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Introduction of the Bobcat Code

The Student Code of Conduct, also known as “**The Bobcat Code**,” is a holistic overview of the entire student conduct system including the values that reinforce how students are expected to behave. The use of the term “**The Bobcat Code**” will be inclusive of this entire document, including all Regulations contained in the Academic Honor Code, Student Honor Code, Student Group Rules, Residence Life Rules, and Interim Restrictions.

CORE VALUES OF THE BOBCAT CODE –THE 3R’S

- A. **Reason:** Georgia College & State University students exemplify honesty, honor, and a respect for the truth in all of their dealings.
- B. **Respect:** Georgia College & State University students are just and equitable in their treatment of all members of the community and act to discourage and/or intervene to prevent unjust and inequitable behaviors. Georgia College students show positive regard for each other, for ideas, for the law, for property, and for the community.
- C. **Responsibility:** Georgia College & State University students are given and accept a high level of responsibility to self, to others, and to the community. Georgia College students, as good citizens, build and enhance their community.

Georgia College & State University students are responsible for knowing the information, policies, and procedures outlined in this document. Georgia College reserves the right to make changes to The Bobcat Code as necessary, and once those changes are posted online, they are in effect. Students are encouraged to check online for the latest version of all policies and procedures.

I. General Information

A. DECLARATION STATEMENTS

The Bobcat Code is prepared for the convenience of students and does not constitute an official publication of the Board of Regents of the University System of Georgia. In case of any divergence from or conflict with the bylaws or policies of the Board of Regents, the official Bylaws and Policies of the Board of Regents shall prevail.

The statements set forth in The Bobcat Code are for informational purposes only and should not be construed as the basis of a contract between a student and this institution. Although every effort has been made to ensure accuracy of the material stated herein, Georgia College reserves the right to change, without actual notice to individual students, any provision listed in The Bobcat Code including but not limited to academic requirements for graduation related to student conduct. Every effort will be made to keep students advised of such changes. Ultimately, the responsibility for knowing the information presented in The Code rests with the student.

B. PHILOSOPHICAL DECLARATION

The University community is committed to fostering a campus environment that is conducive to academic inquiry, a productive campus life, and thoughtful study and discourse. The student conduct program within the Division of Student Life is committed to an educational and developmental process that balances the interests of individual students with the interests of the University community.

A community exists on the basis of shared values and principles. At Georgia College, student members of the community are expected to uphold and abide by certain standards of conduct that form the basis of the Honor Code. These standards are embodied in the Academic Honor Code Rules, Student Honor Code Rules, Student Group Rules, Residence Life Rules, and Interim Restrictions.

Each member of the University community bears responsibility for their conduct and to assume reasonable responsibility for the behavior of others. When members of the community fail to exemplify the 3R's by engaging in violations of the regulations below, campus conduct proceedings are used to assert and uphold The Bobcat Code.

The Student Conduct Process at the University is not intended to punish students; rather, it exists to protect the interests of the community and to challenge those whose behavior is not in accordance with University policies. Sanctions are intended to challenge students' moral and ethical decision-making and to help them bring their behavior into accord with community expectations. When a student is unable to conform to community expectations, the Student Conduct Process may determine that the student should no longer share in the privilege of participating in the community.

Students should be aware that the Student Conduct Process is quite different from criminal and civil court proceedings. Procedures and rights in student conduct processes are conducted with fairness to all but do not include the same protections of due process afforded by the courts. Due process, as defined within these procedures, assures written notice and a hearing before an objective decision-maker. No student will be found in violation of University policy without information showing that it is more likely than not that a policy violation occurred, and any sanctions will be proportionate to the severity of the violation and to the cumulative conduct history of the student.

C. THE HONOR CODE

All students are expected to abide by the requirements of the Georgia College Honor Code as it applies to both academic and student life at the University. Failure to abide by the Honor Code will result in serious penalties.

Honor Code: Georgia College students are expected to achieve and maintain high ideals founded on the sound principles of utilizing **reason** before acting or reacting; employing **respect** for others, for ideas, for the law, and for property; and recognizing their **responsibility** as citizens and members of the campus community.

Matriculation Pledge: It is presumed that any student who matriculates at Georgia College is willing to conform to a pattern of mutual trust and honor and shall deal honorably with all members of the University community. It must be understood that it is the responsibility of each student, faculty, and staff member to preserve, nurture, and strengthen this spirit of honor. When a violation of the Honor Code is detected, a student should take steps to bring the matter to the attention of a University Official.

Student Pledge: *In enrolling at Georgia College, I solemnly pledge that I will conduct myself in such a manner as to reflect credit on the Georgia College community, and I will uphold the Honor Code of the University. If I violate this Honor Code, I will accept the imposed penalty, which may include expulsion from the University.*

Preamble: Since 1942, there has been an Honor Code at Georgia College. This code is a dynamic aspect of the University which helps to define its character as an institution of higher learning in the best liberal arts tradition. Through the years, this code has given rise to an atmosphere of mutual respect and trust on the Georgia College campus.

As a result of periodic examination and review, the Honor Code continues to grow stronger. After undergoing thoughtful study and meticulous revision during the 1998-99 academic year, today's Honor Code reflects a renewed desire of the present student generation for an honorable community and guarantees significant consequences for dishonorable actions.

The commitment to honor has its own rewards, but the Honor Code also brings responsibilities - a respect for the ideas, values, and property of others; a readiness to subordinate one's own interests to the interests and well-being of the whole University community; and a dedication to abide by The Bobcat Code of the University.

In order to maintain an honorable campus, student commitment is vital. This commitment begins with personal integrity, extends to the refusal to condone the violation of The Bobcat Code, and ends with the support of an appropriate penalty for those who violate the spirit and provisions of the Honor Code. Anything short of full commitment undermines the very essence of Georgia College honor. Those who engage in dishonorable behavior may be banned from the University for one or two semesters, or permanently.

Students who are unfamiliar with the concept of honor or who have a history of dishonorable behavior are urged to consider alternatives to Georgia College. However, those wishing to renew themselves in the spirit of honor will be invited to join the community of Georgia College by formally embracing the Honor Code at a ceremony at the beginning of their academic careers at Georgia College (the Honor Code, however, is applicable to all students who matriculate at Georgia College).

D. JURISDICTION

Georgia College shall take necessary and appropriate action to protect the safety and well-being of its community. Accordingly, student conduct should be addressed when such acts occur on institution property, at institution-sponsored or affiliated events, or otherwise violate the institution's student conduct policies, regardless as to where such conduct occurs.

The Bobcat Code may also be applied to **conduct online**, via email, or other electronic media. Students and student groups should be aware that online postings such as blogs, web postings, chats, and social networking sites are in the public sphere and may not be private. These postings may subject a student and/or student group to allegations of misconduct.

- a) The University disciplinary process is educational and designed to address Student behavior; therefore, the University will address any alleged violations of The Bobcat Code independently of any criminal or civil court process.
- b) Unless otherwise noted, use of the term "Student" in this document applies both to the Student as an individual and to a Student Group as a single entity, as applicable. The officers or the leaders of a particular Student Group will be expected to represent the group during the Conduct Process. A Student may be held responsible for their actions as an individual and as a member of a Student Group.
- c) Each Student and every Student Group are required to abide by The Bobcat Code. The University may apply The Code to Students and Student Groups whose conduct may have an adverse impact on the health, safety, or welfare

of people, property, the University Community, or the pursuit of its objectives, regardless of where such conduct occurs (i.e., on University controlled property, at University-sponsored events, or off-campus).

Any question about how to interpret or apply The Bobcat Code should be directed to the Office of the Dean of Students.

E. MAJOR VIOLATIONS OF THE STUDENT CODE OF CONDUCT

Cases of behavior or allegations of behavior that could result in expulsion, suspension, suspension deferred, housing removal, and/or housing removal deferred will be handled primarily by the Office of the Dean of Students in conjunction with the Office of Legal Affairs when appropriate. These behaviors or allegations include, but are not limited to, sexual assault, harassment, stalking, domestic violence, bias-related incidents, campus disturbances, threatening behavior, fire safety violations, use and/or possession of unapproved weapons and firearms, record falsification, physical assault, operating under the influence, felony drug and/or alcohol possession or distribution, city, state or federal violations of laws, and matters resulting in a student's arrest, citations or incident report by any law enforcement entity including Public Safety.

Additionally, matters that impact the health and safety of the community or its members, matters in which interim measures are imposed, a student's repeated or egregious violations of The Bobcat Code or other University rules will be handled primarily by the Office of the Dean of Students.

F. ADMINISTRATIVE AFFILIATES' ROLES IN STUDENT CONDUCT

- a) The Student Government Association first emerged in 1936 on Georgia College's Milledgeville campus. The organization was founded to serve as a vehicle through which students can have their concerns addressed by elected student representatives. Since its inception, the SGA has had an industrious and successful tenure. The organization has offered a legitimate voice to the University administration, championing students' interests, and partially funding various speaking events, campus structures, student organizations, and students attending academic conferences. The Judicial Branch is headed by the Attorney General with the assistance of the Assistant Attorney General. The Attorney General oversees Student Hearing Panels. Members of Student Hearing Panels, appointed by the SGA President, are charged with interpreting and enforcing all policies of the Student Government Association and having original jurisdiction in any cases concerning Student Government Association policies, laws, and activities, including elections. In addition, the Student Hearing Panels hear cases involving violations of The Bobcat Code when called upon.
- b) Non-compliance with other University regulations including, but not limited to, Residence Life, Wellness and Recreation, Legal Affairs, Inclusion and Belonging, Academic Affairs, Auxiliary Services, Information Technology,

Public Safety, Student Activities and Organizations, Community Engagement, and Fraternity and Sorority Life, may be addressed primarily by those respective offices using processes and procedures set out by those administrative units. However, all administrative units should refer matters violating The Bobcat Code to the Office of the Dean of Students, unless authorized by the Dean of Students to adjudicate such violations of The Bobcat Code.

G. NOTICE TO PARENTS/GUARDIANS OR THIRD PARTIES

- a) Students are adults, capable of making their own decisions, as well as accepting the consequences for those decisions. Except in limited circumstances, it is the Student who notifies their parents/guardians or self-selected third parties about being involved in a conduct process.
- b) Conversations are between the University and its students. If a Student decides to include a concerned third party, like parents, in the conduct process, the University's staff will be responsive to the inquiry, to the extent permitted by Family Educational Rights and Privacy Act (FERPA). Except as noted here, the Student must submit a release to share information form in order for the University to engage with the third party. Students must ultimately and forthrightly participate in the process, and the third party cannot serve as a proxy for the Student in the process.
- c) If a Student is found responsible for an alcohol and/or drug violation, parents/legal guardians of dependent students under 21 will be notified. The University may waive parental notification in exceptional circumstances if a Student makes a bona fide showing that such notification will create significant hardship, such as potential violence or financial abandonment that may result in withdrawal from the University. All requests for parental notification waivers must be submitted in writing to the Dean of Students. *The parents or legal guardians of Students under the age of 21 who are financially independent of their parents as defined by the Office of Financial Aid will not be notified. Under extraordinary circumstances, the parents or legal guardians of Students under 21 years of age may not be notified. This will be determined on a case-by-case basis by the Dean of Students.*
- d) The University reserves the right to notify a family member or designated third party without a student's prior consent in health or safety emergencies. Additionally, the Dean of Students or designee may involve a family member or designated third party of a student who is in jeopardy of being separated from the University when, in their judgment, such involvement will aid the Student in the pursuit of their educational goals.
- e) In cases involving reported acts of violence against a person(s), the reporting party(ies) will be notified of the initiation of a conduct process, any restrictions

imposed, outcomes, and the opportunity of appeal (if applicable), subject to applicable Student Code of Conduct provisions and governing law.

- f) The Dean of Students or designee reserves the right to issue an appropriate notification to Reporting Parties and/or persons impacted by the incident(s) when there is theft or damage to property, when a no-contact directive has been issued, and/or when restitution has been imposed.

H. HIGHER STANDARD OF CONDUCT

- a) The functions of the University depend on reason, respect, and responsibility among its community members. Accordingly, Georgia College expects a higher standard of conduct than the minimum required to avoid disciplinary action.
- b) While many of the University's standards of conduct parallel the laws of society in general, University standards may be set higher and more stringently than those found elsewhere in society. For these reasons, the University focuses primarily on educating students about their behavior, but may impose sanctions up to, and including suspension and expulsion in order to preserve a safe and healthy environment for the University community.
- c) The rules of evidence used in federal and/or state criminal and/or civil proceedings do not apply to proceedings within The Bobcat Code.
- d) The standard of proof for deciding responsibility for an alleged violation of The Bobcat Code is the **preponderance of evidence** standard.
- e) Any form of recording and/or streaming of conduct proceedings is strictly prohibited, except as described in The Bobcat Code. University Hearing Officers are allowed to record fact-finding interviews and hearing proceedings. The release of any recordings must be approved and received from the Office of Legal Affairs.

I. RELATIONSHIPS TO OTHER PROCEEDINGS

- a) The conduct process may occur prior to, simultaneously with, or following criminal/civil proceedings. Students may be accountable to both civil and/or law enforcement authorities and to the University for behavior that constitutes a violation of both the law and The Bobcat Code. The Student Conduct Process at the University may proceed without regard to the pendency of civil litigation in court or criminal arrest and prosecution. Determinations and sanctions imposed under The Bobcat Code will not be subject to change because criminal charges arising out of the same core of facts were dismissed, reduced, or resolved in favor of or against the criminal law defendant.

- b) Students may request to delay an Informational Meeting or a Panel Hearing to secure an advisor. In cases where criminal charges related to the alleged violation(s) of The Bobcat Code are pending, a reasonable delay may be granted. Delays may be granted to any party at the discretion of the Dean of Students.

J. STUDENT STATUS DURING CONDUCT PROCESS

During the Student Conduct Process, the status of a Student will not be altered. Non-status outcomes may still apply until the matter has been resolved. Disciplinary sanctions become effective at the completion of the conduct process.

K. BEHAVIORAL INFLUENCES

Any behavior that may have been influenced by a Student's mental state or voluntary use of drugs and/or alcohol will not in any way limit the responsibility of the Student for the consequences of the Student's actions.

L. CONDUCT PROCESS IMPROVEMENT

The Office of the Dean of Students may expand or enhance resolution processes (structured and educational) to complement the formal conduct process (e.g., restorative justice, mediation, or conflict resolution). The purpose of such programs is to maximize opportunities for student learning and development in such areas as behavioral management, conflict resolution, self-awareness, ethics, and integrity.

M. DISTRIBUTION OF THE BOBCAT CODE

Students are provided a copy of The Bobcat Code annually in the form of a link on the University website. Students are responsible for reviewing and abiding by the provisions of the Code.

N. LIMITATIONS

- a) Time Limits on Alleged Violations - No Student may be accused of a violation of The Bobcat Code more than one (1) year after the alleged violation occurred, absent extenuating circumstances. In extenuating circumstances, the Dean of Students or designee has the sole discretion to extend this time period. Cases involving Sexual Misconduct will follow the time limits set in place by the Sexual Misconduct Policy.
- b) Faculty reporting a violation of the Academic Honor Code to the Dean of Students should report a final grade for the course as deemed appropriate by the faculty member. The Student Conduct Process only provides sanctions for violations of the Academic Honor Code. The Student Conduct Process is not involved in decisions regarding grades for a course.
- c) The University will neither assume responsibility for, nor act in the collection of, privately incurred debts involving a Student.

O. STUDENT CONDUCT AUTHORITIES

a) Authority Of The University

Generally, conduct regulations contained in this Student Code of Conduct shall apply to conduct which occurs on University premises and to conduct which occurs while a student is attending or participating in any University-related activity wherever that activity may take place. Additionally, as standards for University Students and Student Groups are higher than those not a part of the University community or the pursuit of its objectives, any behavior, on or off University premises, is subject to action under this Student Code of Conduct. Students and Student Groups are expected to abide by the regulations in this Student Code of Conduct both on and off-campus and acknowledge the University's authority to take action to address behavior incongruent with these regulations, wherever that behavior may occur.

Proceedings under The Bobcat Code may be instituted against students accused of a violation of a municipal, state, or federal law when the alleged conduct is also a violation of The Bobcat Code. Proceedings under The Code may be carried out prior to, simultaneously with, or following civil or criminal proceedings. Decisions about the timing of specific actions will be made by the Dean of Students, Legal Counsel, Title IX Coordinator, or a designee based on the status of the evidence and other relevant case factors.

b) Authority Of The Dean Of Students

The Dean of Students, as the Chief Conduct Officer for the University, shall develop policies for the administration of the student conduct system and procedural rules for conducting hearings that are not inconsistent with provisions of The Bobcat Code. The Dean of Students is responsible for handling all allegations of conduct violations of The Bobcat Code and for implementing interim, restrictive, or emergency measures. Any Student or Student Group found to have committed a violation of these conduct regulations is subject to the sanctions outlined in The Code or as directed by the Dean of Students.

c) Authority Of Academic Affairs

The Office of the Provost through Deans, Graduate Coordinators, Department Chairs, and Faculty, determines if a student is responsible or not responsible in all cases involving alleged violations of the Academic Honor Code. Faculty members must report all violations of the Academic Honor Code to the Dean of Students for tracking purposes. Once a decision has been made through the academic process, including appeals, the Faculty member must report the violation through the [Academic Honor Code Violation Form](#) and then determines whether a student should go before a Hearing Body to determine if additional sanctions are warranted. When this occurs, the Respondent will be charged with a violation of a specific rule within the Academic Honor Code. The case will be assigned to the appropriate Hearing Body to determine sanctions or if additional sanctions are warranted. As noted

earlier, Hearing Bodies do not make decisions regarding responsibility for violations of the Academic Honor Code or assign or modify grades, but rather determines the Sanctions for violating the Academic Honor Code, which is part of the Student Code of Conduct (The Bobcat Code).

d) Authority Of Title IX Administration

The Title IX Coordinator shall process and investigate any alleged violations of RULE 125 and POLICY 14 pursuant to the Student Sexual Misconduct Policy and the Student Code of Conduct.

P. ADDITIONS AND AMENDMENTS

Georgia College reserves the right to revise or correct the Student Code of Conduct as needed. The most updated edition can be found on the Dean of Students' website. Those revisions and corrections shall supersede all earlier versions.

- a) These University expectations are set forth in writing to give students general notice and examples of prohibited conduct. The descriptions should be read broadly and are not intended to define expectations or misconduct in exhaustive terms.
- b) The Dean of Students, or designee, will develop procedures for administration and/or conduct proceedings that are not inconsistent with provisions of The Bobcat Code. Material deviation from these procedures will generally only be made as necessary and will include reasonable advance notice to the parties involved, either by online posting and/or other written communication.
- c) The University reserves the right to amend any Code provision at any time. The University will publish such amendments in relevant campus publications and websites.
- d) The Dean of Students or designee may vary procedures with notice upon determining that a law or regulation requires policy or procedural alterations not reflected in The Bobcat Code.
- e) The Dean of Students or designee may make minor modifications to procedures that do not materially affect the integrity of the process.
- f) Any question of interpretation of The Bobcat Code will be referred to the Dean of Students or their designee. Determinations can be appealed to the Vice President of Student Life whose interpretation is final.

