

# GEORGIA STATE UNIVERSITY

## STUDENT CODE OF CONDUCT AND ADMINISTRATIVE POLICIES AND PROCEDURES

2016-2017  
(Updated July 2016)

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The most current version of the Student Code of Conduct and Administrative Policies and Procedures may be viewed at:  
[codeofconduct.gsu.edu](http://codeofconduct.gsu.edu)

## I. Introduction

### A. Overview

#### 1. Student Code of Conduct and Administrative Policies and Procedures

The university has established the policies and procedures that comprise the Student Code of Conduct to both promote the university mission and protect the rights of Students, faculty and staff. The official university rules and regulations are contained in the Georgia State University General Catalog and the student handbook, On Campus. The most current version of the Student Code of Conduct may be found online at: [codeofconduct.gsu.edu](http://codeofconduct.gsu.edu) each semester. In the event of a conflict between the Student Code of Conduct and other university policies, the most current version of the Code governs.

#### 2. Interaction between Student Code of Conduct and Law

Student conduct is governed by the Student Code of Conduct, university policy and applicable law. Students involved in criminal matters may be sanctioned by the university in addition to any sanctions that may be imposed by a court of law. However, the relationship a Student has with the state or federal court system does not alter the Student's relationship with the university unless the Student is also found responsible for violating university Policy.

### B. Student Rights and Obligations

#### 1. Purpose of the University Experience

The University strives to promote the advancement of knowledge through excellence in teaching, research and public service. The University also endeavors to facilitate the development in each Student of a respect for the dignity and worth of individuals; a desire and capacity for critical reasoning; an appreciation and understanding of scholarship and creativity; an appreciation of diversity in student life; the ability to communicate; and a continuing desire for knowledge. Academic and co-curricular events, activities and programs are considered important means by which to attain these goals.

#### 2. Rights and Obligations – General

Membership in the community of scholars known as Georgia State University is a privilege and carries with it obligations to participate in and contribute to the educational mission of the institution. Concurrent with these obligations are rights and freedoms for each individual as guaranteed by the United States Constitution including, but not limited to, the right to inquire, to learn, to communicate by speech and action, to assemble peaceably and the right to due process. The university desires to maintain an orderly climate in which academic inquiry and freedom may occur while still preserving the freedom and rights of all members of the university community.

#### 3. Continuing Duty to Disclose Criminal/Disciplinary Matters

Georgia State University Students have a continuing duty to report criminal/disciplinary events that occur after application to the university. The criminal/disciplinary events that must be reported are described below and reports must be made to the office of the Dean of Students within 72 hours of the Student's notice of the event. Failure to comply with this requirement may result in sanctions up to and including immediate withdrawal from the university.

- Conviction of a crime other than a minor traffic violation
- Criminal charges filed against the Student
- Entering a plea of guilty, a plea of no contest, a plea of nolo contendere, an Alford plea, or a plea under any first offender act in response to charges filed against the Student
- Disciplinary or academic misconduct charges initiated or sanctions imposed against the Student from a high school or former college or university.

The university will review all reported incidents to determine if the student's conduct poses a significant threat to the safety and well-being of the university community.

**4. Compliance with University Policy**

In addition to the general rights and obligations of university community, each Student is obligated to apprise him/herself of and comply with all university rules, regulations and policies. Students are individually responsible for understanding and exercising their rights, fulfilling their obligations and respecting the rights of others. Lack of knowledge of a university policy will not be accepted as an excuse for failure to observe it.

**C. Jurisdiction and Authority**

The Student Code of Conduct applies equally to individual Students and Student Organizations. The university has jurisdiction to hear all matters related to violation of university policy and reserves the right to take appropriate action to protect the safety and well-being of the university community. The Dean of Students has authority to make determinations on all charges of General Conduct violations as defined in the Student Code of Conduct (see Code Section II).

The Code applies to all student conduct on or adjacent to university property, at university-sponsored activities and programs including those in remote and international locations, and at student organization activities. The Code also applies to conduct occurring on non-university property and at non-University events when that conduct may threaten the safety of the university community. The Code continues to apply to Student conduct while a conduct matter is pending even if the Student withdraws from school.

**D. Non-Academic Withdrawal**

In the judgement of the Dean of Students, a student may be withdrawn from the university for non-academic reasons when it is determined that the student has demonstrated behavior that: (a) poses a significant danger or threat of physical harm to self or to the person or property of others; or (b) interferes with the rights of other members of the university community or with the exercise of any proper activities or functions of the university or its personnel. Except in situations where the student is believed to be an imminent threat to self or others, as determined at the sole discretion of the university, a student shall, upon request, be accorded an appropriate hearing prior to the final decision concerning his or her continued enrollment at the university. In situations involving an imminent threat, the student will be provided a hearing as soon as possible after the withdrawal occurs. Students who are non-academically withdrawn from the University will be administratively withdrawn from their courses and assigned grades of W or WF (depending on whether they have exceeded their maximum number of withdrawals allowed).

**E. Guarantees of Student Expression**

**1. Collective Rights in Policy Making**

Students have a collective right to participate in the formulation of standards of conduct and preparation of rules governing student activities and affairs. This right is collectively exercised through the participation of the Student Government Association on the university's Committee on Student Life and Development. The Committee on Student Life and Development is empowered by the President of the university, through the Board of Regents of the university System of Georgia, to make standards and rules, subject to the approval of the Chancellor and of the Regents. Upon request, Students also have a collective right through Student Government Association participation, to be heard in the making of other institutional policies that affect their rights and well-being. In addition, Students have the right to take a stand on university issues, to examine and discuss questions of interest and to support causes by orderly means that do not disrupt normal university operations or interfere with the rights of others.

**2. Freedom of Expression**

Students have the right to freedom of expression by word or symbol as long as it does not materially or substantially interfere with the orderly operation of the university or with the rights of others as conferred by the Constitution.

3. **Student Media**

The publications and communications of chartered Student Media groups are guaranteed the rights inherent in the concept of freedom of the press. They have the right to publish and distribute material on the university campus provided that the materials are identified by the name of the organization and are done in accordance with the rules and regulations adopted by the Committee on Student Communications. All publications are subject to the canons of responsible journalism, including the avoidance of libel, avoidance of indecency or obscenity and undocumented allegations.

