factual defect; or reverse or dismiss the case if there was a procedural or factual defect that cannot be remedied by remand. The President’s decision shall be issued in writing to the accused student within a reasonable time period. The President’s decision shall be the final decision of the institution.

Should the accused student wish to appeal the President’s decision, he or she may appeal to the Board of Regents in accordance with the Board of Regents Policy 8.6.

**Right To Petition For Readmission**

A student who has been expelled or suspended may petition for readmission. The petition must be in writing and directed to the President of Georgia College. Such petition may not be filed before the expiration of three years from the date of the final determination in expulsion cases, or before the expiration of one-half of the suspension. The President shall refer the petition for readmission to the Vice President for Student Affairs as custodian of the disciplinary record. The Vice President for Student Affairs shall submit all materials and/or records to the president. The President shall request that the Vice President for Student Affairs convene a Readmission Review Panel as described below.
The Vice President for Student Affairs (non-voting) shall convene a Readmission Review Panel composed of one student appointed by the Student Government Association, one staff member from the Office of Student Affairs who will serve as chair, and a faculty member from the petitioner's major department. All members must be present.

The panel will review all aspects and records of the case considering such factors as the severity of the original offense, likelihood of repetition of the offense, and possibility of other serious misconduct. This panel will submit its findings and recommendations to the President within five days after they have been convened. The President's decision to grant or deny the petition will be final.

**Amendments To Disciplinary Procedures**

Student disciplinary procedures shall be amended only by the University Senate in consultation with the Vice President for Student Affairs. Responsibility for proposing revisions to the student disciplinary procedures is delegated to the Office of Student Affairs.

The Office of Student Affairs shall accept and review recommendations from students, faculty and administrators regarding revisions of student disciplinary procedures and shall prepare proposed revisions and forward them to University Senate.

Nothing included above shall be construed as a limitation upon the President of Georgia College to propose changes without reference to the Office of Student Affairs.