II. Definitions

The following definitions are used solely for the purpose of providing additional clarity to terms used in the Student Code of Conduct, or **The Bobcat Code** as it is commonly known.

Abetting is encouraging, inciting, or inducing another to commit a violation of The Bobcat Code.

Accessory - An accessory is someone who aids or abets another student in support of their violation of The Bobcat Code.

Accomplice - Another who helps someone commit a violation of The Bobcat Code.

Accused Student - a Student or Student Group that has allegedly violated the Student Code of Conduct. Also referred to as the Respondent.

Administrative Disciplinary Meeting - All Respondents (and Complainants when appropriate) are afforded the opportunity to attend a scheduled Administrative Disciplinary Meeting with the Conduct Officer responsible for determining how a case will be resolved. An Administrative Disciplinary Meeting is an opportunity to meet with a Conduct Officer who will explain the Respondent's and Complainant's rights, the alleged violation(s), discuss resolution options (informal or formal), review the Respondent's responsibilities, and provide an opportunity to review, after any required redaction, the information that was provided as the basis for the alleged policy violation(s). The Conduct Officer will also answer questions about the process and available options. The Administrative Disciplinary Meeting provides an opportunity for the Respondent and Complainant to become more informed about the Conduct Process. The Conduct Officer will provide a range of possible outcomes for the alleged violation, but that individual cannot ensure that a specific outcome will occur beyond Standard Sanctions, which are set by the Dean of Students.

Advisor – Any person chosen by a Respondent (Accused Student) or a Complainant (Reporting Person or Victim) to assist them throughout the Student Conduct Process. The Advisor may be present to advise the Respondent or the Complainant but cannot speak for the Student, present the Student's case, serve as a Witness, or otherwise participate directly in any meeting or Hearing. One exception includes a Title IX Case where advisors can speak on behalf of the Student.

Aiding is assisting, supporting, or helping another to commit a violation of The Bobcat Code.

Alcohol and Other Drug Definitions

1. **Alcohol and Other Drug Policies** refers to all policies set forth by the University related to alcohol and other drugs, including but not limited to those addressed in

The Bobcat Code, University programs/units (e.g., Study Abroad) and other policies regarding social events.

2. **Alcohol Consumption or Use of Alcohol** refers to the act of drinking, ingesting, and/or any other method of introducing any amount of an alcoholic beverage into one's body.
3. **Distribution of Alcohol or Drugs** refers to the sharing of alcohol or illegal drugs/controlled substances with or giving them to others.
4. **Facilitating the Possession/Use of Alcohol or Drugs** refers to the act of allowing others to possess, consume, or use alcohol or illegal drugs/controlled substances in one's residence or automobile. Resident students who provide alcohol to Student under 21 years of age are considered **Social Hosts**.
5. **Possession of Alcohol or Drugs** refers, but is not limited, to holding, no matter the duration, alcohol or illegal drugs/controlled substances in hand or, having them in one's clothing, purse/bookbag (or similar apparatus), automobile, residence, or other personal belongings.
6. **Sale of Drugs** refers to the exchange of illegal drugs/controlled substances for money or other forms of compensation.
7. **Use of Drugs** refers to the act of ingesting, inhaling, drinking, eating, and/or any other method of introducing an illegal drug/controlled substance into one's body.

Allegation(s) – An alleged violation(s) of The Bobcat Code.

Alternative Resolution – An informal, structured educational process for resolving harm caused to the University or local community whereby the student accepts responsibility for their behavior, agrees to participate in an accountability process, and actively assists in the development of educational means to resolve the harm caused (e.g., restorative justice, transformational justice, amnesty). Alternative resolutions do not result in the student having a disciplinary record.

Appeal Authority – Any person or persons authorized in The Bobcat Code to determine the outcome of an appeal. No person may hear or decide an appeal if they conducted or participated in the disciplinary proceeding being reviewed on appeal.

Appellate Officer - Any person authorized to consider an appeal submitted by a Student or Student Group in regard to a Hearing Body's decision. The Appellate Officer can use an Appeals Committee to gain additional input and guidance, but the final decision remains with the Appellate Officer.

Business Days – Any weekday Monday through Friday during which Georgia College is in operation. Business Days do not include University holidays and closures.

Case Resolution – In an Informational Meeting, the Respondent will indicate that they have read and understood how their case will be resolved.

Coercion – Measured by a reasonable person standard, it is an attempt to cause another person to act or to think in a certain way by use of force, threats, or intimidation. Examples of Coercion include but are not limited to:

- Causing the deliberate Incapacitation of another person;
- Requiring a person to submit to sexual acts to receive an academic benefit or an employment advantage;
- Threatening to harm oneself if another person does not engage in an act; and
- Threatening to disclose a person's sexual orientation, gender identity, or other sensitive, personal information if the person does not engage in an act.

Complainant - Any person who has reported another person's alleged violation of The Bobcat Code. The Complainant is the person who files a report or on whose behalf a report is filed.

Complicity - Attempting, aiding, abetting, conspiring, hiring, or being an accessory to any act prohibited by The Bobcat Code *shall* be considered to the same extent as completed violations.

Concealed Handgun - Defined as a handgun carried in such a fashion that does not actively solicit the attention of others and is not prominently, openly, and intentionally displayed except for purposes of defense of self or others. A license-holder may carry a handgun while it is substantially (but not necessarily completely) covered by an article of clothing being worn or contained within a bag (of a nondescript nature) being carried, or in another similar manner that generally keeps it out of the view of others.

Conduct Officer – A person trained in the Conduct Process whose duties include the administration of Informational Meetings. Conduct Officers include the Dean of Students and other University Officials designated and approved by the Dean of Students (e.g., Community Directors, Director of Fraternity and Sorority Life). Conduct Officers do not conduct formal hearings unless they have been approved by the Dean of Students.

Conduct Process – The means outlined in The Bobcat Code to resolve alleged violations.

Conflict Resolution – Conflict Resolution services and education are available to Students both to aid them in resolving conflict productively and to develop their abilities to handle conflict effectively.

Consent – Words or actions that show a knowing and voluntary willingness to engage in mutually agreed-upon sexual activity. Consent cannot be gained by force, intimidation or coercion; by ignoring or acting in spite of objections of another; or by taking advantage of the incapacitation of another where the respondent knows or reasonably should have known of such incapacitation. Minors under the age of 16 cannot legally consent under Georgia law.

Consent is also absent when the activity in question exceeds the scope of consent previously given. Past consent does not imply present or future consent. Silence or an absence of resistance does not imply consent.

Consent can be withdrawn at any time by a party by using clear words or actions.

Constructive Possession - Occurs where a person has knowledge of an object, plus the ability to control the object, even if the person has no physical contact with it (*United States v. Delrose*, 74 F.3d 1177 [11th Cir. 1996]).

Correspondence – Written or electronic communication from the University sent to a Student. Correspondence includes but is not limited to written or electronic communication to the Student through the Student's bobcats email address. Email is an official means of communication used by the University. Therefore, the University has the right to send communications to Respondents, Complainants, and Witnesses via email and the right to expect that those communications will be received and read in a timely fashion. At the Conduct Officer's discretion, the notice may also be hand-delivered or sent via standard U.S. mail to the mailing or permanent address appearing in the University's student information system or Police report. Notice to Respondents and Complainants will be considered furnished on the date of hand delivery, on the date emailed, or three business days after the date the notice is placed in the U.S. mail. The University also uses a software program called Maxient to manage cases so Students will receive messages via their email and/or text messages from this Software-as-a-Service (SaaS).

Educational Conversation - An Educational Conversation is a required meeting related to reported information, which is not investigatory in nature and does not result in Allegations. This meeting is intended to address reported information that does not support initiating the Conduct Process but does require an educational discussion about the intent of The Bobcat Code and the expectations of the University community.

Fact-Finding Meeting – A meeting that includes the opportunity for the Dean of Students or designee to interview individuals who may have information relevant to a potential violation of The Bobcat Code, to review the nature of the allegation, to determine if allegations of misconduct are warranted, and to share the next step in the Conduct Process (e.g., if warranted, sending a Notice of Alleged Violation and scheduling an Informational Meeting). Fact-finding meetings may occur anytime before a hearing takes place.

Faculty – Any person hired or appointed by the University to conduct classroom, teaching, or research activities.

FERPA - Per the Family Educational Rights and Privacy Act (FERPA), 20 USC § 1232g, students have the right to privacy of their educational records. These records include but are not limited to, records maintained by the Office of the Dean of Students.

Only with a properly signed release are these records available to those other than the student, or as allowed by amendments to FERPA.

Formal Resolution - A disciplinary process that involves a student going before a Hearing Body to determine if a student is “responsible” or “not responsible” for a violation of The Bobcat Code. A student found responsible will receive Sanctions. Formal resolutions do result in the student having a disciplinary record if found responsible.

Harassment - Behavior that is severe, pervasive, or persistent to a degree that a reasonable person similarly situated would be prevented from accessing an educational opportunity or benefit. This behavior includes but is not limited to, verbal abuse, threats, intimidation, and coercion. In addition, harassment *may* be conducted by a variety of mediums, including but not limited to, physical, verbal, graphic, written, or electronic.

Hearing – A proceeding through which a Hearing Body determines whether a Student is responsible or not responsible for allegations of misconduct and imposes Sanctions if appropriate. A Hearing is conducted by a Hearing Officer or a Hearing Panel.

Hearing Body – A Hearing Officer or Hearing Panel authorized by the Dean of Students to hear student conduct cases, decide if a violation of The Bobcat Code occurred, and impose Sanctions if appropriate.

Hearing Officer – Hearing Officers can play one of two roles in the hearing of a case:

1. The Dean of Students or a designee may serve as a Hearing Officer and can hear a case, determine responsibility, and impose Sanctions, if appropriate.
2. With the Dean of Students’ permission, a Hearing Officer can convene a Hearing Panel and advise them throughout the Conduct Process on procedures, questioning, relevant information, policy, and Regulations. The Hearing Officer reviews all information, Witnesses, and questions to advise the Hearing Panel on relevancy determinations. The Hearing Officer makes relevancy determinations, prior to the Hearing, on documents, exhibits, and allowable Witnesses. The Hearing Officer is present during Hearing Panel deliberations but does not render a decision on the case (Title IX cases are handled differently).

Hearing Panel - Refers to a body of Students and/or University Officials trained to presides over Hearings conducted as part of the Conduct Process. A Hearing Panel may make relevancy determinations during Hearings, determines outcomes after Hearings about whether a Student has violated The Bobcat Code, and recommends or issues Sanctions if appropriate. Hearing Panels normally have 3 members.

Impaired – Impaired means a person’s normal faculties are diminished in some material respect. Normal faculties include but are not limited to the ability to see, hear, walk, talk, judge distances, drive an automobile, make judgments, act in emergencies, and, in general, able to normally perform the many mental and physical acts of daily life.

Incapacitation/ Incapacitated – Incapacitation is a temporary or permanent state in which a person experiences the physical and/or mental inability to make informed, rational judgments. It can result from mental disability, sleep or any state of unconsciousness, involuntary physical restraint, status as a minor under the age of 16, or from intentional or unintentional taking of alcohol and/or other drugs. Whether someone is incapacitated is to be judged from the perspective of an objectively reasonable person.

Informal - Alternative Resolution – A disciplinary process that involves a student accepting responsibility for their actions and agreeing to participate in an alternative resolution process (e.g., mediation, conflict resolution, restorative justice). Informal resolutions do not result in the student having a disciplinary record.

Informal - Standard Resolution – A disciplinary process that involves a student accepting responsibility for their actions and agreeing to a predetermined set of disciplinary and/or educational sanctions. Informal resolutions do result in the student having a disciplinary record.

Interim Suspension - An interim suspension occurs where necessary to maintain safety and are limited to those situations where the Respondent poses a serious and immediate danger or threat to persons or property.

Institution –Georgia College, GC, or University are used interchangeably to represent the official name of Georgia College & State University.

Investigation – The gathering of information related to a reported incident or complaint. An investigation may be conducted by the Dean of Students or designee(s), or by other on-campus fact-finding units. Relevant information gathered during fact-finding is compiled in an Investigation Report.

Joint Hearing: Two or more students or student groups will be scheduled to participate in a joint hearing if they are alleged to have taken part in the same incident, act, event, or series of related acts. The conduct regulation(s) alleged to have been violated and/or the alleged factual circumstances of the violation need not be identical for participation in a joint hearing.

Laws – Any rules, Regulations, codes, and ordinances, whether they originate from a Georgia municipality or county, the State of Georgia, the United States, or when in another state or country.

May - The term is used in the permissive sense.

Notice of Alleged Violation (NAV) – Upon initiation of a Conduct Process, the Respondent(s) will receive a NAV letter with a set date and time for an Informational Meeting with a Conduct Officer. The Notice of Alleged Violations outlines the rules that the Student or Student Group is alleged to have violated, provides a summary of the

facts of the case, makes the Student aware of their Student Rights, and allows for the selection of case resolution type.

Notice of Allegations/Alleged Violation (NoA) – Prior to hearing a case, Respondent(s), Complainant(s), and other involved parties may receive an NoA letter concerning a complaint or report and indicates a Conduct Officer is requesting a meeting to gather and/or clarify information about the complaint or report.

Notice of Hearing (NOH) - Contains information regarding the Hearing date, time, and location, the alleged violations of The Bobcat Code, the basis of the alleged misconduct, a proposed range of sanctions, a notice that a more severe sanction could be set, and a notice to waive the Hearing and enter an Informal - Standard Resolution Process, or if offered, the Informal - Alternative Resolution Process.

Notice of Outcome (NOO) - The Conduct Officer will communicate the Hearing Body's decision to the Respondent and the Complainant (if appropriate). The Notice of Outcome will be in writing and will include notification of appeal options if Sanctions were applied. The Respondent will be informed of any Sanctions, the date by which the requirements must be satisfied (if applicable), and the consequences of failure to satisfy the requirements.

Preponderance of the Evidence – The University's burden of proof for any disciplinary proceeding is the preponderance of the evidence, "Preponderance of the Evidence" means that the information presented to the University, as a whole, supports the finding that it is more likely than not that the alleged violation occurred or did not occur. This standard shall be used in resolving all conduct cases.

Reasonable – A term used as an objective standard for evaluating appropriateness. Having sound judgment; rational and sensible; not extreme or excessive. This definition does not apply to reasonable accommodations.

Recording – Any recording in any medium using any technology. This includes but is not limited to visual recordings, such as photographs, videos, and audio recordings.

Relationship Violence (interpersonal) – Relationship Violence encompasses both dating and domestic violence.

1. **Dating violence** is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the alleged victim. The existence of such relationship shall be determined based on the totality of the circumstances including, without limitation to: (1) the length of the relationship; (2) the type of relationship; and (3) the frequency of interaction between the persons involved in the relationship.
2. **Domestic violence** is violence committed by a current or former spouse or intimate partner of the alleged victim; by a person with whom the alleged victim shares a child in common; by a person who is cohabitating with, or has

cohabitated with, the victim as a spouse or intimate partner, or by a person similarly situated to a spouse of the alleged victim.

Respondent – A Student who has been accused of an alleged violation of The Bobcat Code.

Reporting Person – Any person who has reported another person's alleged violation of The Bobcat Code. The Reporting Person is the person who files a report or on whose behalf a report is filed. The Reporting Person can also be the **Complainant** but not always.

Restorative Justice Process - An opportunity for the Respondent to accept and acknowledge responsibility for their actions and for all parties to come to an understanding on how to best repair the harm caused by the Respondent's misconduct.

Rule(s) – A set of explicit or understood regulations, principles, policies, directives, or restrictions made and maintained by the University or the University System of Georgia in the governance of the conduct system at Georgia College. Individual rules will be referred to by code numbers. For example, the alleged violation of RULE 126: Smoking / Tobacco Use is in the correct format for referring to a rule.

Sanction – A mandatory requirement established by the University, given to a Student (or Student Group) who has accepted responsibility for, or whom a Hearing Body found responsible for a violation of The Bobcat Code.

Sanction Review – A meeting between a Respondent and a Hearing Officer to review imposed conduct sanctions.

Separation/Disaffiliation – A type of Sanction for a Student or a Student Group that includes suspension, expulsion, or disaffiliation.

Shall - The term is used in the imperative sense.

Social Host Violation - When a resident(s) of a room or apartment hosts a gathering with individuals under 21 years old who are consuming alcoholic beverages. In this case, the resident(s) of the room or apartment is considered a social host(s) and is responsible for those drinking alcohol in their room or apartment. See the PROCESS section for Standard Sanctions for this violation.

Standard Sanctions – A prescribed set of sanctions for common violations of The Bobcat Code.

Statement of Expectations – a written document that indicates the expectations of a Respondent as a result of an Informal - Alternative Resolution.

Student – Any person admitted, enrolled, or registered for any University Program, regardless of the medium of the program, or degree-seeking status, or when not enrolled or registered for a particular term, who is eligible to enroll in future terms. For the purpose of The Bobcat Code, the term “Student” is interchangeable with “Student Group” when the term “Student Group” is not directly specified.

Student Conduct Record – When a Student or Student Group is found responsible for a violation of The Bobcat Code, it will be recorded. The record of these violations constitutes the Student Conduct Record. Informal - Alternative Resolution processes, including but not limited to amnesty, conflict mediation, personal coaching, and restorative justice processes, are not part of the Student Conduct Record because these cases are not adjudicated through the Informal-Standard or Formal resolution process with a finding of responsible.

Student Group – Any association of Students who are readily identifiable as having a group association (e.g., intramural sports teams, all recognized student organizations, Student Ambassadors, club sports teams, and Athletic teams). For the purpose of The Bobcat Code, the term “Student” is interchangeable with “Student Group” when the term “Student Group” is not directly specified.

Student Organization – An association or group of persons that have complied with the formal requirements for University recognition or are in the formal process of obtaining recognition. For the purpose of The Bobcat Code, the term “Student” is interchangeable with “Student Organization” when the term “Student Organization” is not directly specified. All Student Organizations are included in the term Student Group.

The Bobcat Code – Encompasses the entirety of this document, including but not limited to, the Academic Honor Code, Student Honor Code, Residence Life Rules, Student Group Rules, and Interim Restrictions.

University Activity or University Program – Any event, program, or activity that is hosted, sponsored, or organized by any University group, office, or Student Group.

University Appeals Committee (UAC) – The Vice President of Student Life may, in his or her discretion, hear an appeal, deny an appeal, or refer an appeal to the designated chair of the University Appeals Committee, which is composed of the following University Officials or designee from each Official’s organizational unit: the chief academic officer (or designee); the chief business officer (or designee), and any other person or persons deemed appropriate by the Vice President of Student Life. The University Appeals Committee is made up of 3 University Officials. The Vice President of Student Life will appoint a Chair of the UAC who will serve as the Vice President of Student Life’s designee and will notify him/her of the recommendation from the UAC. The Vice President of Student Life maintains the final decision and does not have to accept the decision of the UAC.

University Campus/Premises/Property – All land, buildings, facilities, and other property the University possesses, owns, leases, operates, supervises, or controls, including adjacent streets and sidewalks.