## F. Definitions

“Advisor” means any person, student or non-student-including an attorney, of a student’s choosing, and at his or her own expense, with whom the Respondent or the Complainant may consult for 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 the student in any manner, including providing questions, suggestions, and guidance on responses to any questions of the student, but shall not participate directly in the proceeding. Family members may also attend, at the request of the Respondent and/or the Complainant, but the Dean of Students may limit the number of family members who may attend with the Complainant and Respondent to two apiece.

“Business Day” means any day on which the offices of Georgia State University excluding university Police, libraries, recreation and housing are open to the general public.

“Code” means Student Code of Conduct.

“Complainant” means any person(s) who initiates a complaint for an alleged violation of the Code.

“Controlled Substance” means a drug or substance in which the use, possession, or Distribution is controlled under state or federal law.

“Criminal Trespass Warning” means a written notice that the individual must leave university Property and may not return for the duration of the Criminal Trespass Warning. An individual who enters onto university property in violation of a criminal trespass warning may be arrested for criminal trespass.

“Dean of Students” means the administrative officer bearing this or similar title and includes his/her designee.

“Discrimination” means unfair or unequal treatment of an individual based on race, color, sex, religion, creed, age, sexual orientation, gender, disability, veteran status or national origin.

“Disruption” means to interrupt, impede or obstruct the teaching, instructional, research, disciplinary, public service, administration, or other university activities. Examples of Disruption include, but are not limited to the following: allowing personal electronic communication devices to ring or beep, making or receiving phone calls or pages or otherwise disrupt while in class or scheduled university instructional activities; registering or arranging for another Student to register for a class already completed by such Student unless prior written approval is obtained from the class instructor; registering for any class for which the published class prerequisites have not been completed unless prior written approval is obtained from the class instructor; entering or attempting to enter any athletic, dance, social or other such public event without the credentials for admission (ticket, identification card or invitation) or in violation of the qualifications for attendance as established by the sponsors; assembling in a manner that is disruptive and not peaceful.

“Distribution” means sale, exchange, transfer, delivery, or gift. “Endanger” means to bring into danger or peril.

“Fabrication” means falsification or invention of any Information or citation.

“FERPA” means the Family Educational Rights and Privacy Act (20 U.S.C. § 1232g; 34 CFR Part 99), a Federal law that governs the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education. Under certain conditions, FERPA requires schools to disclose personally identifiable information from a student’s education records. Accordingly, per FERPA regulations, the university notifies the victim of an alleged crime of violence or a non-forcible sex offense of the final results of a disciplinary hearing with respect to the alleged crime. *(For more information: <http://registrar.gsu.edu/academic-records/records-management/ferpa/>).*

“Hazing” means any intentional, negligent or reckless action, activity or situation that Endangers or is likely to Endanger the physical health of an individual or causes an individual pain, embarrassment, ridicule or harassment as a condition or precondition of gaining acceptance, membership, office or other status in a Student group, whether or not such group is formally recognized by the university and regardless of the individual’s willingness to participate. Actions and situations that may constitute Hazing may include, but are not limited to, the following: forcing or requiring the drinking of alcohol or any other substance; forcing or requiring the consumption of food or any other substance; calisthenics (e.g., push-ups, sit-ups, jogging, runs); treeings (e.g., tying someone up and throwing food or other substances on them); paddle swats; line-ups (e.g., yelling at or harassing people in a formation); theft of any property; road trips (e.g., dropping someone off and leaving him/her to find his/her own way back); scavenger hunts; causing an individual to have fewer than six (6) continuous hours of sleep per night; conducting activities that do not allow adequate time for study (e.g., not allowing an individual to attend class, causing one to miss group projects); forcing or requiring partial or complete nudity at any time; performing acts of personal servitude for members (e.g., driving them to class, cleaning their individual rooms, serving meals, washing cars, shopping, laundry); forcing or requiring the violation of university policies, and/or federal, state or local law.

“Hearing Panel” means any entity authorized by the university established to determine whether a Student or Student Organization has violated the Student Code of Conduct and to recommend imposition of sanctions.

“Hearsay” means the person making the statement does not have personal knowledge of the matter about which he/she testifies but merely repeats what he/she heard another say. Hearsay is admissible, but the Panel will take into consideration that the testimony is based on Hearsay.

“Illegal Drug” means any drug in which the use, possession or Distribution is prohibited or restricted by state or federal law.

“Information” means any witness, testimony, documents, statements or other material presented in support of either the Complainant’s or Respondent’s case.

“In Writing” means correspondence sent by letter or email.

“Joint Hearing” means a hearing in which two or more Students or organizations are charged with violating one or more university conduct regulations arising from the same set of circumstances or events.

“Member of the University Community” means any officer, administrator, faculty member, staff member or, employee of Georgia State, or any Student of Georgia State University as defined, as well as any person authorized to participate in an institutional activity at the time applicable.

“Officer” means a Student holding any elected or appointed position (as defined in Section IV.H of the Student Code of Conduct) in a Student Organization; or, a position of responsibility for a specific function or event (e.g. membership/education chair, social chair, concerts chair, or multicultural chair); or any leadership role in the organization, including serving as an official representative of the organization.

“Preponderance of Information” means that a charged violation is proven if the Information in support of the charges is more credible and convincing to the mind than the opposing Information. This standard does not require Information that frees the mind from doubt but, rather, is met when the Information when reviewed as a whole indicates that responsibility for the charged violation is more probable than not. Information as used in the statement can be any observation, admissions, statement, or document which would either directly or circumstantially indicate that the charged violation has occurred. A decision to suspend or expel will be supported by substantial evidence.

“Retaliation” means intimidating, threatening, or taken adverse actions against a student for bringing forward a good faith complaint and/or for participation in a student conduct process. Anyone who in good faith, reports what she or he believes to be a student misconduct, participates or cooperates in, or is otherwise associated with any investigation, shall not be subjected to retaliation. Anyone who believes she or he has been the target of retaliation for reporting, participating or cooperating in, or otherwise being associated with an investigation should immediately contact the Dean of Students. Any person found to have engaged in retaliation in violation of the student conduct policy shall be subject to disciplinary action pursuant to the Student Code of Conduct.