University Community – University Officials, Students, and other people or entities that participate in any University Activity or University Program.

University Official – Any person the University employs, contracts, or appoints to perform assigned teaching, research, administrative, professional, or other responsibilities.

Witness – A relevant Witness is a person with direct knowledge about or involvement in a reported incident or allegation. Relevant Witnesses may participate in person during the Conduct Process. Other Witnesses, including character Witnesses, may not participate in person during the Conduct Process but may submit statements pursuant to the submission guidelines outlined below in the Student Rights and Privacy section of The Bobcat Code.

III. Student Rights and Privacy

A. RESPONDENT RIGHTS

Any Respondent or Student Group (accused students) will be afforded the following rights throughout the Student Conduct Process. Any Student may also be given the opportunity to waive specific rights, in writing, to expedite the resolution process if appropriate as determined by the Dean of Students or designee. Respondents have the right to:

- a) Participate individually in an Administrative Disciplinary Meeting with a Conduct Officer to review the allegations, the Rule(s) allegedly violated, possible Sanctions, Respondent's rights, to explain the Student Conduct Process, and available forms of resolution. Reasonable efforts will be made to hold this Meeting at least five (5) Business Days before any scheduled Hearing.
- b) An opportunity to ask a staff member(s) in the Office of the Dean of Students questions regarding the Student Conduct Process, and have those questions answered to the extent that staff is permitted and able.
- c) Have an Advisor present during any meeting with the Dean of Students or designee.
- d) A Hearing to determine the responsibility for any alleged violations of The Bobcat Code.
- e) Written notification in Correspondence of any outcomes resulting from an alleged violation of The Bobcat Code.
- f) Decline to answer any questions or provide self-incriminating information to the Hearing Body at any point during the resolution process. Respondents may also elect not to participate in a Hearing with the understanding that a decision, including any appropriate Sanctions, will be made in their absence using the information available at the time of the Hearing.
- g) Provide and review appropriate information, including any potential Witnesses that could be used in the decision-making process, to the Dean of Students.
- h) All information must be provided to the Dean of Students by 5:00 p.m. at least five (5) Business Days before the scheduled Hearing. No new information, including potential Witnesses, will be accepted for consideration after this date, absent the express written permission of the Dean of Students or designee.
- i) A Respondent and their Advisor, if any, have the right to inspect the case file at least five (5) Business Days before the scheduled Hearing.

- j) Have all information, including any potential Witnesses, that could be used in the decision-making process reviewed preliminarily for relevance by the Dean of Students prior to the Hearing. The determination of relevance will rest with the Dean of Students or designee. Relevance decisions that indicate a Witness is not relevant will be communicated directly with the Respondent, with rationale, in writing prior to the Hearing. Relevancy determinations regarding information directly related to the Complainant's character or prior conduct will also be communicated directly with the Complainant in the same manner. Relevancy determinations may be reversed or modified through an appeal to the Dean of Students or designee.
- k) Participate in a Hearing, including providing information, listening to Witnesses, and asking questions (through the Hearing Body) of Witnesses providing information during a Hearing.
- l) Have a decision made based on the Preponderance of the Evidence standard.
- m) Request reasonable accommodations if disabled, and in accordance with applicable Laws. Students in need of reasonable accommodations at any point during the Student Conduct Process due to a disability should contact the Student Disability Resource Center (SDRC) who will advise the Dean of Students or designee.
- n) Request permission to participate via live video from another location, and/or participate in a manner that avoids direct contact with Complainant and/or Witnesses as long as such participation does not infringe on the Respondent's right to question the Complainant or Witnesses during the Hearing or infringe on the University's implementation of the Student Conduct Process (if not pre-determined).
- o) Have any University status remain unchanged pending a final outcome through the Student Conduct Process; except in cases involving a threat or serious potential threat to the health, safety, or welfare of the University Community or University property, as outlined in Remedial Measures.
- p) To select a Hearing Body (Hearing Officer or Hearing Panel). In cases involving Sexual Misconduct violations, the Hearing Body will be a University System of Georgia-trained Administrative Hearing Panel.
- q) Provide a written impact statement to the Hearing Officer before the start of a Hearing to be considered if Sanctions are to be issued.
- r) Be notified of the final outcome(s) of the case.

- s) Appeal a decision of a Hearing Body, in writing and in accordance with the appeals process.
- t) Privacy of the student conduct record, except to the extent permitted or required by Law.
- u) Access and review all relevant Georgia College policies and procedures related to The Bobcat Code.

B. COMPLAINANT RIGHTS

Any Complainant will be afforded the following rights throughout the Conduct Process. Complainants have the right to:

- a) Privacy of their student education records, except to the extent permitted or required by Law.
- b) Access and review all relevant Georgia College policies and procedures related to The Bobcat Code.
- c) Ask staff member(s) in the Office of the Dean of Students questions regarding the Conduct Process and have those questions answered to the extent that staff is permitted and able.
- d) Request reasonable accommodations if disabled, and in accordance with applicable Laws. Students in need of reasonable accommodations at any point during the Conduct Process due to a disability should contact the Student Disability Resource Center (SDRC) who will advise the Dean of Students or designee.
- e) Participate individually in an Administrative Disciplinary Meeting with a Conduct Officer to review the allegations, the Rule(s) allegedly violated, possible Sanctions, Complainant's rights, and to explain the Conduct Process, and any available forms of resolution. Reasonable efforts will be made to hold this Meeting at least five (5) Business Days before any scheduled Hearing.
- f) To participate in a Hearing and have an Advisor present during any Hearing or meeting. Participation may include providing information, providing Witnesses to present relevant information, and/or submitting questions to be asked of the Respondent and Witnesses, by the Hearing Body. A Student who chooses to have an Advisor present during any meeting must provide the identity of the person(s) to the Dean of Students or designee.
- g) Complainant and their Advisor have the right to review the Complainant's own written statement, and their own submitted information at least five (5)

Business Days prior to the scheduled Hearing. Note: Cases involving Sexual Misconduct will be handled in accordance with the Sexual Misconduct Policy.

- h) Provide appropriate information, including any potential Witnesses that could be used in the decision-making process to the Dean of Students. All information must be provided to the Dean of Students by 5:00 p.m. at least five (5) Business Days prior to the scheduled Hearing. No new information, including potential Witnesses, will be accepted for consideration after this date, absent the express written permission of the Dean of Students or designee.
- i) Have all information directly related to the Complainant's character or prior conduct, including any potential Witnesses, that could be used in the decision-making process reviewed preliminarily for relevance by the Dean of Students before the Hearing. Relevance decisions that indicate a Witness is not relevant will be communicated directly with the Respondent, with rationale, in writing prior to the Hearing. Relevancy determinations may be reversed or modified through an appeal to the Dean of Students or designee.
- j) To review the Hearing Body selection of the Respondent. In cases involving Sexual Misconduct violations, the Hearing Body will be a University System of Georgia-trained Administrative Hearing Panel.
- k) To request permission to participate via live video from another location, and/or participate in a manner that avoids direct contact with the Respondent and/or Witnesses as long as such participation does not infringe on the Respondent's right to question the Complainant or Witnesses during the Hearing or infringe on the University's implementation of the Conduct Process.
- l) Decline to answer any questions or provide self-incriminating information to the Hearing Body at any point during the resolution process.
- m) To provide a written impact statement to the Hearing Officer before the start of a Hearing. In the event that the Respondent accepts responsibility, or found responsible, the impact statement would then be provided to the Hearing Body to be considered in recommending or issuing Sanctions.
- n) To be notified of any recommendations of a Hearing Body, and the final outcome of the case.
- o) To appeal on the same grounds as the Respondent, as outlined in the Appeals section of this document.

C. STUDENT PRIVACY RIGHTS

a) Person And Property

A student shall be free from searches and seizures of his person and possessions while on university property unless said search and seizure is conducted in accordance with state and federal laws. In cases of a clear and present danger, where there is probable cause, or it is believed to be necessary to conduct a search immediately in order to protect life or property, searches may be conducted by the Georgia College Department of Public Safety normally in the presence of the Dean of Students or his authorized representative.

b) Disciplinary Records

A student's disciplinary record shall be kept in the Office of the Dean of Students separate from academic records. It will remain confidential unless the student consents in writing to have it revealed. However, the Dean of Students may disclose the student's disciplinary record without the student's consent if legal compulsion or the safety of people or property is involved, or if the information is required by authorized university personnel for official use at the university. In these circumstances, only the information pertinent to the inquiry may be revealed. The Dean of Students may also act without the student's consent to have a "hold" entered on the student's academic record file for the time that suspension or dismissal would prohibit the student from registering.

c) Academic Records

A student's test data and academic record in the Registrar's Office shall be kept in a secure file, separate and confidential unless the student consents in writing to have it revealed to a designated person and for a designated purpose. However, by attending Georgia College the student is giving permission for the distribution and use of his test data and all other academic records as the Provost (Chief Academic Officer) deems necessary to accomplish the duties of his office as contained in the university policies. Without such release, no information will be revealed except to an appropriate authority and then only when there is a clear and imminent danger to an individual or to society, and such information will be limited to that which is directly pertinent to the reduction of that danger.

d) Student Health Record

Students' medical, surgical and mental health records and information are strictly confidential and are not to be released to anyone without the student's knowledge and signed authorization. Student mental health records are maintained separately in a confidential file. If it becomes apparent in the course of treatment that the student is likely to cause injury to himself or others, pertinent information to this extent may be revealed for the protection of the student or others.

e) Dean Of Students' Records

Official records and information maintained by the Dean of Students are treated in a confidential manner. A student has the right to view his disciplinary records. Discipline and conduct records and the information contained therein will not be released except with the written consent of the student or as required by law. General information, such as the student's address, phone number, university classification, etc. is released upon receipt of a specific request unless the student has requested that this "directory information" remain private. Requests for personal information such as date of birth, parents' names and addresses, social security numbers, etc. will be released on a show-cause basis only. The Dean of Students is responsible for seeing that proper justification has been made.

f) Evaluation Of Student Character And Ability

A student's character and ability shall be evaluated only by those with personal knowledge of the student. Records containing such evaluations shall indicate when the information was acquired, by whom, and the position of the individual. Upon a student's request to an individual faculty member or administrator, that student should be informed of all inquiries about that student directed to the faculty member or administrator and that judgments have been or will be given.

g) SUBPOENAED INFORMATION

If presented with a subpoena to produce information about specific students and/or student groups, the recipient shall immediately notify the Dean of Students and forward to that office a copy of the subpoena. The Dean of Students shall immediately notify the student or student group involved or use their best efforts to do so, and forward to them a copy of the subpoena by certified mail addressed to their last known address.

h) Non-Academic Information

Information about a student or a student group's political or social views or beliefs which faculty, staff, or administrators acquire in the course of their work as instructors, advisors, counselors, or supervisors is to be kept confidential unless the student applies for a position that federal law requires the surrender of the right to withhold information from their representatives. Students may waive this protection by granting express permission to the relevant faculty, staff or administrator.

D. FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT

Per the Family Educational Rights and Privacy Act (FERPA), 20 USC § 1232g, students have the right to privacy of their educational records. These records include but are not limited to, records maintained by the Office of the Dean of Students. Only with a properly signed release are these records available to those other than the student, or as allowed by amendments to FERPA.

E. ACCOMMODATIONS FOR INDIVIDUALS WITH DISABILITIES

- a) Any person with a disability who is involved in the Conduct Process has the right to request reasonable accommodation(s) in order to ensure their full and equal participation.
- b) Individuals registered with the Student Disability Resource Center (SDRC) wishing to request reasonable accommodation(s) may request documentation from the SDRC and provide it or have the SDRC provide it to the Conduct Officer, if needed.
- c) Individuals do not have to disclose information about the conduct matter to the Student Disability Resource Center to request reasonable accommodation(s), except to the extent that it may assist in the determination of reasonable accommodation(s).
- d) Individuals not affiliated with the University should submit requests for reasonable accommodation(s) in writing to the Conduct Officer and may need to provide supporting documentation regarding their request.
- e) Accommodations are determined and implemented on an individual basis by the Conduct Officer.

F. ADVISORS

The Respondent and Complainant, as parties to these proceedings, shall have the right to have an advisor (who may or may not be 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 posed to the advisee, but shall not participate directly during the investigation or hearing process.

IV. The Codes

This section provides statements, explanations, and rules that target behaviors considered inappropriate for the Georgia College community and in opposition to the core values set forth in The Bobcat Code. These expectations and rules apply to all students, whether undergraduate, graduate, or doctoral. Georgia College encourages community members to report to University Officials all violations of rules and policies. Any student found to have committed or to have attempted to commit the following misconduct is subject to the sanctions outlined in Student Conduct Process.

When violations of The Bobcat Code occur, the Dean of Students or their designee will review the results of the investigation (if any) to determine the severity of the violations which will inform the sanctioning process.

Georgia College may discipline a student in nonacademic matters. This normally involves matters which occur on the Georgia College campus or at Georgia College-sponsored activities or events, but may be extended to off-campus matters which could reasonably be expected to impact the Georgia College community. Off-campus arrests may result in Georgia College Student Code of Conduct violations.

All **Residence Hall Students** are expected to adhere to the Housing contract terms and stipulations listed by the Department of University Housing and the Department of Residence Life.

Students and Student Groups are subject to disciplinary action for violating The Bobcat Code.

A. ACADEMIC HONOR CODE

NOTE: All Academic Honor Code violations are Level 4 offenses and can result in suspension or expulsion from the University.

Any student found to have committed or to have attempted to commit the following misconduct is subject to the disciplinary sanctions outlined in the Student Conduct Process section. To help stop academic dishonesty, Faculty must report all violations of the Academic Honor Code to the Office of the Dean of Students, even when the faculty member chooses not to pursue further disciplinary actions. Acts of academic dishonesty or disruption, include but are not limited to the following:

ABUSE OF ACADEMIC MATERIALS

Destroying, defacing, stealing, or making inaccessible Library or other academic resource materials.

CHEATING

Copying or attempting to copy from an academic test or examination of another student; using or attempting to use unauthorized materials, information, notes, study

aids, or other devices for an academic test, examination, or exercise; engaging or attempting to engage the assistance of another individual in misrepresenting the academic performance of a student; or communicating information in an unauthorized manner to another person for an academic test, examination or exercise.

CLASSROOM DISRUPTION

Any classroom behavior that interferes with the Faculty's ability to conduct class, failure to conform to the Faculty member's announced expectations for the classroom, or the ability of other Students to learn.

COMPLICITY IN ACADEMIC DISHONESTY

Helping or attempting to help another student to commit an act of academic dishonesty.

FABRICATION OR FALSIFICATION

Falsifying or fabricating any information or citation in any academic exercise, work, speech, research, test, or examination. Falsification is the alteration of information, while fabrication is the invention or counterfeiting of information.

FALSIFYING GRADE REPORTS

Changing or destroying grades, scores, or markings on an examination or in a faculty member's records.

IMPERMISSIBLE COLLABORATION

Collaborating on any academic exercise, work, speech, test, or examination unless expressly authorized by the faculty member. It is the obligation of the student to know whether collaboration is permitted.

MISREPRESENTATION TO AVOID ACADEMIC WORK

Misrepresentation by fabrication an otherwise justifiable excuse such as illness, injury, accident, etc., in order to avoid or delay timely submission of academic work or to avoid or delay the taking of a test or examination.

PLAGIARISM

For the purposes of this code, plagiarism is considered the act of representing ideas, writings, artistic designs, or any other creative endeavors that were created by someone or something else as one's own. This includes, but is not limited to, materials created by artificial intelligence. When direct quotations are used, they must be indicated; and when the ideas of another are incorporated in any submission, they must be acknowledged, according to a style of documentation appropriate to the discipline. Materials covered by this prohibition include, but are not limited to, text, video, audio, images, photographs, websites, electronic and online materials, and other intellectual property.

MULTIPLE SUBMISSIONS

It is a violation of the Academic Honor Code to present substantial portions of previous work for credit more than once without the explicit consent of the faculty member(s) to whom the material is submitted for additional credit.

UNAUTHORIZED POSTING AND DISTRIBUTION

The presenting, distributing, selling, sharing, or publishing of course lecture notes, videos, audio recordings, or any other faculty-produced materials from any course for any commercial purpose is strictly prohibited unless explicit written permission is granted in advance by the faculty member teaching the course.

UNAUTHORIZED USE OF ARTIFICIAL INTELLIGENCE

It is a violation of the academic honor code to use artificial intelligence technologies in completing coursework or assignments without the prior explicit written approval or positive assent of the applicable instructor.

VIOLATION OF ADDITIONAL COURSE STANDARDS

Academic units and members of the faculty may prescribe and give students prior written notice of additional standards of conduct for academic honesty in a particular course, and violation of any such standard of conduct shall constitute misconduct under The Bobcat Code.

B. STUDENT HONOR CODE

Any student found to have committed or to have attempted to commit the following misconduct is subject to the disciplinary sanctions outlined in the Student Conduct Process section.

ADVERSE IMPACT

Conduct that has a substantial adverse impact on the University community, its members, and/or the pursuit of its objectives, regardless of where such conduct occurs.

ALCOHOL POSSESSION AND USE

- a) Possession, use, and/or consumption of alcoholic beverages by persons under the age of 21;
- b) Possession of alcohol containers by persons under the age of 21;
- c) The sale, distribution, or furnishing of alcoholic beverages, or otherwise facilitating consumption of alcohol by persons under the age of 21;
- d) Public intoxication;
- e) Providing alcoholic beverages to a person who is intoxicated;
- f) Operating a motor vehicle while under the influence of alcohol or while impaired by the consumption of alcohol;
- g) 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 bedroom of a specific residential unit. Examples include, but are not limited to public kitchens, public living rooms, public bathrooms, group study/lounge spaces,

laundry rooms, lobbies, computer rooms, etc. Common spaces also include the public spaces located on the outside grounds of a Residence Hall. If alcohol is found in the common area, all Students may be accused of violating the policy and/or found responsible;

- h) Any game or activity (especially those competitive in nature) contributing to the overindulgence of alcohol is prohibited regardless of the age of the participants (e.g., beer pong, water pong, flip cup, etc.);
- i) Possession or use of common source containers (e.g., kegs, pony kegs, party balls, beer bong, trash cans, funnels, beer hats, etc.). Beverages must be used in individual containers; and
- j) Any activity or conduct involving the use of alcohol that is in violation of the law.

ANIMALS

- a) Pets are permitted on University grounds if they are under the control of and accompanied by their owner or designee. The caretaker must promptly clean up and properly dispose of any pet waste. If animals are disruptive, left unattended, or are not under the control of the owner, both the owner and the animal may be asked to leave. All dogs on University grounds must be leashed or under voice command of, and in close proximity to, the caretaker.
- b) Any abuse, inappropriate handling, or causing death to wildlife and/or animals.
- c) Provisions of this policy do not apply to service animals or to police dogs, or K9 dogs, while such animals are performing their duties under supervision. Service animals and service animals in training are permitted on campus and in campus facilities.
- d) Bringing any unauthorized animal into any building owned, leased, or controlled by Georgia College.
- e) Excessive noise, or destruction of property from service or assistance animals.
- f) Emotional Support Animals are considered for Residence Halls, as noted by the Federal Housing Act if specified by documentation from a licensed professional. All applications for bringing an Emotional Support Animal will be submitted to the University for review and approval by the Student Disability Resources Center and University Housing.
- g) Violations of the Animals on Campus Policy will be dealt with in accordance with University rules governing the conduct of faculty, staff, and students. In addition, violations within Residence Halls will have action taken in accordance with policies for Residence Life.
- h) This policy does not apply to animals that are used in research.
- i) All faculty, staff, students, and visitors of Georgia College are expected to comply with this policy.

ASSAULT

- a) Any physical contact of an insulting or provoking nature.
- b) Any physical abuse or physical harm of another person.

BIAS INCIDENT

A bias-related incident is characterized as behavior or act, verbal, written, or physical, personally directed against or targets an individual or group based on perceived or actual characteristics such as race, color, religious belief, physical handicap/disability, sexual orientation, gender identity or expression, national or ethnic origin, disability, veteran status, or age. Bias incidents occur when someone is subject to discrimination, harassment, abuse, bullying, stereotyping, hostility, marginalization, or another form of mistreatment simply because they identify with or are part of a particular group.

IMPEDING THE CONDUCT PROCESS

Abuse or interference with, or failure to comply in, University Conduct Processes including, but not limited to:

- a) Falsification, distortion, or misrepresentation of information;
- b) Failure to provide, destroying or concealing information during fact-finding of an alleged violation of The Bobcat Code;
- c) Attempting to discourage an individual's proper participation in, or use of, the Conduct Process;
- d) Harassment (verbal or physical) and/or intimidation of a member of a Hearing Body prior to, during, and/or following a Hearing;
- e) Failing to appear and cooperate as a Witness in a disciplinary case when properly notified;
- f) Failure to comply with the sanction(s) imposed by the Conduct Process;
- g) Influencing or attempting to influence, another person, including any member of the Hearing Body, to commit an abuse of the Conduct Process.

DAMAGE OR DESTRUCTION OF PROPERTY

- a) Any damage or destruction of property belonging to a member of the University community, University property, or to a visitor of the campus.
- b) Any damage or destruction of property that is caused by a Georgia College Student (including property not owned or leased by Georgia College).

DECEPTION

- a) Any misuse of any University records, forms, or documents through forgery, unauthorized alteration, reproduction, or other means.
- b) Providing false information to law enforcement and/or University Officials.
- c) Possession of any fake or altered identification that belongs to the individual or another person.
- d) Lending, selling, or otherwise transferring an identification card.
- e) Any attempt to perpetrate a fraud against the University or a member of the University community.
- f) Any unauthorized claim to speak and/or act in the name of Georgia College or any organization, Student, University officials, or Faculty members.

DISCRIMINATION

Differential treatment of an individual based on that individual's membership in a protected class that unreasonably interferes with or limits the individual's work, educational performance, or ability to participate in or benefit from an institutional program, activity, or student group.

DISORDERLY CONDUCT

- a) Conduct that intentionally or recklessly causes or provokes a disturbance that disrupts the academic pursuits, or infringes upon the rights, privacy, or privileges of another person.
- b) Any lewd, obscene, and indecent behavior including deliberately and publicly exposing one's intimate body parts, public urination, defecation, and public sex acts.
- c) Conduct that threatens or endangers the health or safety of another person, including but not limited to physical violence, abuse, intimidation, and/or coercion; or violation of a legal protective order.
- d) Failure to comply with directions of any University official, office, or other law enforcement officer acting in the performance of their duties and/or failure to identify oneself to these persons when requested to do so.
- e) Participation in a campus demonstration that violates the University's Freedom of Expression Policy (POLICY 4), intentionally or recklessly disrupts the normal operations of the University, or infringes on the rights of other members of the University community.
- f) Intentional or reckless obstruction, which unreasonably interferes with the freedom of movement of an individual or group.
- g) Entering an athletic contest, dance, social or other event without the proper credentials for admission (ticket, identification, invitation).
- h) Circulation of any advertising media that violates the University's Solicitation Policy, intentionally or recklessly disrupts the normal operations of the University or infringes on the rights of other members of the University community.
- i) Harassment and discrimination against any person as prohibited by the University's Statement on Non-Discrimination and Anti-Harassment (POLICY 11).
- j) Any abuse or unauthorized use of sound amplification equipment.
- k) Any conduct which materially interferes with the normal operation of the University, or with the requirements of appropriate discipline.
- l) Intentional or reckless disruption or obstruction of teaching, research, administration, or other University activities, including its public service functions on or off-campus, or other authorized non-University activities taking place on University property with the exception of constitutionally protected freedom of speech and expression.
- m) Violation of published University policies, rules, or regulations.

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. This is not to deny any Student the right to peaceful, non-disruptive assembly or expression.

DRUGS AND DRUG PARAPHERNALIA

- a) The possession, consumption, or use of an illegal substance (substance controlled by Federal or Georgia law) or synthetic cannabinoid (e.g., Spice or K2). Possession of cannabis includes but is not limited to constructive possession as defined in the glossary of this document.
- b) The manufacture, cultivation, distribution, purchase, or taking delivery of any illegal substance (substance controlled by Federal or Georgia law) or synthetic cannabinoid.
- c) Abuse, misuse, sale, or distribution, or improper possession of prescription or over-the-counter medications.
- d) 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. Drug paraphernalia includes but is not limited to all equipment, products, and materials of any kind which are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance.
- e) Individuals suspected of drug use may be found responsible for suspicion of drug use if University Officials have reason to believe Students have engaged in drug use.
- f) Operating a motor vehicle under the influence or while impaired by the consumption of substances controlled by federal law, Georgia law, or synthetic marijuana.
- g) Any activity or conduct involving drugs that are in violation of local, state, or federal law.
- h) According to the Official Code of Georgia Annotated (§20-1-23), “Any student of a public educational institution who is convicted, under the laws of this state, the United States, or any other state, of any felony offense involving the manufacture, distribution, sale, possession, or use of marijuana, a controlled substance, or a dangerous drug shall as of the date of conviction be suspended from the public educational institution in which such person is enrolled. [The] suspension shall be effective as of the date of conviction.... and shall continue through the end of the term, quarter, semester, or another similar period for which the student was enrolled as of the date of conviction. The student shall forfeit any right to any academic credit otherwise earned or earnable for such term, quarter, semester, or another similar period; and the educational institution shall subsequently revoke any such academic credit

which is granted prior to the completion of administrative actions necessary to implement such suspension.”

ENDANGERMENT

Students have the responsibility to refrain from conduct that causes bodily harm to others.

- a) The University prohibits purposely, knowingly, or recklessly causing or attempting to cause bodily injury to another;
- b) Purposely, knowingly, or recklessly placing another in fear of serious bodily harm; and
- c) Intentional, reckless, or negligent conduct that threatens or endangers the health or safety of any Student, faculty, staff member, or guest of the University.

FAILURE TO RESPOND

- 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 an Educational Conversation, meeting, or appointment with any University Official or Faculty Member when properly notified.
- c) Evading or fleeing from law enforcement or University Officials.
- d) Failing to follow established University policies, guidelines, and interim restrictions.

FELONY CONVICTION

- a) Being convicted of a felony while a Student.
- b) Pleading guilty to a felony while a Student.
- c) Pleading nolo contendere to a felony while a Student.
- d) Receiving First Offender Treatment or similar pretrial diversionary treatment for a felony grade offense while a Student.

FIRE SAFETY AND MAINTENANCE

- a) Any failure to evacuate or immediately respond to a fire alarm.
- b) Participation in creating or causing a false fire alarm.
- c) Misusing, damaging, or tampering with fire safety equipment.
- d) Improper discharge of a fire extinguisher.
- e) Intentionally or recklessly obstructing a fire exit in any University building.
- f) Failure to follow the instructions of University Officials and emergency personnel during fire alarms.
- g) The possession, use, manufacture, and/or sale of any incendiary device, (e.g., fireworks).
- h) Setting, causing to be set, or participation in setting any unauthorized fire in or on University property.
- i) Failure to maintain a group's facilities and/or surrounding property creating a potential danger to the health or safety of the occupants or other individuals.
- j) Failure to maintain a group's facilities and/or surrounding property in compliance with local or State statutes or ordinances.

GAMBLING

Conducting, organizing, or participating in any activity involving games of chance or gambling except as permitted by law and University policy.

GUESTS

Students have the responsibility to ensure that their guests on campus will behave in a manner consistent with the policies of the University. Students may be held responsible for the behavior of their guest(s) on campus if the guest(s) violates The Bobcat Code, or any other applicable University policy.

HARASSMENT

Speech or other expressions (words, pictures, symbols) that constitutes fighting words and is sufficiently severe, pervasive, persistent, and/or objectively offensive 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:

- a) 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.
- b) Threaten violence, that tends to incite an immediate breach of the peace or provoke a violent response.
- c) Are fighting words, which are those which are commonly understood to convey direct and visceral hatred or contempt for human beings. When determining whether speech is such as would provoke a violent response or incite an immediate breach of the peace, it is not necessary to show that the person(s) addressed by the speech was or were actually incited to violence or hostile action. Conduct will be evaluated on a case-by-case basis, considering all circumstances involved.
- d) 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 themselves or others.
- e) Any act of intimidation or bullying directed against any person or group of persons.

NOTE: This policy shall not be construed to impair any constitutionally protected activity, including speech, protest, or assembly.

HAZING

Is any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or persons to participate, that—

- (i) is committed in the course of an initiation into, an affiliation or connection with, the maintenance of membership in, or any other condition or precondition connected to a student organization or school organization; and
- (ii) causes or creates a risk, above the reasonable risk encountered in the course of participation in institution or organization activities (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury

Hazing is a violation of Georgia law and is strictly prohibited by Georgia College & State University both on and off-campus. Violations of the Georgia College hazing policy and State of Georgia laws can result in both disciplinary and/or criminal charges. Ga. Code § 16-5-61 (c) states that "any person who violates this Code section shall be guilty of a misdemeanor of a high and aggravated nature." Hazing allegations will be addressed as outline in the [GCSU Hazing Policy](#).

Allegations of hazing, including anonymous allegations, may be reported 24 hours a day via GC Public Safety at 478-445-4400, or by our incident reporting form: <http://incident.gcsu.edu>.

INTERFERING WITH ACTIVE BYSTANDER

Intentionally interfering with, intimidating, threatening, harassing, or retaliating against others for engaging in bystander intervention to prevent or report potential harm, violence, or sexual misconduct is a violation of The Bobcat Code.

SHARED RESPONSIBILITY

- a) Attempting, aiding, abetting, assisting, conspiring, hiring, permitting, supporting (includes remaining physically presence), or being an accessory to any act prohibited by The Bobcat Code shall be considered to the same extent as completed violations and could subject the student or student group to disciplinary action.
 - a. Students who knowingly act or plan to act in concert to violate University regulations (accomplices) have individual and shared responsibility for their behavior.
- b) Knowingly condoning, encouraging, or requiring behavior that violates The Bobcat Code.
- c) Allowing, condoning, permitting, or providing an opportunity for a guest to violate The Bobcat Code.

LYING

Defined as an attempt to deceive, falsify, or misrepresent the truth in any matter involving University business. University business includes but is not limited to, financial aid information and responses to the queries of Public Safety officers.

RECREATIONAL WHEELED DEVICES

Skateboards, scooters, rollerblades, roller skates, bicycles, and similar wheeled devices may not be used inside University buildings, residence halls, or on tennis courts. Additionally, skateboards and other wheeled items may not be ridden on

railings, curbs, benches, or any such fixtures that may be damaged by these activities and individuals may be liable for damage to University property caused by these activities.

SEXUAL MISCONDUCT AND INTERPERSONAL VIOLENCE

Allegations of Sexual Misconduct and Interpersonal Violence will be addressed as outlined in the [USG Sexual Misconduct Policy](#). The policy on Sexual Misconduct from the University System of Georgia (USG) takes precedence over Georgia College policies if there is a conflict.

RETALIATION

Any act of retaliation is prohibited when, in good faith, someone reports what they believe to be a violation of any University policy, including The Bobcat Code, participates or cooperates in, or is otherwise associated with any fact-finding process. Anyone who believes they have been the target of retaliation should report the actions to the Dean of Students or designee as soon as possible.

TOBACCO USE AND SMOKING

- a) The use of all forms of tobacco products on property owned, leased, rented, or belonging to Georgia College, or in any way used by the University or its affiliates is expressly prohibited.
- b) "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 or vaporizers.
- c) Violations of USG 6.10 TOBACCO AND SMOKE-FREE CAMPUSES & GA CODE § 16-12-171 are prohibited.

SOLICITATION

This policy outlines sponsorships, donations, and gifts-in-kind for both events and organizations by outside individuals, companies, institutions, or organizations and the advertising rights associated with such financial and non-financial contributions for a specific Georgia College division, department, unit, or Student Group.

Violations of this policy include:

- 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 Solicitation Policy.

STUDENT IDENTIFICATION CARD VIOLATIONS

The use of the student identification card is for the sole use of the Student whose information appears on the card. The proper use of the student ID is determined by the Bobcat Card Office. The following are violations of the use of the student identification card:

- 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.

THEFT

- a) Taking possession, or attempting to sell or distribute any property that belongs to another person, Student Group, or entity (University included).
- b) Taking or attempting to sell any service that belongs to the University without proper permission.

THREATS

Any expression of an intent to commit an act of unlawful violence with the purpose (or in reckless disregard of the risk) of:

- a) Placing an individual or group of individuals in fear of bodily harm or death; or
- b) Causing the evacuation of a University facility, service, or event; or
- c) Otherwise causing serious disruption to the orderly operation of the University.

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 Residence Life staff.

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 unauthorized parking permit.

UNPILOTED AERIAL SYSTEMS

Engaging in the unauthorized use of any unpowered aerial system on University premises or at University-related activities except as expressly permitted by law and University policy. Authorization for use of an unpowered aerial system must be obtained from the Department of Public Safety.

UNAUTHORIZED USE OF COMPUTING 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) Use of any unregistered devices on the University network.

- g) Use of tools for port-scanning, “sniffing,” or monitoring or reading transmissions from other users on the network is prohibited.
- h) Any violation of the University's computer-use policies.

VANDALISM

Defined as intentional, malicious damage to University property or property belonging to others, inclusive of property within the local community and property used in conjunction with University Activities or University Programs.

VIOLATION OF CONFIDENTIALITY

- a) Disclosing confidential Student Conduct information as a member of a Hearing Body;
- b) Disclosing confidential work-related information as a Student employee; and/or
- c) Student organizations or officers disclosing confidential information beyond what was approved by the Student or the University.

VIOLATION OF LAW

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 Bobcat Code. When such behavior(s) occurs on University property, or at University-sponsored activities or events, or when such conduct distinctly and directly affects the University community and/or the pursuit of its objectives regardless of where it occurs, it is a violation of The Bobcat Code.

VIOLATION OF OTHER APPLICABLE UNIVERSITY POLICIES

Students have the responsibility to comply with all other generally applicable University policies. Students may be found responsible and sanctioned appropriately for violating other stated University policies.

Violation of any Georgia College policy, rule, regulation, or presidential order, including without limitation:

- a) Violation of policies, rules, and regulations set forth in the Georgia College Undergraduate Catalog and the Georgia College Graduate Catalog;
- b) Violations of policies and regulations set forth in the Georgia College Policy Manual;
- c) Violations of policies, rules, and regulations set forth by the University System of Georgia's Board of Regents; and
- d) Violation of University policies and procedures pertaining to student organizations set forth in the Student Organizations Handbook.

WEAPONS AND FIREARMS

Any violations of these regulations should be immediately reported to Georgia College's Department of Public Safety at (478) 445-4054.

- a) No Student shall keep, use, possess, display, or carry any rifle, shotgun, or other lethal or dangerous devices 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 Georgia College unless specifically authorized by the administration or as part of a University-sanctioned event or where allowed by law (see Concealed Carry of Handguns section below).
- b) No Student shall use, possess, display or carry any toy or fake weapon which resembles a real weapon.
- c) No Student shall use, possess, display or carry any swords, any illegal knives, any explosives (including ammunition, gunpowder, fireworks, and sparklers), any martial arts weapons, or any devices unless specifically authorized by the administration or as part of a University sanctioned event.
- d) Anything that can be used to injure, attempt to injure, or harass another person is considered a weapon.
- e) In unclear cases of definition, the context in which a particular object was used or attempted to be used will determine whether it is a weapon.
- f) Illegal or unauthorized possession of weapons that include, but are not limited to firearms, explosives, other weapons, or dangerous chemicals.
- g) Any violation of federal or state law against carrying a weapon and/or firearm.
- h) **CONCEALED CARRY OF HANDGUNS / CAMPUS CARRY**
 - 1. Georgia House Bill 280 allows anyone who is properly licensed in the State of Georgia to carry a handgun in a concealed manner on property owned or leased by public colleges and universities, with some exceptions as explained below. It does not allow any other type of gun to be carried around campus; nor does it allow handguns to be carried openly.
 - 2. House Bill 280 does not apply to institution-sponsored events or excursions away from campus on property not owned or leased by a University System institution.
 - 3. License-holders may not carry a handgun into the following locations on college / university-owned or leased property:
 - i. Buildings and property used for athletic sporting events. This exception includes stadiums, gymnasiums, and similar facilities in which intercollegiate games are staged (but does not extend to so-called “tailgating” areas where fans may congregate outside the entrance of the sports facility). It does not extend to student recreation centers and similar facilities that are not used for intercollegiate games.
 - ii. Student housing facilities including residence halls and similar buildings where students live. (Note that any housing that is not on property owned or leased by a University System institution is not covered by House Bill 280.)
 - iii. Spaces – including any room, continuous collection of rooms, or outdoor facility – that are used for preschool or childcare.

- iv. Rooms and other spaces during the times when they are being used for classes in which high school students are enrolled, whether through dual enrollment and programs such as Move On When Ready or through college and career academies or other specialized programs such as Early College. License-holders who want to carry handguns to class will need to visit the institution's registrar or other designated employee, who after verifying their enrollment status, will tell them which of their classes, if any, have high school students enrolled. Institutions shall not, however, keep any listing of those who inquire. (Note also that the names of enrolled high school students may not be revealed in accordance with applicable privacy laws.) It is the responsibility of license-holders to seek out this information and make themselves aware of which classrooms fall within this exception.
 - v. Faculty, staff, and administrative offices. This exception includes offices and office suites occupied by faculty, staff, and administrators but does not include more general public common spaces outside of those areas.
 - vi. Rooms during the times when they are being used for disciplinary proceedings of any kind, including those regarding students, faculty, or staff. These would include any meetings or hearings that are part of the University System's or the institution's sexual misconduct, student conduct, dispute resolution, grievance, appeals, or similar processes.
4. Under this law, it is a misdemeanor crime for a license-holder to carry a handgun in a manner or in a building, property, room, or space in violation of these provisions. Doing so is a violation of The Bobcat Code at Georgia College. It will be the responsibility of the license-holders who choose to carry handguns on campus to know the law and to understand where they can go while carrying.
 5. Georgia College will not provide gun storage facilities or erect signs outside restricted areas.