“Respondent” means the Student(s) or Student Organization(s) charged with violating one or more of the provisions of the Student Code of Conduct and Policies.

“Sexual Misconduct” includes, but is not limited to, domestic violence, dating violence, sexual assault, sexual exploitation, sexual harassment, and stalking, each as more fully defined in the Sexual Misconduct Policy. Sexual Misconduct can occur between strangers or acquaintances, including people involved in an intimate or sexual relationship. Sexual Misconduct can be committed by men or by women, and it can occur between people of the same or different sex. (see the Sexual Misconduct Policy).

“Stalking” means engaging in a course of conduct directed toward another person that would cause reasonable person to:

- fear for his or her safety or the safety of immediate family members or close acquaintances; or
- suffer substantial emotional distress.

“Student” means:

- “Current Student” - a person who has been admitted and is enrolled in classes at the university. This status continues unless and until the Student drops, withdraws or is withdrawn from all classes during a semester, at which time he/she may be classified as a:
  - “Non-Enrolled Student” - a person who is enrolled during a semester but drops, is withdrawn or withdraws from all classes; *or*, one who is not enrolled, but is eligible to re-enroll for subsequent semester(s) without seeking re-entry admissions status. Non- Enrolled Students may not benefit from the privileges reserved for “Students” unless they meet the criteria of a “Continuing Student.”
  - “Continuing Student” – a person who does not enroll in the Summer semester, but who has either completed or has been granted an emergency withdrawal from the immediately previous Spring semester *and* who has registered for the subsequent Fall semester. Continuing Students are eligible to request the governing authority for access to designated university resources typically available only to Enrolled Students, may serve as Student Leaders (per the policy on Student Leadership Positions) and may be members of and/or participants in Student Organizations recognized by the university.
  - “Non-Student” - a person who does not enroll for three consecutive semesters. Non- Students may not benefit from the privileges reserved for “Students” including accessing university resources, holding Student leadership positions, nor being members of and/or participating in any Student Organization recognized by the university.
- As used throughout the Code, “Student” refers to both Students and Student Organizations.

“Student Organization” means any organization which is chartered in accordance with University policies and procedures or any organization which identifies itself with the university and presents programs or activities in the university community directed primarily to Students. As used throughout the Code, “Student” may refer to a Student or Student Organization.

“University Property” means all things owned, controlled, operated or in the possession of the university, including but not limited to real and personal property, information systems and resources.

“University-Sponsored Activity” means any activity on or off campus initiated, approved, or supervised by the university.

***Throughout Section II General Conduct Policies and Procedures, the above listed defined words are capitalized.***

## II. General Conduct Policies and Procedures

### A. Prohibited General Conduct

The following types of behaviors constitute violations of the Georgia State University Student Code of Conduct. Any Student who is found responsible for any of the following misconduct is subject to the disciplinary sanctions outlined in Section II.B.8.

1. Violation of the Student Code of Conduct or any university policies, rules or regulations.
2. Conduct which is obscene or indecent.
3. Disruption or obstruction of teaching, instructional, research, disciplinary, public service, administration, or other university activities.
4. Harassing a person through unwanted conduct directed at him/her that causes reasonable fear for safety (e.g., Stalking) or is sufficiently severe, pervasive and persistent that it interferes with the person's university employment or ability to participate in or benefit from university programs.
5. Threatening physical abuse, intimidation, coercion, retaliation, and/or conduct which threatens the health or safety of others.
6. Physical abuse, intimidation, coercion and/or other conduct which endangers the health or safety of others.
7. Attempted or actual theft of and/or damage to property belonging to the university, any Member of the university Community or others.
8. Possession of property the Student knows or has reason to believe may be stolen or misappropriated.
9. Use, possession, display or storage of any weapon, dangerous instrument, explosive device, fireworks, or dangerous chemical unless specifically authorized by university officials, or local, state or federal law.
10. Public intoxication or use, possession, consumption, Distribution or sale of alcoholic beverages except as expressly permitted by the university's Alcohol Policy (*see the Alcohol Policy*).
11. Use, consumption and possession or Distribution of any narcotic, dangerous drug or Controlled Substance or possession of drug paraphernalia that would violate the law.
12. Falsification, forgery, alteration, Fabrication or misuse of university records, forms or other documents.
13. Providing any false statement or misleading information, including by omission, to or about the university.
14. Providing or gaining unauthorized access to or use of university property, resources or facilities.
15. Operating a non-chartered or non-approved organization on any property belonging to the university.
16. Engaging in, supporting, promoting or sponsoring Hazing (*see the Hazing Policy*).
17. Gambling as prohibited by local, state, or federal law.
18. Engaging in any Sexual Misconduct, including but not limited to, sexual assault and sexual harassment (*see the Sexual Misconduct Policy*).
19. Commission of any offense prohibited by local, state, or federal law.
20. Failure to comply with directions of university officials or law enforcement officers acting in performance of their duties and/or failure to identify oneself to these persons when requested to do so.
21. Knowingly filing a complaint comprised in whole or part of false accusations.
22. Failure to respond as directed by the Dean of Students on any matter including, but not limited to, a request to meet concerning an issue, or a notice alleging a violation of the Student Code of Conduct.
23. Failure to comply with the sanction(s) imposed for an earlier violation of the Student Code of Conduct.

### B. Procedures for Resolving General Conduct Matters

#### 1. Overview

- a. Students or groups of Students referred for misconduct by members of the university community are provided the following due process procedures designed to result in a fair, meaningful and just decision.



- b. The Student Code of Conduct applies equally to both Students and Student Organizations, both while on campus and while off campus at activities sponsored, in whole or in part, by recognized student organizations. The Code also applies to conduct occurring on non-university property and at non-university events when that conduct may threaten the safety of the university community.
- c. If you have been referred for a General Conduct violation of the Student Code of Conduct, you may seek guidance by calling the office of the Dean of Students at 404-413-1515.