C. RESIDENCE LIFE CODE

As a resident student at Georgia College, you assume an obligation to conduct yourself in a manner compatible with the University's mission as an educational institution. Residence Life Rules defines the institution's expectations of all residents. Any violations of these Rules will be reported to the Department of Residence Life or the Office of the Dean of Students for review and/or adjudication. Jurisdiction of these violations shall be held by the Dean of Students or designated representative and handled in the manner stipulated in the PROCESS section – Student Conduct Process. The Residence Life Rules are a subset of The Bobcat Code and apply to all students as well as guests. All Georgia College students, including those who reside in on-campus housing, shall abide by The Bobcat Code and the following Residence Life Rules.

ENFORCEMENT AND GRIEVANCES

Any complaints or grievances should be directed to the respective residence hall staff member. Residents have the right to report other residents or students with a violation of The Bobcat Code through a Residence Life staff member. If the staff member cannot rectify the situation, then the matter shall be referred through the appropriate channels, and ultimately submitted for action or consultations with the Office of the Dean of Students. The Dean of Students or designee shall handle all matters arising from the Residence Life Rules. Grievances against Residence Life staff members shall be submitted in writing to the Director of Residence Life.

ALCOHOL

Georgia College abides by Georgia State Law concerning alcohol. The Residence Life Rules includes all regulations in the Student Honor Code related to Alcohol and the following regulations:

- a) Students who are of legal drinking age (21) may possess and consume alcoholic beverages in designated communities, but only as a private activity in private living areas (i.e., room and/or apartment).
- b) Alcohol is not permitted in building common areas (lobbies, lounges, study rooms, and hallways).
- c) Students are responsible for their behaviors regardless of mental and physical dispositions, including those induced by alcoholic beverages.
- d) The transport and/or consumption of alcohol in open containers in any public area including property that is considered housing property is prohibited;
- e) Guests and/or visitors consuming or possessing alcohol in a room or an apartment under the age of 21 is prohibited; hosts will be held accountable for their guests' violations;
- f) Regardless if a student is 21-years of age or older and allowed to consume alcohol in the privacy of their room, students under 21-years of age including roommate(s) are prohibited from consuming alcohol;
- g) Residents who remain in the environment where an alcohol violation is occurring, regardless of whether the resident/guest is using or possessing alcohol, is prohibited;
- h) Residents who host gatherings in their residence (room or apartment) and provide alcohol to those under 21 years of age, is prohibited; residents who serve as social hosts (see definitions in INFO section) will incur a fine based on each non-occupant under 21 years of age in the room or apartment. The fine will be split between the residents of the room or apartment unless individual residents take responsibility for the gathering.
- i) For health and safety reasons empty alcohol containers are not permitted to be used for decorative purposes within residential facilities.

ANIMALS / PETS

The University does not permit students to have pets/animals in or around the residential communities. If a resident is found to have an unauthorized animal in their residence (room, apartment, hallway, common space, etc.) for any reason at

any time, they may be subject to disciplinary action. This includes animals belonging to outside guests; animals may not “visit” at any time. The exceptions are:

- a) Fish in a properly maintained aquarium not to exceed 10 gallons;
- b) Students approved through the Student Disability Resource Center to have an emotional support animal and with approval from the Department of University Housing; and
- c) Service animals in accordance with the Americans with Disability Act after notifying the Department of University Housing.

COLLECTIVE LIABILITY

Residents are responsible for the condition of their rooms and any shared spaces. While Residence Life and University Housing will strive to attribute damage and vandalism charges to the individuals responsible, when it cannot do so, all members of an apartment, floor, or building may be charged equally for any damages. Collective liability damages are defined as damages caused to lounges, study rooms, recreation rooms, hallways, stairwells, bathrooms, or any space not accepted or identified as belonging to a specific individual. Affected residents should provide information to Residence Life and University Housing staff to assign these charges to the individual(s) responsible.

COOPERATION AND COMPLIANCE

Residents and guests are expected to cooperate with all rational requests made by members of the community. Likewise, residents must comply with all requests of any person acting in an official capacity as a representative of the University, including, but not limited to, Residence Life staff (including Community Advisors and Peer Mentors), Public Safety, and faculty/staff. Cooperation includes, but is not limited to, participating in a required meeting called by a Residence Life administrator. Cooperation also includes compliance with all rules and regulations established by Residence Life and/or University Housing.

DAMAGE OR MISUSE OF UNIVERSITY PROPERTY

This policy addresses damages, misuse, and potential damage to University property.

- a) Damage, vandalism, theft, inappropriate use of facilities, and/or use of facilities/furnishings in a manner other than that for which they were intended, are prohibited.
- b) Use of spray paint inside the buildings, in stairwells, hallways, or on sidewalks bordering the residence halls is prohibited.
- c) Items that are known to create damage to University property are prohibited, such as dartboards, water beds, etc.
- d) Screens are to remain permanently affixed to windows. Tampering with screens is not permitted.
- e) Ledges are not to be used for storage, nor are students allowed to walk or sit upon ledges.

DRUGS

Georgia College abides by Georgia State Law concerning drugs. The Residence Hall Rules includes all regulations in Student Honor Code RULE 111 and the following prohibited regulations:

- a) Being present where a drug-related violation is occurring, regardless of whether the resident/guest is using or possessing drugs;
- b) Having guests who possess or who use illegal drugs in your residence (bedroom or apartment);
- c) Disrupting or disturbing others in the residential communities related to drug use on or off-campus including the odor of marijuana.

FIRE SAFETY

Tampering with, vandalizing, covering, obstructing, or misusing fire safety equipment is prohibited and constitutes reasons for eviction from a room or apartment and possible suspension or expulsion from the University. Fire safety equipment includes, but is not limited to, alarms, extinguishers, smoke detectors, door closures, alarmed doors, emergency buttons, and sprinklers. Nothing may be hung from sprinkler heads. Georgia state law requires all people to evacuate during a safety drill. Failure to do so will result in disciplinary action. Flammable items may not be stored in a resident's room or apartment. This includes:

- Flammable gases to encompass fuel and propane
- Hot plates
- Space heaters
- Appliances with open flames
- Appliances with open heating coils/element
- Electric blankets
- Any appliance that poses an electrical overload hazard
- Candle warmers
- Air fryers
- Outdoor grills or charcoal / lighter fluid
- Candle warmers or burned candles
- Items that require an open flame to operate or which produce heat (i.e., Bunsen burners, lit candles, alcohol burners, grills, fireworks) are not allowed in resident's rooms.

NOTE: There are some exceptions on open heating elements for students living in The Village on West Campus. Please consult with The Village staff for items that are allowed.

GENERAL SAFETY AND WELL-BEING

- a) Residents are expected to take responsibility for the overall general safety and wellbeing of themselves individually and the residential community as a collective. Engaging in any behavior that impedes the general safety and/or well-being of self and/or others is prohibited. This may include, but is not limited to, causing physical or psychological harm to oneself and/or others; failing to notify the appropriate authorities when knowledge exists of a situation that may impede individuals' general safety and/or well-being and/or the community.

- b) General safety also includes creating a safe environment by leaving doors secured, particularly common use doors; and maintaining your living environment and your own person in accordance with acceptable health, cleanliness, and safety expectations, which is determined by the Office of Environmental Health and Occupational Safety.

NOISE

All students are expected to respect the rights of others by refraining from making excessive noise or causing other disturbances that interfere with study or sleep.

- a) All residents are expected to respect 24-hour courtesy hours. If a student makes a reasonable request of another student to be less noisy, that student should comply. No noise should be heard outside of a student room;
- b) Quiet Hours will apply to noise regulation in the public areas of the residential communities. Quiet Hour adjustments may be voted on by the Community Representative and Resident Student Association. Until this occurs, residence-wide quiet hours will be in effect. Quiet Hours are daily from 10 p.m. until 10 a.m. ;
- c) Playing amplified sounds or instruments is not permitted in apartments or bedrooms and is only allowed in multipurpose or community rooms. Courtesy hours always apply;
- d) During exam periods, quiet hours will be extended to 24 hours. This regulation also applies to areas surrounding the residential communities, and public areas; and
- e) If a group of people makes a disturbance (e.g., game playing, watching TV, or yelling loudly), staff may request violators who are guests to leave immediately.

SOLICITATION AND POSTING

- a) For the residents' protection against fraudulent sales and annoyance, solicitation is prohibited on university property.
- b) Residents are prohibited from engaging in business activities in University Housing.
- c) All activities, research, and postings within the residential areas must be approved in advance by the Department of Residence Life, even if the activities/postings are sponsored by recognized University departments or organizations.

UNAUTHORIZED USE OR ACCESS

- a) Unauthorized entry, attempted entry, or remaining in restricted areas, including but not limited to roofs and mechanical rooms, of any University Housing facilities is prohibited.
- b) Students may not use or occupy a vacant space in their room/apartment. Using an empty space is a violation that could result in being charged for said space, as well as additional fees for cleaning and/or repairing damages.

VISITATION AND GUESTS

Residents may allow guests (those of the same or opposite sex) to visit their room/apartments with agreement from the other residents in their room/ apartment. Guests are defined as any person not assigned to live in that specific space (even if the person is a resident of another on-campus space). The Resident Student Association, residential communities, and roommates may develop rules that are supplementary to but not in conflict with the established guidelines. To facilitate safety and privacy, the regulations below must be understood and followed:

- a) Use of the bed or bathroom of another resident without their prior consent is prohibited;
- b) Use of shared bathrooms is prohibited without the consent of all residents;
- c) Guests (including other GC students) staying in a resident's room more than two nights within any 14-day period, staying in a resident's room frequently, or cohabitating in any room/apartment is prohibited;
- d) Overnight guests are defined as anyone who is in the room after 3 AM.
- e) Residents must escort their guests at all times within the residential community and accept responsibility for their behavior;
- f) At no time should any resident provide entrance to their room to someone who is not their guest or provide access to a guest who is unaccompanied by the resident (e.g., lending/copying a key or access card).
- g) While hosts are held responsible for the actions of their guests, legal action may also be taken against a guest for violating campus policies, including but not limited to, criminal trespass, or prosecution. Guest must park in designated visitor spaces only, and hosts may lose parking privileges if guests park illegally.
- h) Minors who are not enrolled GC students must be escorted by a parent/guardian in addition to the host resident at all times.
- i) Guests (regardless of gender) must use the common area bathroom unless consent is given by all roommates and suitemates.
- j) Residents are expected to comply with occupancy guidelines, per the University Housing Contract. Visitation privileges may be revoked for individuals or groups who violate the visitation policies.

WEAPONS AND FIREARMS

Weapons and firearms are prohibited in Student housing facilities including residence halls and similar buildings where students live. See the Weapons and Firearms section of the Student Honor Code for additional information.

DISPOSAL OF TRASH

Students are to dispose of their personal trash in the manner prescribed in each hall. All trash should be bagged before disposal. Personal trash is not to be placed in public area receptacles inside or at the entryways of the buildings. It is not the custodial staff's responsibility to remove personal trash. Any object that cannot fit in a large trash bag must be taken to the city dump. Students who put their personal trash in these receptacles may be charged or face disciplinary action. There are blue bins in each trash collection area designated for recycling paper, plastic, and cans.

MISUSE OF RESIDENTIAL SPACE

- a) Items are not permitted to be posted on the exterior of the buildings, fire doors, windows, siding, stairwells, hallways, lounge areas, and any other area not permitted by the Department of Residence Life.
- b) Pictures and other materials that may be considered objectionable should not be displayed in areas that may be visible from the hallway and/or building. Alcohol beverage signs or containers are not allowed as window displays.
- c) You may not hang anything in your windows other than blinds or white curtains.
- d) Flags, signs, pictures, and advertisements are not permitted.
- e) Writing on windows is not permitted.

ADDITIONAL RULES

There can be residential areas that have additional rules and regulations as defined as necessary by the Department of Residence Life or University Housing. These rules and regulations are considered part of The Bobcat Code and will be enforced under the Student Conduct Process.

Failure to comply with policies established in various residence halls for the protection of the privacy, rights, privileges, health, or safety of the community.

MODIFICATIONS AND REVISIONS

Any modifications or revisions to the Residence Life Rules shall be submitted to the Director of Residence Life. Upon approval, the Director of Residence Life shall forward the approved recommendations to the Dean of Students for final approval. Approved rules will be in effect when posted on the Dean of Students' webpage.

D. STUDENT GROUP CODE

Student Groups at Georgia College are subject to all rules found in The Bobcat Code and all national, state, local laws and University policies, including the Student Group Rules. The University may hold a Student Group responsible for the actions of its members when the behavior or activity is related to the group. Misconduct need not be officially approved by the Student Group's membership to be grounds for violations of The Bobcat Code. In addition, the individual members of student groups will be held accountable for violations of the Student Code of Conduct.

To determine whether a Student Group is responsible for a violation of The Bobcat Code, all circumstances will be considered, including, but not limited to:

- a) Whether the misconduct was committed by one or more members of the Student Group;
- b) Whether officers of the group had prior knowledge of the misconduct;
- c) Whether group funds were used;
- d) Whether the misconduct occurred as a result of a group-sponsored function; and
- e) Whether members of the group lied about the incident.

Behavior by student groups that is not consistent with The Bobcat Code is addressed through an educational process that is designed to promote safety and good citizenship and, when necessary, impose appropriate consequences. The following are student group accountability factors and violations:

ACCOUNTABILITY OF GROUP OFFICERS (LEADERS)

Although all members are personally responsible for their own behavior, a specific group officer (leader) may be held personally accountable for the misconduct of group members during organized group activities. Circumstances that might warrant this personal accountability include but are not limited to:

- a) Inappropriate and/or unacceptable activities which are sanctioned by the group by means of discussion and/or planning at a group meeting, officers' meeting, or committee meeting.
- b) An officer's participation in such an activity.
- c) An officer's failure to act appropriately upon witnessing such an activity.
- d) An officer's failure to act appropriately in preventing such activity when the officer had prior knowledge.
- e) An officer's failure to act appropriately in taking corrective action after learning of such an activity.
- f) An officer's negligence in informing the group members of established laws, regulations, policies, directives, and procedures.
- g) An officer's failure to cooperate fully with law enforcement personnel or with University Officials, including failure to identify group members known by the officer to be involved in an incident.

ADHERENCE TO INDIVIDUAL STUDENT GROUPS' LOCAL AND NATIONAL POLICIES

Student groups are responsible for knowing and abiding by the bylaws of their respective constitutions. Additionally, student groups may also be responsible for adhering to local, regional, and national policies that may impact their group(s).

ANIMALS

- a) Pets are permitted on University grounds if they are under the control of and accompanied by their owner or designee. The caretaker must promptly clean up and properly dispose of any pet waste. If animals are disruptive, left unattended, or are not under the control of the owner, both the owner and the animal may be asked to leave. All dogs on University grounds must be leashed or under voice command of, and in close proximity to, the caretaker.
- b) Provisions of this policy do not apply to service animals or to Police or K9 dogs, while such animals are performing their duties under supervision. Service animals and service animals in training are permitted on campus and in campus facilities.
- c) Animals are not permitted in academic or administrative spaces, except as noted in (b) above.
- d) Emotional Support Animals are considered for Residence Halls, as noted by the Federal Housing Act if specified by documentation from a licensed

professional. All applications for bringing an Emotional Support Animal will be submitted to the University for review and approval by the Student Disability Resources Center and University Housing.

- e) Violations of the University Animals on Campus Policy will be dealt with in accordance with University rules governing the conduct of faculty, staff, and students. In addition, violations in the Residence Halls will have action taken in accordance with policies for Residence Life.
- f) This policy does not apply to animals that are used in research.
- g) All faculty, staff, students, and visitors of Georgia College are expected to comply with this policy.

DEBTS

Failure of a student group to pay when debts are owed to the University or a University auxiliary organization.

EVENT REGISTRATION REQUIREMENT

Sponsoring, co-sponsoring, or conducting an event, other than a regular organization business meeting, without the approval of the Department of Student Activities and Organizations.

- a) Failure to comply with event approval conditions imposed by the Department of Student Activities and Organizations or other University offices (e.g., Parking and Transportation, Public Safety, Public Services, Fraternity and Sorority Life).
- b) Failure to comply with the policies or conditions governing student group events or those funded by the University or a University auxiliary organization.
- c) Failure by a fraternity or sorority under the Office of Fraternity and Sorority Life to comply with the social policies adopted by its respective governing council and/or as approved and implemented by the Office of Fraternity and Sorority Life.

NOISE ORDINANCE

- a) Violation of municipal noise ordinances.
- b) Excessive noise that disrupts the campus or surrounding community, including but not limited to the use of amplified sound.

USE OF THE GEORGIA COLLEGE NAME AND LOGO

Unauthorized use of Georgia College & State University or Georgia College name, logo, or symbols or use not in compliance with University policies.

VIOLATION OF THE STUDENT GROUP DISCIPLINARY PROCEDURES

- a) Falsification, distortion, or misrepresentations of information related to a student group discipline matter.
- b) Disruption or interference with the orderly progress of a student group disciplinary matter.
- c) Attempting to discourage a person from participating in a student group disciplinary matter.

- d) Attempting to influence the impartiality of any participant in a student group disciplinary matter.
- e) Verbal or physical harassment or intimidation of any participant in a student group disciplinary matter.
- f) Failure to comply with the sanction(s) imposed under a student group disciplinary proceeding.

WITHDRAWAL OF RECOGNITION OF STUDENT ORGANIZATIONS FOR DRUG ABUSE

- a) The Board of Regents of the University System of Georgia has determined that the use of marijuana, controlled substances, or other illegal or dangerous drugs constitutes a serious threat to the public health, welfare, and academic achievement of students enrolled in the University System of Georgia. Therefore, all student organizations, including but not limited to societies, fraternities, sororities, clubs, and similar groups of students which are affiliated with, recognized by, or which use the facilities under the jurisdiction of institutions of the University System, are hereby charged with the responsibility of enforcing compliance with local, state and federal laws by all persons attending or participating in their respective functions and affairs, social or otherwise.
- b) As provided by the Student Organization Responsibility for Drug Abuse Act, any such student organization which, through its officers, agents, or responsible members, knowingly permits, authorizes or condones the manufacture, sale, distribution, possession, serving, consumption, or use of marijuana, controlled substances, or other illegal or dangerous drugs at any affair, function, or activity of such Student Organization, social or otherwise, is hereby declared to be in violation of the laws of this State and shall have its recognition as a Student Organization withdrawn and, after complying with the constitutional requirements of due process, shall be expelled from the campus for a minimum of one calendar year from the date of determination of guilt. Such Student Organization shall also be prohibited from using any property or facilities of the institution for a period of at least one year. Any lease, rental agreement, or other documents between the Board of Regents or the institution and the Student Organization which relate to the use of the property leased, rented, or occupied shall be terminated for knowingly having permitted or authorized the unlawful actions described above. All sanctions imposed by this policy shall be subject to review procedures authorized by the Board of Regents (Article VIII of the Bylaws).
- c) An appeal to the Board of Regents shall not defer the effective date of the adverse action against the Student Organization pending the Board's review unless the Board so directs. Any such stay or suspension by the Board shall expire as of the date of the Board's final decision on the matter. (BR Minutes, 1989-90, p. 384).
- d) This Policy amendment is intended to implement The Student Organization Responsibility for Drug Abuse Act of 1990 (Ga. Laws, 1990, p. 2033).