## 2. Reporting Violations

- a. Members of the university community who believe a Student violation of the Student Code of Conduct Policies and Procedures has occurred should submit a written complaint to the office the Dean of Students.
- b. To enable the Dean of Students to decide whether further fact-finding is necessary, the complaint must state sufficient facts, including specific name(s), the contact information of the Respondent and individuals with knowledge of the incident, date(s), time(s), location(s) description(s) of the alleged act(s) of misconduct, available evidence, and whether a criminal complaint has been made. Where appropriate, the complainant is encouraged to report the incident to the police in addition to reporting an alleged violation of the Student Code of Conduct.
- c. **Confidentiality:** When a complainant or alleged victim request that his or her identity be withheld or the allegation(s) not be investigated, the Dean of Students will consider whether or not such request(s) can be honored while providing a safe and nondiscriminatory environment for the campus. The Dean of Students will inform the requesting party that the institution generally cannot guarantee confidentiality. Further, honoring the request may limit the institution's ability to respond fully to the incident and may limit the institution's ability to discipline the student.
- d. **Retaliation:** Anyone who, in good faith, reports what she or he believes to be a student misconduct, participates or cooperates in, or is otherwise associated with any investigation, shall not be subjected to retaliation. Anyone who believes she or he has been the target of retaliation for reporting, participating or cooperating in, or otherwise being associated with an investigation should immediately contact the Dean of Students. Any person found to have engaged in retaliation in violation of the student conduct policy shall be subject to disciplinary action pursuant to the Student Code of Conduct.
- e. **False Complaints:** Students who intentionally give false statements to an institution official, or who submit false complaints or accusations, including during a hearing, shall be subject to disciplinary action pursuant to the Student Code of Conduct.
- f. **Amnesty:** Students are encouraged to come forward and to report student misconduct despite their choice to consume alcohol or to use drugs. Information reported in good faith by a student during an investigation concerning use of drugs or alcohol will not be used against that student in a disciplinary proceeding and will not be voluntarily reported to the police; however, students may be provided with resources on drug and alcohol counseling/ and or education, as appropriate.
- g. For matters involving complaints of Discrimination or Sexual Misconduct committed by Students or Student Organizations, the incident should be reported to the office of the Dean of Students (*see the Non Discrimination Policy and the Sexual Misconduct Policy*). Reports of Sexual Misconduct will be reviewed and responded to promptly, thoroughly, and impartially in accordance with the Sexual Misconduct Policy. In the event that Sexual Misconduct occurs in connection with any other Code violation, the Sexual Misconduct Policy will take precedence and all issues presented in the matter will be heard via the adjudication process for the alleged sexual misconduct.

- h. For matters involving complaints of Discrimination or Sexual Misconduct committed by university faculty or staff, the incident should be reported to Opportunity Development/Diversity Education Planning (ODDEP). Copies of the relevant university harassment policies and procedures may be obtained at the Opportunity Development/Diversity Education Planning, or the office of the Ombudsperson or online at <http://ombuds.gsu.edu/>.

### 3. Investigation

- a. If necessary to determine whether or not there is sufficient basis to believe that a violation of the Code may have occurred, the Dean of Students may conduct a prompt, fair and impartial initial investigation. The Dean of Students will conduct an initial investigation of all reports of Sexual Misconduct, Discrimination, Hazing, and code violations. An initial investigation may consist of requesting additional information and interviewing the Complainant or witnesses.
- b. Complaints that, if true, would not amount to a violation of the Student Code of Conduct will be dismissed preliminarily.
- c. The initial investigation of reported general misconduct will continue in a timely manner until the Dean of Students concludes that the initial investigation is complete.
- d. When the potential sanctions for the alleged misconduct may involve a suspension or expulsion from the university, the following student conduct investigation process will occur:
  - 1) The Respondent shall be provided with a written notice of the complaint/allegations, pending investigation, possible charges, possible sanctions, available support services and the name of the investigator(s). The notice will be sent to the Respondent's university's email address. When applicable, a copy of the notice will be sent to the alleged victim.
  - 2) Upon receipt of the written notice, the Respondent will be given five (5) business days to respond In Writing. In that response, the Respondent shall have the right to admit or to deny the allegations, and to provide a written or electronic statement of the facts, witnesses, and documents. A non-response will be considered a general denial of the alleged misconduct.
  - 3) Based on this response, the investigation will consist of interviews of the Respondent, the Complainant, their witnesses, the collection and review of documents or other physical or electronic information, and other steps as appropriate. The investigator will retain written notes and/or obtain written or recorded statements from each interview. The investigator will also keep a record of any proffered witnesses not interviewed, along with a brief, written explanation.
  - 4) The investigation shall be summarized In Writing in an initial investigative report and provided to the Respondent in person or via his or her university email address. The summary will clearly indicate any resulting charges (or alternatively, a determination of no charges), as well as the facts and evidence in support, witness statements, and possible sanctions.
  - 5) If the investigative report states that the Respondent ultimately will be charged with alleged violations of the Student Code of Conduct, he or she will be given the opportunity to respond to the investigative report in writing. The Respondent's written response will be due in five (5) business days from the receipt of the investigative report. The Respondent's written response will outline whether he or she would accept or would not accept responsibility to the ultimate charge(s), his or her response to the report, and supportive witnesses and documents. A nonresponse by the Respondent will be interpreted as a denial of the ultimate charge(s).
  - 6) Based upon the Respondent's response, the investigator will conduct a further investigation and update the investigative report.

- 7) The final investigative report will be provided to the Student Judicial Board or the Dean of Students Designee assigned to the case for their consideration in adjudicating the charges. A copy will also be provided to the Respondent and Complainant before any hearing. The investigator may be a witness before the Student Judicial Board regarding the investigation and findings, but will have no part in the hearing process and will not attempt to influence the panel outside of providing testimony during the hearing.

#### **4. Charges**

Based on a review of the report, and initial investigation Information where applicable, the Dean of Students will determine whether or not to initiate charges or to dismiss a case administratively if there is insufficient support for the claim, factually or in the Code. Complaints that, if true, would not amount to a violation of the Student Code of Conduct will be dismissed preliminarily. If the Dean of Students determines that there is sufficient basis to believe that a violation of the Code may have occurred, then the Dean of Students will initiate charges regarding the alleged Code violation. A Student against whom Code charges are initiated is called the “Respondent.”

#### **5. Administrative Conference**

- a. The Dean of Students will promptly send the Respondent a charge letter identifying all charges against the Respondent for alleged violations of the Code. The charge letter will specify allegations of misconduct in sufficient detail to enable the Respondent to respond.
- b. The Respondent will be required to attend an Administrative Conference with the Dean of Students within five (5) Business Days from the date of the charge letter from the Dean of Students. If the Respondent fails to schedule or attend the required Administrative Conference with the Dean of Students the Dean of Students may proceed with the case in the Respondent's absence, including making an administrative decision about the Respondent's responsibility regarding the charges.
- c. At the Administrative Conference, the Dean of Students will review the Code of Conduct with the Respondent and provide the following:
  - 1) an explanation of charges;
  - 2) a copy of the Code, upon request;
  - 3) a copy of the complaint, upon request;
  - 4) a review of the Respondent's due process rights:
    - the right to a notice In Writing of all charges; and
    - the right to a fair and impartial hearing resolution which may not include the person(s) who brought the charges;
  - 5) an explanation of the General Conduct process including:
    - the opportunity to admit responsibility for the alleged violation, and choose between having the Dean of Students resolve the case administratively or having a formal hearing;
    - the opportunity to deny responsibility for the alleged violation and choose between having the Dean of Students resolve the case administratively or having a formal hearing;
    - the opportunity to appear in person at a hearing or not to appear with assurance that the failure to appear shall not be construed as indicative of responsibility;
    - the opportunity to select an Advisor of his or her choice to accompany and advise the Respondent during a hearing or administrative resolution process;
    - the opportunity to call witnesses to present Information on behalf of the Respondent;
    - the right the right to a list of witnesses who will appear against him or her;
    - the opportunity to ask the Hearing Panel to pose specific questions to any witness;
    - the opportunity to receive a copy of the record of a hearing, and;
    - the opportunity to appeal the decision as provided in the Code.
  - 6) If, during the course of an administrative resolution or a hearing, new Information is introduced which indicates that additional alleged violations of the Code may have occurred, the Dean of Students will conduct a separate investigation to determine whether or not to initiate charges.

7) All separate charges will be adjudicated separately.

- d. At the Administrative Conference the Respondent must choose to: (1) waive a hearing and have the Dean of Students administratively resolve the case; or (2) have a hearing before the Student Judicial Board. The Student Judicial Board shall not hear cases of Sexual Misconduct. Ordinarily, the Respondent's preference will be honored. However the university reserves the right to determine the process to be used when an interim action has been imposed upon the Respondent.

## 6. Interim Action

Under the circumstance described below, the university may impose an interim action upon a Student when initiating the General Conduct process in connection with reported Code violations by the Student.

- a. If the university believes a Student poses a serious and immediate threat to the safety and well-being of the university community or to University property, then the student may be immediately excluded from one or more classes, denied access to university housing and/or denied access to campus as a whole (including all university property and facilities).
- b. The Student will be notified In Writing of the interim action, the reasons for the interim action, and the related Code violations the Student was reported to have violated. The Dean of Students will make all reasonable effort to give the student the opportunity to be heard on whether his or her presence on campus poses a danger. The interim action will become effective immediately as of the date of the written notice and will remain in effect until the General Conduct process has been concluded (by dismissal of or final decision on Code charges) or until the Dean of Students determines that the interim action is no longer warranted, whichever occurs first.
- c. Upon request, the Student shall have the opportunity to respond to the reasons for interim action stated in the notice and to show that the Student does not pose a significant threat to the safety and well-being of the university community no later than three (3) Business Days following the effective date of the interim action.

## 7. Resolution Options

### a. Mediation:

With the prior written consent of the Dean of Students, Students involved in a General Conduct matter may elect to have the matter informally resolved through mediation in the Georgia State University office of the Ombudsperson. If the matter is not resolved through mediation, then it will be referred to and resolved through the Georgia State University General Conduct process as described in the Code. Mediation is not available in cases of alleged sexual assault or rape.

### b. Administrative Resolution:

A Student may waive the right to a formal hearing and have the case resolved administratively by the Dean of Students. The Dean of Students, in his or her sole discretion, may decide to personally resolve the case or designate another impartial adjudicator to resolve the matter.

- 1) The Dean of Students will meet with the Respondent who will have the opportunity to provide a statement regarding the alleged misconduct along with any other supporting Information including the names of witnesses to be interviewed. The Respondent may bring an Advisor to their meeting(s) with the Dean of Students, however the Advisor may only confer with the Respondent and may not participate directly in the proceedings.
- 2) The Dean of Students will also meet separately, as necessary, with the Complainant as well as with any witnesses to gather additional Information. A good faith effort will be made to contact all witnesses (including faculty or staff) who may have relevant Information to obtain a statement from them. The Dean of Students will keep a record of any proffered witnesses not interviewed, along with a brief written explanation documenting why not interviewed.
- 3) At the conclusion of all meetings, using a standard of the preponderance of information, the Dean of Students will determine whether it is more likely than not that a violation of the Code occurred and, if so, the appropriate disciplinary sanction(s) to apply. A decision to suspend or expel will be supported by substantial evidence. In determining the sanction(s), the Dean of Students will consider any mitigating or aggravating factors, including prior violations of the Code.

- 4) The Dean of Students will inform the Respondent of the decision In Writing. The written decision will include a statement of the charges, the determination of responsibility, the sanction(s) to be imposed, if any, the evidence in support of the sanction, and will list the factors for determining sanctions. In cases of crimes of violence, the Complainant will also receive written notice of this information.