V. Student Conduct Process

These procedures are not intended to infringe or restrict rights guaranteed by the United States Constitution including free speech under the First Amendment, or the due process clauses of Fifth and Fourteenth Amendments.

The following procedures will be followed for the Student Conduct Process:

A. FILING A COMPLAINT OR REPORT OF STUDENT MISCONDUCT

A Conduct Officer may initiate a Conduct Process on the basis of a complaint or report received from any person or entity in the following ways:

- a) Filing a police report with Public Safety or by requesting another law enforcement agency police report be sent to Georgia College Public Safety and forwarded to the Dean of Students.
- b) Providing a written narrative to the Office of the Dean of Students or providing a written statement through a secure University reporting system. **Incident Report Form:** <http://incident.gcsu.edu>

Complaints to the appropriate department and/or person(s) should include as much information as possible – such as: (1) the type of misconduct alleged; (2) the name and contact information of the individual(s) accused of misconduct; (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 Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”) shall be assessed in compliance with federal law.

Where appropriate, Complainants may file a law enforcement report as well as an institutional report but are not required to file both.

a. Confidentiality

If a Complainant (where applicable) requests that their identity be withheld or the allegation(s) not be investigated, the institution should consider whether such request(s) can be honored while still promoting a safe and nondiscriminatory environment for the institution and conducting an effective review of the allegations. The institution should inform the requesting party that the institution cannot guarantee confidentiality and that even granting requests for confidentiality shall not prevent the institution from reporting information or statistical data as required by law, including the Clery Act.

b. Retaliation

Anyone who has made a report or complaint, provided information, assisted, participated or refused to participate in any investigation or resolution under applicable Board or institution policy shall not be subjected to retaliation. Anyone who believes they have been subjected to retaliation should immediately contact the appropriate department or individual(s) for that institution. Any person found to have engaged in retaliation shall be subject to disciplinary action, pursuant to the institution's policy.

c. False Complainants/Statements

Individuals are prohibited from knowingly giving false statements to an institution official. Any person found to have knowingly submitted false complaints, accusations, or statements, including during a hearing, in violation of applicable Board or institution policy shall be subject to appropriate disciplinary action (up to and including suspension or expulsion) and adjudicated pursuant to the institution's policy.

d. Amnesty

Students are encouraged to come forward and report violations of the law and/or student code of conduct notwithstanding their choice to consume alcohol or drugs. Information reported by a student during the conduct process concerning their consumption of drugs or alcohol will not be voluntarily reported to law enforcement; nor will information that the individual provides be used against the individual for purposes of conduct violations. Nevertheless, these students may be required to meet with staff members regarding the incident and may be required to participate in appropriate educational program(s). The required participation in an educational program under this amnesty procedure will not be considered a sanction. Nothing in this amnesty procedure shall prevent a university staff member who is otherwise obligated by law (the Clery Act) to report information or statistical data as required.

B. INITIAL EVALUATION OF STUDENT CONDUCT COMPLAINTS OR REPORTS

Regardless of how an institution becomes aware of alleged misconduct, GCSU 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 appropriate department and/or person, GCSU shall review the complaint to determine whether the allegation(s) describes conduct in violation of the institution's policies and/or code of conduct. If the reported conduct would not be a violation of the institution's policies and/or code of conduct, even if true, 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 Respondent should be brought.

During this Initial Evaluation, the Conduct Officer may:

- a) Engage in Information Gathering to assist in determining jurisdiction and appropriate charges (if any).

- b) Initiate the Conduct Process by sending the Respondent or Student Group a Notice of Alleged Violation letter.
- c) Determine that the facts of the complaint or report, even if true, would not constitute a violation of The Bobcat Code or applicable policy, and take no further disciplinary action.

C. INITIATION OF PROCEEDINGS

A charge of violation of the Bobcat Code may be filed by any academic or administrative official, any university staff member, any member of the faculty, any student, or any member of the local community.

The student conduct office, after a review of the allegations, shall determine whether the charge will be considered for possible sanctioning. If so, the student will be sent a Notice of Alleged Violation(s) and be required to attend a scheduled Administrative Disciplinary Meeting with the student conduct office to review the charge.

The **Notice of Alleged Violation** shall include:

- a) A summary of the known factual information supporting the alleged prohibited conduct, including the date and location of any incident, to the extent known and available;
- b) The Bobcat Code provisions that are alleged to have been violated;
- c) Information regarding the specific date, time, and location for an Administrative Disciplinary Meeting. The Administrative Disciplinary Meeting is a meeting between a Respondent and a Conduct Officer after receipt of a Notice of Alleged Violation.

An administrative meeting is required for every student to attend to address any charge(s) reported.

Special Note: A Student reported by a faculty member for a violation of the Academic Honor Code will be issued a Notice of Alleged Violation (including an Administrative Disciplinary Meeting) and a Notice of Hearing for a sanctions-only hearing. The student will not be permitted to drop or withdraw from courses and a flag will be placed on the student's record until the final resolution of the case. The Student Conduct Process has no bearing on the grade assigned by a faculty member. No student conduct action will be taken until the Academic Appeals Process has concluded if pursued by the student.

Expedited Large Group Events: In cases where a Respondent has been contacted by Public Safety or Conduct Officer (or designee) for a violation of The Bobcat Code at a University event, a Notice of Alleged Violation may be issued at the time of the incident by an approved Conduct Officer. Such notice may include a preset Informational Meeting time with the Dean of Students or designee.

Expedited Conduct Process: When the Conduct Officer determines that a prompt student conduct meeting is essential (including but not limited to new student

orientation, end of the semester, the Respondent is graduating, or there is a substantial concern for the health, safety, or welfare of any person), the Conduct Officer may require that the Respondent meets with them within 24 hours. In addition, in these cases, notice may be given via email, telephone, or hand delivery.

D. ADMINISTRATIVE DISCIPLINARY MEETINGS

The Administrative Disciplinary Meeting consists of:

- a) Reviewing the student's rights in the Conduct Process, including, their right to a fair due process hearing and the opportunity to waive the hearing and admit responsibility for the violation(s).
- b) Reviewing documentation of the alleged violations of The Bobcat Code
- c) Discussing potential outcomes of the case
 - If the student admits responsibility (chooses "Responsible") for the violation(s) and accepts the standard or recommended Sanctions, the student conduct office will forward a copy of the notice of the admission of responsibility and imposed sanctions to the Dean of Students/Vice President for Student Life or designee.
 - If the student denies responsibility (chooses "Not Responsible"), the student conduct office shall initiate an investigation of the charges and upon conclusion and the findings of the investigative review, the case will be forwarded to the requested hearing body for review and resolution.
 - If the student accepts responsibility but does not accept the Sanctions provided by the Conduct Officer, the Respondent will select between a Hearing Officer (one person) or a Hearing Panel to resolve the case.

If the student fails to attend the Administrative Disciplinary Meeting request and sanctions have been recommended, the student will be given an assigned deadline to respond in person or in writing with acceptance or denial of the recommended sanctions.

E. TEMPORARY REMEDIAL MEASURES

Temporary remedial measures may be implemented by the institution at any point after the institution becomes aware of the alleged student misconduct and should be designed to protect any student or other individual in the USG community. To the extent interim measures are imposed, they should minimize the burden on both the Complainant (where applicable) and the Respondent, where feasible. Temporary remedial measures may include, but are not limited to:

- a) Change of housing assignment;
- b) Issuance of a "no contact" directive;
- c) Restrictions or bars to entering certain institution property;

- d) Changes to academic or employment arrangements, schedules, or supervision; and;
- e) Other measures designed to promote the safety and well-being of the parties and the institution's community.

F. INTERIM SUSPENSION

An interim suspension should only occur where necessary after determining that temporary remedial measures are not sufficient and/or when necessary to maintain safety and should be limited to those situations where the respondent poses a serious and immediate danger or threat to persons or property. In making such an assessment, the institution should consider the existence of a significant risk to the health or safety of the Complainant (where applicable) or the campus community; the nature, duration, and severity of the risk; the probability of potential injury; and whether less restrictive means can be used to significantly mitigate the risk.

When an interim suspension is issued, the terms of the suspension take effect immediately. The Respondent shall receive notice of the interim suspension and the opportunity to respond to the interim suspension within three business days of receipt to determine whether the interim suspension should continue.

G. PROCESS FOR INVESTIGATING AND RESOLVING DISPUTED REPORTS

Jurisdiction:

If the Respondent has admitted responsibility and the Respondent and Complainant (where applicable) have voluntarily decided to participate in the informal process, the procedures outlined in this section will not apply.

Access to Advisors:

The Respondent and Complainant (where applicable), as parties to these proceedings, shall have the right to have an advisor (who may or may not be an attorney) of the party's choosing, and at their 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 their advisee in any manner, including providing questions, suggestions, and guidance on responses to any questions posed to the advisee, but shall not participate directly during the investigation or hearing process.

Investigation

NOTE: If the Respondent admits responsibility, the Investigation/Fact-finding process may not be necessary. The Conduct Officer may determine the alleged violations of The Bobcat Code and begin the Conduct Resolution Process if they believe additional information is not needed.

Throughout any investigation and resolution proceedings, both parties shall receive written notice of the alleged misconduct, shall be provided an opportunity to respond, and shall be allowed to remain silent or otherwise not participate in or

during the investigation and resolution process without an adverse inference resulting. If a party chooses to remain silent or otherwise not participate in an investigation, the investigation may still proceed and policy charges may still result and be resolved. Timely and equal access to information that will be used during the investigation will be provided to the Complainant (where applicable) and Respondent.

Where the potential sanctions for the alleged misconduct may involve a suspension or expulsion (even if such sanctions were to be held “in abeyance,” such as probationary suspension or expulsion) the institution’s investigation and resolution procedures must provide the additional minimal safeguards outlined below.

In no case shall a hearing to resolve charge(s) of student misconduct take place before the investigative report has been finalized. An investigator shall be an individual other than the student conduct officer (or staff member) who adjudicates the incident in question. This individual shall provide an unbiased review of the incident and charges. This individual shall be identified and approved by the chief student affairs officer of the institution.

The Complainant (where applicable) and Respondent 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 should be provided via institution email to the address on file.

Upon receipt of the written notice, the Respondent shall have at least three business days to respond in writing. In that response, the Respondent shall have the right to admit or to deny the allegations, and to set forth a defense with facts, witnesses, and supporting materials. A nonresponse will be considered a general denial of the alleged misconduct. Any Complainant (where applicable) shall also be provided three business days to respond to or to supplement the notice.

If the Respondent admits responsibility, the process may proceed to the sanctioning phase or may be informally resolved, if appropriate.

If at any point the investigator determines there is insufficient evidence to support a charge or to warrant further consideration of discipline, then the complaint should be dismissed.

An investigator shall conduct a thorough investigation and should retain written notes and/or obtain written or recorded statements from each interview. The investigator shall also keep a record of any party’s proffered witnesses not interviewed, along with a brief, written explanation of why the witnesses were not interviewed.

The initial investigation report shall be provided to the Respondent and the Complainant (where applicable). This report 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. For purposes of this Policy, a charge is not a finding of responsibility but indicates that there is sufficient evidence to warrant further consideration and adjudication.

The final investigation report should be provided to the misconduct panel or hearing officer for consideration in adjudicating the charges brought against the Respondent before any hearing. A copy shall also be provided to the respondent and Complainant (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.

H. RESOLUTION OPTIONS

Reported cases of alleged misconduct are resolved through either an informal or formal resolution process. Conduct Officers have the authority and sole discretion to determine whether to initiate either the informal or formal resolution process. This decision whether to utilize an informal or formal resolution process is primarily based on, but not limited to, the following factors:

- i. If the Respondent admits or otherwise takes responsibility for the alleged prohibited conduct;
- ii. If the Respondent agrees to pre-determined Sanctions;
- iii. The Respondent's prior conduct record;
- iv. The nature and severity of the alleged prohibited conduct;
- v. The alleged impact and/or harm caused to another person or the community;
- vi. Whether the alleged conduct would violate The Bobcat Code; and/or
- vii. Any other factors that the Conduct Officer finds relevant to the specific allegations.

When a student does not show for an Administrative Disciplinary meeting, the Conduct Officer or Hearing Officer may resolve the case in the student's absence.

When a student has selected a Hearing Body as their method of resolution and they do not show, the hearing will continue in their absence and the Hearing Body will render a decision and sanctions, if appropriate. Not showing for a hearing will not be considered in any decision-making processes.

a. Informal Standard Resolution

The Standard Resolution Process refers to when a Student is accused of a violation of The Bobcat Code and the case is resolved by the Respondent accepting responsibility for the Allegation(s) and agreeing to the Informal - Standard Resolution Process.

The following steps will be taken in the Informal - Standard Resolution Process:

Step 1: The Conduct Officer reviews the complaint or incident report and works to resolve the case.

Step 2: The Conduct Officer conducts a Fact-Finding process if appropriate.

Step 3: The Conduct Officer determines the Allegation(s) of misconduct.

Step 4: The Conduct Officer sends a Notice of Alleged Violation letter to the Respondent including a request for an Informational Meeting; a Notice of Alleged Violation may include Supportive Measures if deemed appropriate for the circumstances. Note: Some Supportive Measures have to be pre-approved through the Dean of Students.

Step 5: During the Informational Meeting, the Conduct Officer will reiterate the Respondent's Rights, including:

- a. Respondent's Rights in the Conduct Process
- b. Range of Possible Sanctions
- c. Accommodations for Individuals with Disabilities
- d. Advisors
- e. Recusal / Challenge for Bias
- f. Appeal Process

Step 6: The Respondent will have the opportunity to review all available information pertaining to the Allegation(s) during the Informational Meeting.

Step 7: The Respondent will have an opportunity to discuss with the Conduct Officer the validity of the complaint and respond to the allegations of misconduct.

Step 8: The Conduct Officer will adjust the alleged violation(s), if warranted, based on the aggregate information and the discussion with the Respondent. Once the Allegation(s) are determined, the Respondent will be provided with an option or multiple options to resolve the case.

Step 9: The Respondent may be given up to three (3) options from which to choose:

Option 1: If the Respondent accepts responsibility for the Allegation(s), the Respondent may choose an Informal Resolution, if offered by the Conduct Officer;

Option 2: If the Respondent accepts responsibility for the Allegation(s) but does not agree with the Sanctions, the Respondent may choose a Formal Hearing and have the case be heard by a Hearing Body (Hearing Officer or Hearing Panel). If the Conduct Officer also serves as a Hearing Officer,

the Respondent may elect to have them hear the case and determine the sanctions during or after the Informational Meeting.

Option 3: If the Respondent does not accept responsibility for the Allegation(s), the Respondent may choose a Formal Hearing and have the case be heard by a Hearing Body (Hearing Officer or Hearing Panel).

Step 10: If Option 1 is selected, the Respondent will sign a Case Resolution Form indicating that they accept responsibility for the Allegation(s) and agree to the Sanctions provided. At this point, the adjudication is complete, but the case will not be considered resolved until all Sanctions have been completed.

Step 11: The Hearing Officer will communicate the decision of the Hearing Body to the Respondent and the Complainant (if applicable). A Notice of Outcome letter will be sent and will include notification of appeal options if allowed. The outcome of the adjudication will be final and communicated to the party(ies) within three (3) business days from the date the adjudication is concluded. The Respondent will be informed of any Sanctions, the date by which the requirements must be satisfied (if applicable), and the consequences of failure to satisfy the requirements. The Complainant will only be informed of the sanction and any appropriate outcomes that directly relate to the Complainant (if applicable).

b. Informal Alternative Resolution

An Alternative Resolution Process is a structured educational process for resolving harm caused to an individual, the University community, or the local community whereby the Respondent(s) accepts responsibility for their behavior, agrees to participate in an accountability process, and actively assists in the development of educational means to resolve the harm caused (e.g., restorative justice, mediation). The process may generally include, but is not limited to, completion of agreed-upon expectations and/or participation in restorative actions. Alternative resolutions do not result in the student having a disciplinary record. The Alternative Resolution Process is intended as a form of alternative dispute resolution, is voluntary, primarily educational in nature, not an adjudication of the allegations, not considered a disciplinary process, and instead will result in a Statement of Expectations between the Conduct Officer and the Respondent.

The following steps will be taken in the Alternative Resolution Process:

Step 1: The Conduct Officer reviews the complaint or incident report and resolves the case.

Step 2: The Conduct Officer conducts a Fact-Finding process if appropriate.

Step 3: The Conduct Officer determines the alleged violation(s) of misconduct.

Step 4: The Conduct Officer sends a Notice of Alleged Violation to the Respondent which includes a request for an Informational Meeting; a Notice of Alleged Violation may include Support Measures if deemed appropriate for the circumstance

Step 5: During the Informational Meeting, if the Conduct Officer determines that the Informal Resolution - Alternative Process is appropriate, the Conduct Officer will offer it to the Respondent and address any questions the Respondent may have about the process.

Step 6: The Respondent must accept responsibility for the alleged misconduct to pursue the Alternative Resolution Process.

Step 7: The Respondent must agree to the alternative resolution by signing a Statement of Expectations with the understanding there is no appeal.

Step 8: Upon completion of the agreed-upon alternative resolution in the Statement of Expectations, the Office of the Dean of Students will consider the matter to be resolved.

Sub-Step 8A: To identify appropriate and meaningful requirements, Respondents are encouraged to engage in interactive communications with the Conduct Officer.

Sub-Step 8B: The agreed-upon restorative actions may include, but are not limited to, the following required actions:

- i. Attending alcohol or substance use class;
- ii. Participating in restorative justice or transformational justice process;
- iii. Participating in a life coaching program;
- iv. Participating in a conflict resolution and/or mediation process;
- v. Meeting with appropriate campus or local resources; and/or
- vi. Fulfilling other educational programs and/or activities approved by the Dean of Students.

If the Informal - Alternative Resolution Process (if offered) is no longer being offered or allowed, the informal standard or formal resolution process will be used. Both the informal standard and formal resolution processes result in a student conduct record.

c. Formal Resolution – Hearing

The Formal Resolution Process refers to when a Student is accused of a violation of The Bobcat Code and the case is resolved by a Hearing Body, either a Hearing Officer or a Hearing Panel. As part of this resolution, the

Student maintains a right of appeal. The Formal Resolution is an adjudication of the alleged prohibited conduct, considered an educational but disciplinary process, and may result in disciplinary sanctions and a conduct record. Formal Resolutions will be used in cases where suspension or expulsion may be considered.

The following steps will be taken in the Formal Resolution Process:

Step 1: The Conduct Officer reviews the complaint or incident report and works to resolve the case.

Step 2: The Conduct Officer (or designee(s)) conducts a Fact-Finding process and produces a Fact-finding Report, which is a document indicating that alleged violations of The Bobcat Code may have occurred.