**c. Formal Hearing:**

- 1) Composition of Hearing Panels
  - a) Student Judicial Board hearings will be conducted by a Hearing Panel composed of three Students. One member, designated the chairperson, will serve as the presiding officer.
  - b) The Board will establish its own rules to govern the selection process for Hearing Panel members.
  - c) The university will provide annual training for members of the Student Judicial Board. Investigators will not train members of the Student Judicial Board.
- 2) Pre-Hearing Procedures
  - a) The Hearing Panel members will be notified In Writing of their selection.
  - b) The chairperson will convene the Hearing Panel as soon as possible following receipt of the Respondent's selection of a hearing route.
  - c) The chairperson, who may be assisted by the Dean of Students, will prepare and send a written notice to the Respondent and the Complainant no less than five (5) Business Days prior to the date set for the hearing. The notice will be sent to the Respondent's and the Complainant's official university email addresses. The notice will include:
    - A statement of the date, time, location and nature of the hearing;
    - A copy of the charges, and;
    - A list of the names of all Hearing Panel members; and the university address of the chairperson.
  - d) If the Respondent or the Complainant cannot attend the hearing on the date scheduled for the hearing due to extraordinary circumstances, he/she must notify the Dean of Students with a written request to reschedule, including reasons for the request, no later than three (3) Business Days prior to the hearing. The Dean of Students will determine whether to approve or deny the request to reschedule the hearing.
  - e) If the Respondent, the Complainant or witnesses, for a valid basis, cannot attend the hearing on the date scheduled for the hearing due to extraordinary circumstances, the Dean of Students may establish special procedures for him or her to be heard from a separate location that ensures proper sequestration in a manner that prevents the tainting of his or her statement and make a determination that such an arrangement will not unfairly disadvantage either the Complainant or Respondent.
  - f) No later than three (3) Business Days prior to the hearing, the parties will exchange the following Information In Writing:
    - A list of the names of the witnesses who may be called to speak at the hearing;
    - A concise summary of the anticipated statement of each witness;
    - Copies of all documents or statements to be presented at the hearing;
    - The name and title (if any) of the Complainant, and;
    - The name of the Respondent and the name and title of the Respondent's Advisor, if any.
  - g) Both the Respondent and the Complainant may challenge the participation of any member of the Hearing Panel on the grounds of personal bias by submitting a written statement to the Dean of Students setting forth the basis for the challenge no later than three (3) Business Days prior to the hearing. The Dean of Students will determine whether to sustain or deny the challenge. If the challenge is sustained, a replacement member will be appointed to serve on the Hearing Panel. If a challenge is filed against the chairperson, the Dean of Students will determine whether to uphold or deny the challenge.
  - h) Members of the university community will be expected to comply with any request or directive issued by the chairperson in connection with a student conduct proceeding, unless compliance would result in significant personal hardship or substantial interference with normal university functions.
- 3) Hearing Procedures
  - a) Absent extenuating circumstances, the Information stage of hearings regarding charges against Student Organizations will be open to the public. All hearings regarding charges against individual Students will be closed in accordance with FERPA to maintain the confidentiality of Student education records.

- b) The chairperson will preside at the hearing and will rule upon all procedural matters. The formal rules of evidence will not apply, although challenges to the introduction of specific statements or documents may be considered by the chairperson on the basis of relevance to the charges. At the determination of the chairperson, the questioning may take place through the submission of written questions to the panel for consideration. The panel shall ask the questions as written, and will limit questions only if they are unrelated to determining the veracity of the charge against the Respondent. The panel should ask all submitted questions, and must document the reason for not asking any particular questions. Information regarding prior misconduct will not be considered for the purpose of determining responsibility, but may be considered after a finding of responsibility has been made, for purposes of determining appropriate sanctions. The chairperson may establish reasonable limits upon the time allotted to the Respondent and the Complainant for oral presentation and examination of witnesses.
- c) The Complainant will present Information (e.g. Complainant's description of the incident, witness statements and documentation) which supports the Code charges.
- d) The Respondent will present Information (e.g. the Respondent's description of the incident, witness statements and documentation) on his/her own behalf which supports the denial of responsibility for the alleged Code violations.
- e) All Information, including Hearsay, may be considered by the Hearing Panel, however the Hearing Panel may exclude Information during the Hearing if it is not reasonably linked to the alleged Code violation(s).
- f) Both the Respondent and the Complainant may be assisted throughout the proceeding by an Advisor. The Advisor may only communicate with his or her respective party and not directly to the Hearing Panel or other parties involved.
- g) Each party is responsible for insuring the appearance of their witnesses at the Hearing whenever possible or obtaining written, signed statements from their witnesses if the witnesses are unable to attend.
- h) Witnesses will be excluded from the hearing except during their specific witness testimony.
- i) Witnesses may only be questioned by the Hearing Panel.
- j) A record shall be made of the Hearing. A copy of the record is available to the Respondent or the Complainant upon payment of the cost of the reproduction.
- k) Student cases may be combined and heard jointly for matters arising from the same set of circumstances or events.
- l) Any falsification of Information or false testimony by any party or witness may subject that party or witness to disciplinary action in accordance with the Code.
- m) If, during the course of the hearing, new Information is introduced which indicates that additional alleged violations of the Code may have occurred, the Dean of Students will conduct a separate investigation to determine whether or not to initiate charges
- n) Upon the conclusion of the Information stage of the hearing, the Hearing Panel will adjourn to review the Information to determine whether it is more likely than not that the Respondent is responsible for having violated the Code and appropriate sanctions, if any. During deliberations, the Hearing Panel will determine the weight and credibility of the Information presented by the parties. The deliberation stage of all hearings shall be closed to all but Hearing Panel members.
- o) After deliberating, the Hearing Panel, using a standard of the preponderance of information, shall make a non-binding recommendation to the Dean of Students within five (5) Business Days of the hearing regarding the responsibility for the violation(s) and appropriate sanction(s). A recommendation to suspend or expel will be supported by substantial evidence.
- p) Using a standard of the preponderance of information, the Dean of Students shall make a final decision whether it is more likely than not that a violation of the Code occurred and, if so, the appropriate disciplinary sanction(s) to apply, within five (5) Business Days of the receipt of the Hearing Panel's recommendation. A decision to suspend or expel will be supported by substantial evidence.
- q) The Dean of Students will inform the Respondent of the decision In Writing. The written decision will include a statement of the charges, the determination of responsibility, and the sanction(s) to be imposed, if any, the evidence in support of the sanction, and will list the factors for determining sanctions. In cases of crimes of violence, the Complainant will also receive written notice of this information.

## 8. Sanctions

- a. The severity of sanctions or corrective actions may depend on the severity, frequency and/or nature of the offense, history of past conduct, the respondent's willingness to accept responsibility, previous institutional response to similar conduct, and the institution's interests.
- b. Students or Student Organizations who are found responsible for violating university rules, procedures or policies may be subject to one or more of the sanctions outlined below, which may be imposed on a temporary or permanent basis.
- c. Sanctions take effect as soon as they are imposed by the Dean of Students following a determination of Student responsibility for a Code violation and remain in effect for the period imposed unless and until overturned on appeal.
- d. Repeated violations of the Code may result in the imposition of progressively more severe sanctions, although any sanction may be imposed as appropriate under the circumstances.
- e. Sanctions for Individual Students:
  - 1) Written Reprimand - A written statement that the Student has violated regulations and is a notice that continuation or repetition of Code violations may result in more severe action.
  - 2) Educational Sanctions - Sanctions assigned by the Dean of Students such as community service, letters of apology, educational workshop, essays or research papers.
  - 3) Disciplinary Probation - Removal of the Student from good disciplinary standing. Additional restrictions may also be imposed. Probation will last for a stated period of time and until specific conditions, if imposed, have been met. Any violation of these rules, the conditions of probation or other university rules committed during the probationary period will subject the Student to further discipline, including suspension or expulsion.
  - 4) Restitution - Reimbursement for damage or loss caused to others.
  - 5) Suspension - Temporarily banned from attending classes and other Student privileges for a defined period of time. Course credit earned at other institutions while on suspension may not be transferred to Georgia State University. Students who are placed on suspension (including interim suspension from the university) will be administratively withdrawn from their courses and assigned grades of W or WF (depending on whether they have exceeded their maximum number of withdrawals allowed).
  - 6) Expulsion - Termination of Student status in the university community. This means that a Student is permanently banned from all classes, services, events, and property owned or controlled by Georgia State University.
  - 7) Transcript Annotation - Temporary for a period of five years or permanent, as designated.
- f. Sanctions for Student Organizations:
  - 1) Written Reprimand - A written statement that the Student Organization has violated regulations and notice that continuation or repetition of Code violations may result in more severe action.
  - 2) Educational Sanctions - Sanctions specified by the Dean of Students such as alcohol awareness, risk management programs, community service, letters of apology, education workshops, essays or research papers.
  - 3) Restrictions - Restriction of some or all of the organization's activities or privileges, including, but not limited to, use of university facilities, social or recruitment activities.
  - 4) Disciplinary Probation - Removal of the Student Organization from good disciplinary standing. Additional restrictions may also be imposed. Probation will last for a stated period of time and until specific conditions, if imposed, have been met. Any violation of these rules, the conditions of probation or other university rules committed during the probationary period will subject the Student Organization to further discipline, including suspension or revocation of university charter.
  - 5) Suspension of University Charter - Temporary severance of the organization's relationship with the university for a specific period of time. The period of time and any requirements which must be satisfied prior to re-registration must be specified.
  - 6) Recommendation for Charter Revocation - An official request to a national office that the local chapter's charter be revoked.
  - 7) Revocation of University Charter - Permanent severance of the organization's relationship with the university.

## **9. Appeals in General Conduct (Nonacademic) Matters**

### **a. To the Vice President for Student Affairs**

Appeals of the decisions of the Dean of Students including the dismissal of complaints for lack of sufficient Information, may be made by submitting a letter (an electronic submission is not acceptable) to the Vice President for Student Affairs within five (5) Business Days after the decision is made. Grounds for appeals are: (1) to consider new information, sufficient to alter the decision, or other relevant facts not brought out in the original hearing, because such information was not known or knowable to the person appealing during the time of the hearing; (2) to allege a procedural error within the hearing process that may have substantially impacted the fairness of the hearing, including but not limited to whether any hearing questions were improperly excluded or whether the decision was tainted by bias; or (3) to allege that the finding was inconsistent with the weight of the information. Absent extenuating circumstances, the Vice President will make a decision on the appeal within fifteen (15) Business Days.

### **b. To the President**

Appeals of the decision of the Vice President for Student Affairs may be made by submitting a letter (an electronic submission is not acceptable) to the President of the university within five (5) Business Days after the Vice President's decision is made. The President has the authority to uphold, remand, reverse or change the decision; decrease, increase or add sanctions; and, make a determination regarding responsibility for any additional violations. The President's decision shall be final at the university level. Absent extenuating circumstances, the President will make a decision on the appeal within fifteen (15) Business Days.

### **c. To the Board of Regents**

Should the aggrieved person be dissatisfied with the decision of the university President, he or she may apply to the Board of Regents of the University System of Georgia, without prejudice to his or her position, for a review of the decision. The application for review must be submitted In Writing to the executive secretary of the Board within a period of twenty (20) calendar days following the decision of the President. This application for review shall state the decision complained of and the redress desired. A review by the Board is not a matter of right but is within the sound discretion of the Board.

### **d. In the event any position in the appeal route is vacant, the appeal should be directed to the individual at the next level of appeal.**

## **10. Recusal/Challenge for Bias**

The Respondent and/or complainant 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 Dean of Students setting forth the basis for the challenge. The written challenge should be submitted within a reasonable time of discovering the identity of the institution official, employee, or student panel member whose involvement the alleged offender and/or complainant wishes to challenge. The Dean of Students will determine whether to sustain or deny the challenge, and if sustained, the replacement to be appointed.

## **11. Parental/Guardian Notification of Alcohol and Other Drug Offenses**

As permitted by the Family Educational Rights and Privacy Act (FERPA), the office of the Dean of Students sends written notice to parents/guardians of students under the age of 21 who are found responsible for alcohol or other drug violations of the Code.