Step 3: The Conduct Officer determines the Allegation(s) of misconduct based on the Fact-finding Review.

Step 4: The Conduct Officer sends a Notice of Alleged Violation letter to the Respondent including a request for an Informational Meeting; a Notice of Alleged Violation may include Supportive Measures if deemed appropriate for the circumstances.

Step 5: During the Informational Meeting, the Respondent may be given up to four (4) options from which to choose:

Option 1: If the Respondent accepts responsibility for the Allegation(s), the Respondent may choose an Alternative Resolution, if offered by the Conduct Officer;

Option 2: If the Respondent accepts responsibility for the Allegation(s), the Respondent may choose the Informal Resolution, if offered by the Conduct Officer;

Option 3: If the Respondent accepts responsibility for the Allegation(s) but does not agree with the Sanctions, the Respondent may choose a Formal Hearing and have the case be heard by a Hearing Body (Hearing Officer or Hearing Panel). If the Conduct Officer is a qualified Hearing Officer, the Respondent may elect to have them hear the case and determine the sanctions.

Option 4: If the Respondent does not accept responsibility for the Allegation(s), the Respondent may choose a Formal Hearing and have the case be heard by a Hearing Body (Hearing Officer or Hearing Panel).

Step 6: If Option 3 or 4 is selected, the Respondent will sign a Case Resolution Form indicating that they do not accept responsibility for the

Allegation(s) and/or do not agree to the Sanctions provided and requests a Formal Resolution.

Step 7: A Notice of Hearing letter is sent to the party(ies) providing the hearing date, time, place, Allegations, and other relevant information.

Step 8: The Hearing will take place as indicated in the Notice of Hearing letter. All elements of the Hearing Process will be followed in accordance with PROCESS 7. At the end of the Hearing, the Hearing Panel or Hearing Officer will deliberate and render a decision on the case.

Step 9: By way of a Notice of Outcome letter, the Hearing Officer will communicate to the Respondent and the Complainant (if applicable) the outcome(s) of the deliberation of the Hearing Body. The Notice of Outcome letter includes an option to appeal the findings. The outcome of the adjudication will be communicated to the party(ies) within five (5) business days from the date the adjudication is concluded. The Respondent will be informed of any Sanctions, the date by which the requirements must be satisfied (if applicable), and the consequences of failure to satisfy the requirements. The Complainant will be informed of the outcomes of the case that directly relates to the Complainant (if applicable).

At this point, the adjudication is complete, but the case will not be considered resolved until all Appeals are exhausted and/or the Sanctions have been completed, if applicable.

I. STUDENT CONDUCT HEARINGS

In no case shall a hearing to resolve charge(s) of student misconduct take place before the investigative report has been finalized.

Where the Respondent indicates that they contest the charges and the investigative report has been finalized and copies provided to the Respondent and Complainant (where applicable), the matter shall be set for a hearing. However, the Complainant (where applicable) and Respondent may have the option of selecting informal resolution in certain student misconduct cases where they mutually agree except where deemed inappropriate by the Assistant Vice Chancellor for Student Affairs at the University System Office. Where a case is not resolved through informal resolution or informal resolution is not available due to the nature of the charges, the Respondent shall have the option of having the charges heard either by an administrator (Hearing Officer) or a Hearing Panel. If an administrative hearing is requested, the Respondent shall use their discretion to determine whether the case should be heard by a Hearing Panel. Notice of the date, time, and location of the hearing shall be provided to the Respondent and Complainant (where applicable) at least five business days prior to the hearing. Notice shall be provided via institution email where applicable. Hearings shall be conducted in person or via conferencing

technology as reasonably available. Additionally, the following standards will apply to any such hearing:

1. The Respondent and Complainant (where applicable) shall have the right to present witnesses and evidence to the hearing officer or panel. Witness testimony, if provided, shall pertain to knowledge and facts directly associated with the case being heard. The Respondent and Complainant (where applicable) shall have the right to confront any witnesses, including the other party, by submitting written questions to the Hearing Officer or Hearing Panel for consideration. Advisors may actively assist in drafting questions. The Hearing Officer or Hearing Panel 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 Respondent(s). In any event, the Hearing Officer or Hearing Panel shall err on the side of asking all submitted questions and must document the reason for not asking any particular questions.
2. Where the Hearing Officer or Hearing Panel determines that a party or witness is unavailable and unable to be present due to extenuating circumstances, the Hearing Officer or Hearing Panel may establish special procedures for providing testimony from a separate location. In doing so, the Hearing Officer or Hearing Panel must determine whether 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. Should it be reasonably believed that a party or witness who is not physically present has presented tainted testimony, the Hearing Officer or Hearing Panel will disregard or discount the testimony.
3. Formal judicial rules of evidence do not apply to the investigatory or resolution process. The standard of review shall be a preponderance of the evidence.
4. Institutions should maintain documentation of the proceedings, which may include written findings of fact, transcripts, audio recordings, and/or video recordings.
5. Following a hearing, both the Respondent and Complainant (where applicable) shall be simultaneously provided a written decision via institution email (where applicable) of the outcome and any resulting sanctions. The decision should include details on how to appeal, as outlined below. Additionally, the written decision must summarize the evidence relied on in support of the outcome and the rationale for the resulting sanction. The same form will be completed, regardless of whether the student opts for a hearing officer or hearing panel.

a. Joint Hearings

- i. Any Student or Student Group required to participate in a Joint Hearing may file a request for a separate hearing, citing specific reasons that a

joint hearing would unfairly prejudice the case. A request for a separate hearing must be submitted in writing to the Dean of Students or designee within three (3) business days after receipt of the Notice of Hearing. The Dean of Students or a designee will make the decision regarding the request and notify the Student or Student Group.

- ii. Any Student or Student Group subject to two or more unrelated reported incidents of alleged misconduct is entitled to a separate investigation and hearing for each incident. While a Student or Student Group may be accused with multiple violations for a single incident, unrelated incidents will be investigated and heard separately through the formal resolution process, unless the Student or Student Group consents to have them aggregated (joined).

b. Hearing Panels and Hearing Officers

- i. A Hearing Panel refers to a body of Students and/or University Officials trained to preside over Hearings conducted as part of the Conduct Process. A Hearing Panel makes relevancy determinations during Hearings, to make findings after Hearings about whether a Student has violated The Bobcat Code, and to recommend or to issue Sanctions if appropriate.
- ii. Any specific procedures used by Hearing Panels will comply with the requirements of The Bobcat Code. Hearing panelists are selected annually, with the approval of the Vice President for Student Life, and receive training from the Office of the Dean of Students.
- iii. The Dean of Students and designee(s) may conduct Hearings. Conduct Officers designated by the Dean of Students may transition to a Hearing Officer only when determining sanctions in an informal resolution.
- iv. The Dean of Students may appoint a Hearing Officer who is not an employee of the University, with the approval of the Vice President for Student Life. This is an administrative decision of the University and not a specific choice a Student may select during an Informational Meeting.
- v. The University Hearing Panel is made up of a mix of Students and University Officials. Student(s) are appointed by the President of the Student Government Association, and University Officials are appointed by the Dean of Students; consists of 2-3 University Officials, 1-2 Students, and one non-voting University Official serving as the Hearing Officer. University Hearing Panels may conduct Formal Hearings.

- vi. As designees of the Dean of Students, Residence Life professional staff members may serve as members of Administrative Hearing Panels, University Hearing Panels, and as Conduct and Hearing Officers. The Director of Residence Life will recommend Residence Life Conduct Officers. After appropriate training, the Dean of Students will authorize these Conduct Officers to hear student conduct cases under the informal resolution process, assign sanctions, and access the student conduct management system (Maxient). Additional training is required for a University Official to serve as a Hearing Officer in the formal resolution process.

c. Hearing Guidelines

- i. All Hearings will be decided by a majority vote, using the Preponderance of the Evidence standard.
- ii. The University, not the Respondent, has the burden of proof in a disciplinary proceeding. The burden of proof is the Preponderance of the Evidence. The Hearing Body will evaluate the weight given to information and the credibility of Witnesses.
- iii. The formal rules of evidence governing criminal and civil court are not applied in Student Code of Conduct proceedings.
- iv. The facts of the case will be determined during the deliberation of the Hearing Body after the Hearing ends. The decision of responsible or not responsible for each violation will be based solely on the information presented at a Hearing.
- v. Pertinent records, reports, exhibits, and/or written statements may be accepted as information for consideration in the disciplinary proceeding. Any records, reports, exhibits, and/or written statements will be reviewed for relevance by the Hearing Officer as outlined in RIGHTS - Student Rights and Privacy. Any of the above information that was preliminarily excluded as not relevant by the Hearing Officer may be resubmitted for consideration through an appeal as outlined in RIGHTS: Student Rights and Privacy. The Hearing Panel will consider all relevant information during the Hearing.
- vi. Hearings will be recorded. This is the only Recording allowed and is the sole property of the University. Recording failures will not require a delay or affect the validity of a Hearing.
- vii. Only relevant past behavior of a Student will be allowed at the Hearing.
- viii. In instances of alleged sexual misconduct, the past sexual histories of the Complainant and Respondent are not allowed unless deemed

relevant by the Hearing Officer or through an appeal as outlined in RIGHTS: Student Rights and Privacy.

- ix. A Respondent and Complainant will have the opportunity to present relevant information.

d. Additional procedures for Non-Title IX Sexual Misconduct

Non-Title IX sexual misconduct is covered in part in BOR policy 6.7 (Board of Regents Policy Manual | 6.7 Sexual Misconduct Policy | University System of Georgia).

The parties shall have the right to present witnesses and evidence at the hearing. Witness testimony, if provided, shall pertain to knowledge and facts directly associated with the case being heard.

The parties shall have the right to confront any witnesses, including the other party, by submitting written questions to the Hearing Officer for consideration. Advisors may actively assist in drafting questions. The Hearing Officer shall ask the questions as written and will limit questions only if they are irrelevant to determining the veracity of the allegations against the Respondent(s). In any such event, the Hearing Officer shall err on the side of asking all submitted questions and must document the reason for not asking any particular questions.

Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior, shall be deemed irrelevant, unless such questions and evidence are offered to prove that someone other than the Respondent committed the alleged conduct or consent between the parties during the alleged incident.

The hearing panel shall not access, consider, disclose, or otherwise use a party's records made or maintained by a physician, psychiatrist, psychologist, or other recognized professional made in connection with the party's treatment unless the party has provided voluntary written consent. This also applies to information protected by recognized legal privilege.

Formal judicial rules of evidence do not apply to the resolution process and the standard of evidence shall be a preponderance of the evidence.

Following a hearing, the parties shall be simultaneously provided a written decision via institution email of the hearing outcome and any resulting sanctions or administrative actions. The decision must include the allegations, procedural steps taken through the investigation and resolution process, findings of facts supporting the determination(s), determination(s) regarding responsibility, and the evidence relied upon and rationale for any sanction or

other administrative action. The institution shall also notify the parties of their right to appeal, as outlined BOR 4.7.5 Appeals.

J. 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; strength of the evidence; and the wellbeing of the university community. The institution 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; 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 no-contact orders; required participation in sensitivity training/awareness education programs; required participation in alcohol and other drug awareness and abuse prevention programs; counseling or mentoring; volunteering/community service; 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.

For suspension and expulsion, the institution must articulate, in its written decision, the substantial evidence relied upon in determining that suspension or expulsion were appropriate. For purposes of this Policy substantial evidence means evidence that a reasonable person might accept to support the conclusion.

K. DETERMINING 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; a Respondent's willingness to accept responsibility; previous institutional response to similar conduct; strength of the evidence; and the wellbeing of the University community.

Sanctions and restorative outcomes preserve individual and institutional integrity and, whenever possible and appropriate, help students to learn from their mistakes, repair harms, and regain their standing in the community. In determining Sanction(s), the student's present demeanor; past conduct record; the nature of the offense; the severity of any damage, disruption, injury, or harm resulting therefrom; character statement; and other factors may be considered.

The Hearing Body that concluded that a policy violation occurred will determine Sanctions and issue a Notice of Outcome, as outlined above.

The process for determining the Level (or range of Levels) of the violation is discussed in detail in section f below. The Level of the violation aligns with the sanctioning process.

a. Status Sanctions

Academic Sanction: A sanction imposed as a result of an Academic Honor Code violation.

Class Removal or Reassignment: A sanction that removes a student from a class or requires a student to move into a different class or section.

Reprimand: A notice advising the student that a violation of The Bobcat Code has been committed and that further violations may result in more severe sanction(s).

Probation: Removal of the student from good disciplinary standing. Probation will last for a specified period of time and until specific conditions, if imposed, have been met. Any further violation of The Bobcat Code during or after the sanction period may subject the student to further sanction(s), including suspension or expulsion.

Suspension Deferred: Suspension Deferred is a designated period of time during which the student is given the opportunity to demonstrate the ability to abide by the community's expectations of behavior as articulated in The Bobcat Code. If the student is found responsible for any subsequent violation of The Bobcat Code or fails to complete imposed sanctions by the deadline, the student may be suspended. Suspension Deferred will be imposed for violations serious enough to warrant suspension, but where the specific circumstances of the case mitigate the violation.

Suspension: Suspension is a separation of the student from the University for a specified period of time.

- i. During the period of suspension, the student may not register or attend classes (either in person or online) at Georgia College.
- ii. The Student is restricted from University premises and restricted from participating in or attending University-sponsored activities/events, whether occurring on or off-campus unless the student submits a request in writing at least five (5) business days in advance and receives approval from the Dean of Students.
- iii. When a suspension is imposed during the semester, the student is withdrawn from all courses and is responsible for tuition and fees accrued in accordance with the University's tuition and fee schedules.
- iv. An administrative hold will be placed to prohibit the student from performing any registration transactions during the period of suspension. The hold will not be removed, and the student will not be allowed to perform University transactions, including re-enrolling, until

the conclusion of the suspension and all sanctions are completed satisfactorily.

- v. At the conclusion of the suspension and completion of all sanctions, the student may apply for readmission to the University. In order to re-enroll, the student must file an Application for Readmission, including the associated readmission fee, with the Admission Office by the appropriate readmission deadline.
- vi. Application for Readmission may be supported, with further probationary status or requirement to complete educational assignments, at the discretion of the Dean of Students or designee.

Expulsion: Expulsion is a permanent separation of the student from the University. The expelled student cannot participate in any University-sponsored activities/events and will be permanently restricted from University property.

- i. When the Sanction of expulsion is imposed during the semester, the student is withdrawn from all courses and is responsible for tuition and fees accrued in accordance with the University's tuition and fee schedules.

Degree Revocation: The University may revoke a degree, certificate, or other academic recognition previously awarded to a student. Notice of any degree revocation will be noted on the student's transcript.

Admission Revocation: The University reserves the right to revoke admission or enrollment at any time when a student submits falsified/forged information during the admission/enrollment process.

b. Housing Status Sanctions

Housing Reprimand: A notice advising the student that a violation of The Bobcat Code has been committed and that further misconduct may result in more severe disciplinary action.

Housing Probation: A specified time period during which any further violations of The Bobcat Code may subject the student to Housing Removal.

Housing Removal Deferred: Housing Removal Deferred is a designated period of time during which the student is given the opportunity to demonstrate the ability to abide by the community's expectations of behavior. If the student is found responsible for any subsequent violation of The Bobcat Code during the Housing Removal Deferred period or fails to complete imposed sanctions by the deadline, the student may be removed from Housing. Housing Removal Deferred is imposed for violations serious enough to warrant a housing removal, but where the specific circumstances of the case mitigate the violation.

Housing Removal: The student is removed from all University-owned Housing permanently or for a specified period of time. When a student is removed, they are also restricted from entering any University-owned Housing during that time period unless otherwise approved by the Dean of Students or designee.

Housing Relocation: The student is required to relocate permanently or for a specified period of time to a different residence hall or area.

c. Non-Status Outcomes

In conjunction with any status sanction(s), a student found to have been in violation of The Bobcat Code or conduct incongruent with University values may be assigned non-status sanction(s). These include, but are not limited to:

Behavioral Notice: A written notice to inform a student the reported behavior does not align with University behavioral expectations. Any future incident(s) may result in the initiation of a conduct process.

No-Contact Order: A student is directed to not have contact with a specified person(s) or Student Group(s). This includes, but is not limited to, comments, words, or gestures in person, through postal mail, email, social networking sites, phone, or by having others (e.g. friends, acquaintances, family members) act on their behalf.

Loss of Privilege: A student is prohibited from accessing privileges generally afforded to Students, including but not limited to, attending or participating in University-sponsored activities/events, purchasing parking permits, accessing library resources, using University technology, and/or the ability to have guests in any University housing facility.

Restriction(s): A student may be restricted from entering one or more University buildings/facilities including, but not limited to, dining facilities and academic buildings. Other areas on campus may be restricted if deemed appropriate.

d. Discretionary Sanctions

A sanction that requires work assignments, written assignments, service to Georgia College, or other related discretionary assignments as noted below:

Community Service: Volunteering in the community is a way to be helpful to others, show that one is socially responsible, and rebuild the trust that is lost through misbehavior. Community service should be meaningful and rewarding, potentially serving as a platform for personal development. Community service serves two important goals: making amends to the community and demonstrating good citizenship. Community service efforts must be related to the harm caused to the community.

Apology: If the Respondent is in agreement, the Hearing Officer may require the student to provide a written and/or verbal apology to impacted parties.

Educational Program: Participation or completion of a project, class, or other activity to foster student development as well as awareness or knowledge relevant to the nature of the behavior, including research papers, personal reflections, workshops, organizing events, designing community education, or preparing an action plan. The Hearing Officer may require the student to attend, present, and/or participate in a program related to the misconduct. It may also be a requirement to sponsor or assist with a program for others on campus to aid them in learning about a specific topic or issue related to the misconduct. Examples of educational programs include, but are not limited to:

- Attending Brief Alcohol Screening and Intervention for College Students (BASICS);
- Attending a workshop with a focus on responsible decision-making, fire safety, and/or bystander intervention, among other items;
- Completing an online module or workshop;
- Completing an alcohol and/or drug assessment;
- Writing a research paper, reflection paper, and/or doing a presentation on the impact of their behavior and/or strategies they may adopt that support behavioral modification; and
- Conducting an interview and presenting on learning that took place related to the violation committed.

Referrals: Attendance at, and completion of any interventions or assessments to which a student is referred. Referrals are to offices, departments, programs, and/or agencies that are not part of the Office of the Dean of Students.

Mentorship: A Student may be required to meet with one or more members of the community for coaching, mentoring, or support for reassurance to the community that the Student is complying with sanctions and University policies.

Restitution: If a violation involves damage, destruction, or loss of property, monetary restitution may be imposed. Restitution may encompass monetary compensation required of a Student who has taken, misused, damaged, or destroyed University, public, or private property or services. Amounts charged to a Student may include costs to repair, replace, recover, clean, or otherwise account for the property or services affected. Proof of payment will be required. Restitution agreements seek to meet the needs of those impacted but may also take into account the Student's ability to pay.

Restorative Justice: If the Respondent(s) and Complainant(s) are in agreement, a structured opportunity for a collaborative, decision-making process will take place, which includes all involved parties and/or community members to address the misconduct. It is an opportunity for the Student to accept and acknowledge responsibility for their actions and for all parties to come to an understanding on how to best repair the harm caused by the misconduct.

e. Student Group Sanctions

Student Group Sanctions include, but are not limited to:

Group Educational or Restorative Sanctions: Student Groups may be required to complete educational processes or restorative actions including, but not limited to, participation in workshops or trainings, drafting of letters of apology, or drafting and implementing a plan of resolution and/or reintegration.

Group Loss or Restriction of Privileges or Activities: The loss of the privilege to participate in an activity or event. Examples include, but are not limited to:

- Restriction from representing the University in any official capacity;
- Restriction from participation in University-affiliated programs, events, and/or activities;
- Restriction from the use of University resources (e.g., ability to receive University-affiliated funding or utilize or reside in University Housing);
- Restriction from entry or access to particular locations, premises, or events;
- Restriction from hosting programs or events; and
- Restriction from co-programming with other groups or organizations.

Group Financial Restitution: Restitution is monetary compensation required of Student Groups who have taken, misused, damaged, or destroyed University, public, or private property or services. Amounts charged to Student Groups may include costs to repair, replace, recover, clean, or otherwise account for the property or services affected. Financial Restitution for Student Groups will be assessed to the Student Group as a whole.

Group Reprimand: Notice that a Student Group's actions violated a University policy, such actions are not acceptable in the community, and that further misconduct or any other violation of a University policy may result in more serious disciplinary action.

Group Probation: A status imposed on a student group for a specified period of time due to the group's behaviors being inconsistent with University policy and expectations. A Student Group on probation is deemed as not in good standing with the University and the status and sanctions may be published

publicly. Any policy violations while a student group is on probation may result in additional sanctions.

Group Suspension: A separation of the Student Group from the University for a specified period of time. A Student Group on suspension is deemed as not in good standing with the University and the status and sanctions may be published publicly. The student group and its members are restricted from conducting any activity on or off campus that in any way promotes the goals, purposes, identity, programs, membership, or activities of the student group. Once the suspension period has ended, if the student group has met all other terms of the sanction(s), the student group will be permitted to request recognition.

Group Dissolution: The termination of a student group's recognition by the University. A Student Group on dissolution is deemed as not in good standing with the University and the status and rationale may be published publicly. The Student Group should cease all activities on or off-campus that in any way promote the goals, purposes, identity, programs, membership, or activities of the Student Group.

f. Levels of Violations and Sanctions

The levels of violations and sanctions listed below are not designed to be all-inclusive. Conduct and Hearing Officers will use the levels of violations and sanctions as guidelines only.

Level 1 Violations and Sanctions

Level 1 Violations are those which primarily affect an individual or, if others are involved, are unintentional and non-malicious. Such violations are most likely to be addressed in ways not formally connected with the student conduct process. Mediation, counseling referrals, restitution with no disciplinary action, and/or educational conversations with a Conduct Officer that do not affect a student's disciplinary status are some of the actions most likely to be employed. It is also possible that Level 1 Violations are those that would be considered relatively minor violations of The Bobcat Code, particularly if they are actions that have some impact on the community and the individual but have not caused serious harm or been detrimental to the community in significant ways. Under some circumstances, the more informal actions described above may be appropriate, but that decision is at the discretion of the Dean of Students. Likely sanctions are described as Level 1 Sanctions (see below). Level 1 Violations may include, but are not limited to, the following:

- Unintentional false fire alarm
- Posting policy violation
- Solicitation policy violation
- Quiet hours violation

- Damage to University property (relatively minor and unintentional)
- Damage to another person's personal property (relatively minor and unintentional)
- Drinking underage

Level 1 Sanctions resulting from Level 1 Violations tend to be relatively minor in nature, with the primary concern being for the individual. The goals of these sanctions are mostly to educate the student regarding the inappropriateness of their behavior, resolve issues that may have resulted in problematic behavior, and restore ties to other members of the community. Generally, Level 1 sanctions include:

- Letters of warning/disciplinary reprimand
- Educational sanction
- Restitution
- Parental Notification
- Fines
- Letters of apology
- Mediation
- Community service (relatively small number of hours able to be completed in a month)

Level 2 Violations and Sanctions

Level 2 Violations include repeated or more serious instances of Level 1 Violations. In addition, these violations tend to have a greater impact on the community as well as broader implications for the individual, resulting in a more significant violation of The Bobcat Code. Likely sanctions are described as Level 2 Sanctions (see below). Level 2 Violations may include, but are not limited to, the following kinds of violations:

- Repeated or more serious instances of Level 1 Violations
- Refusing to comply with University Officials
- Disorderly conduct
- Insubordination to Faculty or Staff
- Public intoxication/disruptive behavior
- Theft of University property (relatively minor)
- Marijuana possession (personal use)
- Marijuana use
- Possession of drug paraphernalia
- Giving ID card to another student or to a non-student
- Theft of University property or another person's property – minor
- Disrupting a University class, event, or activity
- Illegal file sharing
- Illegal entry
- Preventing College personnel from doing their jobs

- Off-campus disruption such as hosting large parties, noise ordinance, etc.

Level 2 Sanctions include any of the sanctions described in Level 1 Sanctions. In addition to concerns for the student involved, these sanctions begin to weigh more heavily the impact of the student's behavior on the University Community. The focus of the conduct system becomes one of concern for the continued membership of the student in the community. Sanctions imposed seek to correct the behavior and prevent further violations. While Level 1 Sanctions may be utilized at this level, additionally Level 2 Violations may include the following:

- All Level 1 Sanctions may be considered
- Disciplinary probation
- Residential probation
- Educational sanctions
- Community service (a significant number of hours)
- Restitution
- Mediation
- Fines
- Parental Notification
- Restrictions (residential, visitation, buildings, individuals, etc.)
- Residential relocation
- Counseling assessment
- Letters of apology
- Behavioral Agreement

Level 3 Violations and Sanctions

Level 3 Violations are more serious violations of The Bobcat Code of Student Conduct. They include repeated and/or more serious instances of actions described as Level 2 Violations. In addition, these violations are more intentional, malicious, and/or have a greater likelihood of causing harm. These cases will be referred to the Dean of Students or their designee. Likely sanctions are described as Level 3 Sanctions (see below). Behavior that would be considered Level 3 Violations would include, but are not limited to:

- Repeated or more serious instances of Level 1 and/or Level 2 Violations
- Fighting
- Verbally abusing another person
- Harassing another person (calls, emails, in-person confrontations)
- Lewd behavior
- Tampering with fire equipment
- Damage to University property
- Damage to another person's personal property
- Providing alcohol to underage students

- Hosting parties of any size with underage drinking
- Drinking/using drugs requiring medical intervention
- Possessing/displaying a weapon
- Pulling a fire alarm falsely
- Possession of narcotic/prescription drugs
- Theft of University property – major
- Theft of another person's property – major
- Belligerent/abusive behavior
- Forging a University employee's signature
- Embezzling funds

Level 3 Sanctions address violations that are of an elevated concern regarding the individual and may signify behaviors considered to pose a threat to the University Community and/or the individual. The focus of the conduct system is to attempt to balance the education of the student with the protection of the University Community. While many of the sanctions described in Level 2 may apply, Level 3 Sanctions may include the following:

- All Level 1 and Level 2 Sanctions may be considered
- Social probation
- Residential relocation
- Residential suspension
- Educational sanctions
- Community service (a significant number of hours)
- Restitution
- Counseling referral
- Restrictions (residential, visitation, buildings, individuals, etc.)
- Behavioral Agreements

Level 4 Violations and Sanctions

Level 4 Violations are actions that would be considered the most major violations of The Bobcat Code. These include repeated and/or more serious instances of actions described as Level 3 Violations, but also are individual actions that are particularly egregious and are of most concern for the University Community. Level 4 Violations will always be heard by the Dean of Students or their designee. Likely sanctions are described as Level 4 Sanctions (see below). Behaviors that would be considered Level 4 Violations include, but are not limited to:

- Repeated or more serious instances of Level 1, Level 2, and/or Level 3 Violations
- Sexual Misconduct of any kind
- Drugging another person's drink
- Hitting or causing injury to another person with no physical provocation
- Hazing
- Threatening others with a weapon

- Using a weapon
- Felony level possession of drugs
- Selling marijuana/drugs
- Selling of narcotic/prescription drugs
- Setting/causing fire
- Bias Incident
- Hate Crime

Level 4 Sanctions address violations whose primary focus becomes one of concern for the safety and quality of life of the University Community rather than the individual. It is likely that this means an individual is no longer able to continue as a member of the University Community. While some sanctions described in Level 2 and Level 3 may be imposed, the following Level 4 Sanctions are likely to result:

- Suspension from Georgia College for a specified period of time with a likelihood of conditions upon return. A Re-Entry Meeting is required.
- A trespass notice from all Georgia College property
- Expulsion from Georgia College and other University System of Georgia institutions

g. Standard Sanctions

Standard Sanctions are a prescribed set of sanctions for common violations of The Bobcat Code. A Hearing Panel or Hearing Officer can modify Standard Sanctions if appropriate for the situation. Below are current Standard Sanctions.

Alcohol Violations (under 21 years old)

Level 1: Alcohol and Other Drugs Program; \$250 Fine, Parental Notification, and Disciplinary Probation for 6 months

Level 2: Intensive Alcohol Education with Health Educator, \$500 fine, Parental Notification, and Disciplinary Probation for 12 months.

Level 3 - Level 4: Suspension.

Public Drunkenness (21 years old or older)

Level 1: Alcohol and Other Drugs Program, \$250 fine, and Disciplinary Probation for 12 months.

Level 2: Intensive Alcohol Education with Health Educator, \$500 fine, and Disciplinary Probation for 12 months.

Level 3 - Level 4: Suspension.

Drug Violations

Level 2: Drug Education Program, \$500 Fine, Parental Notification, and Disciplinary Probation for 12 months.

Level 3 - Level 4: Suspension.

Alcohol and Drug Combined Violations

Level 3: Intensive Alcohol/Drug Education with Health Educator, \$500 Fine, Parental Notification (if under 21 years old), and Disciplinary Probation for 12 months.

Level 4: Suspension.

Driving Under the Influence of Alcohol and/or Drugs

Level 3: Intensive Alcohol Education with Health Educator, \$500 Fine, Parental Notification (if under 21 years old), and Disciplinary Probation for 12 months.

Level 4: Suspension.

Deception: False Identification

Level 1: False ID Paper or Poster, \$250 fine, and Disciplinary Probation for 6 months.

Level 2: \$500 Fine and Disciplinary Probation for 12 months.

Level 3 - Level 4: Suspension.

Social Host Alcohol Violations

Level 2: \$50 fine per person under 21 years of age consuming alcohol and Disciplinary Probation for 6 months.

Level 3: \$100 fine per person under 21 years of age consuming alcohol and Disciplinary Probation for 12 months.

Level 4: Suspension.

h. Withdrawing or Revoking a Degree

A degree may be withdrawn when a Student has graduated, and an incident occurred before graduation in the following circumstances:

- The Student has a pending conduct Hearing that was scheduled before or as the Student graduated.
- At any time after the Student has graduated or received a degree, the University becomes aware of an incident involving an alleged violation of the Student Code of Conduct that took place before the Student graduated or received a degree from the University.
- The Student will receive the degree once the matter is resolved and any Sanctions (where appropriate) are completed unless the Sanction is expulsion, in which case the degree will be revoked.
- A former Student may have their degree revoked under the provisions above, which include but are not limited to a determination through the Student Code of Conduct Process that a significant violation took place, or upon a finding of academic misconduct, provided that the relevant College Dean and the Provost are consulted before making this decision and that the Vice President for Student Life concurs with the decision.

L. APPEALS

Appeals may be allowed in any case where sanctions are issued, even when such sanctions are held “in abeyance,” such as probationary or expulsion. Where the sanction imposed includes a suspension or expulsion (even for one held in abeyance), the following appellate procedures must be provided.

The Respondent (and in cases involving sexual misconduct or other forms of discrimination and/or harassment, the Complainant) 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 (or appeal), because such information was not known or knowable to the person appealing during the time of the hearing (or appeal); (2) to allege a procedural error within the hearing process that may have substantially impacted the fairness of the hearing (or appeal), including but not limited to whether any hearing questions were improperly excluded or whether the decision was tainted by a conflict of interest or bias by the Title IX Coordinator, Conduct Officer, investigator(s), decision makers(s); or (3) to allege that the finding was inconsistent with the weight of the information. The appeal must be made in writing, must set forth one or more of the bases outlined above, and must be submitted within five business days of the date of the final written decision. The appeal should be made to the institution’s President or their designee.

The appeal shall be a review of the record only, and no new meeting with the Respondent or any Complainant is required. The President or their designee may affirm the original finding and sanction, affirm the original finding but issue a new sanction of greater or lesser severity, remand the case back to any lower 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 or their designee’s decision shall be simultaneously issued in writing to the parties within a reasonable time period. The President or their designee’s decision shall be the final decision of the institution.

Should the Respondent or Complainant (where applicable) wish to appeal the final institutional decision, they may request review by the Board of Regents in accordance with the Board of Regents’ Policy on Discretionary Review.

Student appeals of final decisions of University System of Georgia institutions are governed by the Board of Regents’ Policy 6.26 on Application for Discretionary Review.

Appeals received after the designated deadlines above will not be considered unless the institution or Board of Regents has granted an extension prior to the deadline. If an appeal is not received by the deadline the last decision on the matter will become final.

M. RECUSAL/CHALLENGE FOR BIAS

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

N. RIGHT TO PETITION FOR READMISSION

- a) 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 Dean of Students as custodian of the disciplinary record. The Dean of Students shall submit all materials and/or records to the President. The President shall request that the Dean of Students convene a Readmission Review Panel as described below.
- b) The Dean of Students (non-voting) shall convene a Readmission Review Panel composed of one student appointed by the Student Government Association, one staff member from the Division of Student Life who will serve as chair, and a faculty member from the petitioner's major department. All members must be present.
- c) 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.

VI. Student Conduct Records

An accurate and complete record of each Student Code of Conduct case will be made and preserved as outlined below.

The transcripts, degree certifications, diplomas, and future registration records of Students subject to student conduct action may have a hold placed on their account in accordance with the following guidelines:

a) **HOLDS ON STUDENT RECORDS**

Pursuant to guidelines established by the University, the Dean of Students, or a designee, has the ability to place a hold on the record of a student. A registration hold prevents a student from registering for courses, adding/removing courses, dropping courses, and withdrawing. A document hold prevents a student from obtaining an official transcript from the University and also prohibits a student from receiving a transient letter or other letters of good standing from the University. A graduation hold prevents a student from graduating or otherwise receiving the conferral of a degree from the University.

A registration hold may be placed on a student's record at any time following the initiation of the Conduct Process and for any of the following reasons:

- Issuance of an interim suspension;
- Failure to attend a scheduled appointment with the Office of the Dean of Students;
- Failure to respond to correspondences from the Office of the Dean of Students;
- Failure to complete sanctions;
- A sanction of suspension is issued following the completion of the Conduct Process;
- A sanction of expulsion is issued following the completion of the Conduct Process; and/or
- For other reasons determined by the Dean of Student or a designee, to be in the best interests of the University community.

A document hold may be placed on a student's record at any time following the initiation of the Conduct Process when a registration hold has been placed on a student's record AND one of the following reasons exists:

- Issuance of an interim suspension;
- The alleged conduct violation(s) involve circumstances that call into question the veracity of a student's academic standing at the University; and/or
- For other reasons determined by the Dean of Students or designee, to be in the best interests of the University community.

A graduation hold may be placed on a student's record at any time following the initiation of the Conduct Process when a registration hold has been placed on a student's record AND one of the following reasons exists:

- Issuance of an interim suspension;
- A sanction of suspension is issued following the completion of the Conduct Process;
- A sanction of expulsion is issued following the completion of the Conduct Process;
- The alleged conduct regulation violation(s) involve circumstances that call into question the veracity of a student's academic standing at the University; and/or
- The alleged conduct regulation violation(s) involve circumstances that may result in the expulsion of the student.

Hold Removal: Any hold placed upon a student's record in accordance with these procedures will not be removed until the circumstances which necessitated the hold have been resolved as determined by the Dean of Students or designee.

b) TRANSCRIPT REQUESTS

When a Student requests issuance of their transcript to another educational institution, outside agency or person, such transcript will be issued subject to the following guidelines:

If the Dean of Students or designee has placed a hold on the transcript of a Student, the Dean of Students or designee will review the record to determine and decide whether the transcript can be issued.

c) CRIMINAL RECORDS

Admitted students and matriculated students are required to report any convictions, wherever they occur, for crimes that would constitute felonies under Georgia law.

d) CONDUCT RECORDS

Student conduct records will be maintained in the Office of the Dean of Students five years after the Student graduates from the University or five years after one stops matriculating. Records must be maintained for longer periods of time or permanently if the Student was separated or blocked from enrollment, was found responsible for a significant violation of the Honor Code, has a hold, or in situations that may result in future litigation.

e) CONFIDENTIALITY

Student conduct records are maintained by the Office of the Dean of Students in compliance with the FERPA, Clery Act, University System of Georgia, and University regulations. Student conduct records are maintained separate and apart from all other student records.

Except as provided in The Bobcat Code, the University shall not communicate a student's conduct record to any person or agency without the prior written consent of the student, except as required by law. Student conduct records may be made available to University employees with a legitimate educational interest.

Upon receipt of a request for student conduct records with a signed release by the student, the Office of the Dean of Students may respond to the request and disclose a student's conduct history to professional/graduate schools, employers, or others. This request is also known as the Dean's Certification.

f) ACCESSING STUDENT RECORDS

Students may arrange to review their own disciplinary records by contacting the Office of the Dean of Students.

g) STUDENT NOTIFICATION

Each Fall Semester, all students are provided access to The Bobcat Code and notified of their responsibilities under The Bobcat Code.

VII. Associated Policies

[USG 4.6 Discipline of Students](#)

[USG 4.7 Standards for Institutional Student Conduct Investigations and Disciplinary Proceedings](#)

[USG 4.1.4 Fraternities and Sororities](#)

[USG 4.1.5 Students with Disabilities](#)

[USG 4.8.2 Immunization Requirements for Students](#)

[USG 6.5 Freedom of Expression and Academic Freedom](#)

[USG 6.6 Non-Discrimination and Anti-Harassment](#)

[USG 6.7 Sexual Misconduct Policy](#)

[USG 6.8 Disruptive Behavior](#)

[USG 6.10 Tobacco and Smoke Free Campuses](#)

[USG 6.11 Weapons Policy](#)

[USG 6.24 Records Retention Policy](#)

[USG 6.26 Application for Discretionary Review](#)

[GCSU Alcoholic Beverage Policy](#)

[GCSU Freedom of Expression Policy](#)

[GCSU Anti-Hazing Policy](#)

[GCSU Non-Discrimination & Anti-Harassment Policy](#)

[GCSU Records Management Policy](#)

[GCSU Retaliation Policy](#)

[GCSU Technology Policies](#)

Last Revision of the Bobcat Code: August 2025
Next Revision of the Bobcat Code: January 2026