## 12. Student Conduct Records

Student conduct records are educational records governed by the Family Educational Rights and Privacy Act (FERPA). As educational records, student conduct records are generally not subject to release without written authorization by the Student or a lawfully-issued subpoena. However, in cases of Sexual Misconduct and crimes of violence, FERPA permits Georgia State University to release the final results to the alleged victim without written authorization by the Respondent, regardless of whether the Student is found responsible. For cases of Sexual Misconduct and crimes of violence which result in the Respondent being found responsible, the final results may be disclosed to anyone. Student Organizational records are not education records and are subject to disclosure upon request under the Georgia Open Record Act. The office of the Dean of Students permanently retains records of suspension and expulsion. All other student conduct records are retained on file by the office of the Dean of Students in accordance with Board of Regents policies.

Adopted - Student Life and Development Committee (SLDC) - April 15, 1992

Amended - SLDC - March 18, 2002; April 15, 2003; September 18, 2003; January 15, 2004; March 18, 2004; April 15, 2004

Amended - University Senate - October 21, 2004

Amended - SLDC - August 26, 2006; February 22, 2007

Amended - University Senate - April 5, 2007; April 17, 2008

Amended - SLDC - August 27, 2009

Amended - University Senate - January 27, 2011; April 14, 2011; October 27, 2011

Amended - Administrative Council - January 16, 2013; May 1, 2013; May 7, 2014

Amended - SLDC - March 17, 2016

### III. Academic Conduct Policies and Procedures

#### POLICY ON ACADEMIC HONESTY

##### 1. Introduction

As members of the academic community, students are expected to recognize and uphold standards of intellectual and academic integrity. The University assumes as a basic and minimum standard of conduct in academic matters that students be honest and that they submit for credit only the products of their own efforts. Both the ideals of scholarship and the need for fairness require that all dishonest work be rejected as a basis for academic credit. They also require that students refrain from any and all forms of dishonorable or unethical conduct related to their academic work.

The University's policy on academic honesty is published in the Faculty Handbook (<http://www2.gsu.edu/~wwwfhh/fhb.html>) and the Student Handbook, On Campus, which is available to all members of the university community (<http://studenthandbook.gsu.edu/>). Academic honesty is a core value of the university and all members of the university community are responsible for abiding by the tenets of the policy. Georgia State students, faculty, and staff, are expected to report all instances of academic dishonesty to the appropriate authorities. The procedures for such reporting are outlined below and on file in the offices of the deans of each college, the office of the Dean of Students, and the office of the Provost.

Lack of knowledge of this policy is not an acceptable defense to any charge of academic dishonesty. In an effort to foster an environment of academic integrity and to prevent academic dishonesty, students are expected to discuss with faculty the expectations regarding course assignments and standards of conduct. Students are encouraged to discuss freely with faculty, academic advisors, and other members of the university community any questions pertaining to the provisions of this policy. In addition, students are encouraged to avail themselves of programs in establishing personal standards and ethics offered by the university.

No instructor or department may impose academic or disciplinary penalties for academic dishonesty outside the parameters of this policy. This policy applies to all incidents of academic dishonesty, including those that occur before a student graduates but are not discovered until after the degree is conferred. In such cases, it is possible that the application of this policy will lead to a failure to meet degree completion requirements and therefore a revocation of a student's degree.

Many colleges and/or departments provide statements of what constitutes academic dishonesty within the context of their discipline, and recommend penalties for specific types of academic dishonesty. As noted in the Faculty Handbook, all syllabi are required to make reference to the Academic Honesty Policy; syllabi should also include a link to departmental standards where they exist.

##### 2. Definitions and Examples

The examples and definitions given below are intended to clarify the standards by which academic honesty and academically honorable conduct are to be judged. The list is merely illustrative of the kinds of infractions that may occur, and it is not intended to be exhaustive. Moreover, the definitions and examples suggest conditions under which unacceptable behavior of the indicated types normally occurs; however, there may be unusual cases that fall outside these conditions which also will be judged unacceptable by the academic community.

Plagiarism. Plagiarism is presenting another person's work as one's own. Plagiarism includes any paraphrasing or summarizing of the works of another person without acknowledgment, including the submitting of another student's work as one's own. Plagiarism frequently involves a failure to acknowledge in the text, notes, or footnotes the quotation of the paragraphs, sentences, or even a few phrases written or spoken by someone else. The submission of research or completed papers or projects by someone else is plagiarism, as is the unacknowledged use of research sources gathered by someone else when that use is specifically forbidden by the faculty member. Failure to indicate the extent and nature of one's reliance on other sources is also a form of plagiarism. Failure to indicate the extent and nature of one's reliance on other sources is also a form of plagiarism. Any work, in whole or part, taken from the internet without properly referencing the corresponding URL (along with the author's name and title of the work, if available) may be considered plagiarism. Finally, there may be forms of plagiarism that are unique to an individual discipline or course, examples of which should be provided in advance by the faculty member. The student is responsible for understanding the legitimate use of sources, the appropriate ways of acknowledging academic, scholarly or creative indebtedness, and the consequences of violating this responsibility.

**Cheating on Examinations.** Cheating on examinations involves giving or receiving unauthorized help before, during, or after an examination. Examples of unauthorized help include the use of notes, texts, or “crib sheets” during an examination (unless specifically approved by the faculty member), or sharing information with another student during an examination (unless specifically approved by the faculty member). Other examples include intentionally allowing another student to view one’s own examination and collaboration before or after an examination if such collaboration is specifically forbidden by the faculty member.

**Unauthorized Collaboration.** Unauthorized collaboration means working with someone or getting assistance from someone (a classmate, friend, etc.) without specific permission from the instructor on any assignment (e.g., exam, paper, homework) that is turned in for a grade. It is also a violation of academic honesty to knowingly provide such assistance to another student. Collaborative work specifically authorized by a faculty member is allowed.

**Falsification.** It is a violation of academic honesty to misrepresent material or fabricate information in an academic exercise, assignment or proceeding (e.g., false or misleading citation of sources, the falsification of the results of experiments or of computer data, false or misleading information in an academic context in order to gain an unfair advantage).

**Multiple Submissions.** It is a violation of academic honesty to submit substantial portions of the same work for credit more than once without the explicit consent of the faculty member(s) to whom the material is submitted for additional credit. In cases in which there is a natural development of research or knowledge in a sequence of courses, use of prior work may be desirable, even required; however, the student is responsible for indicating in writing, as a part of such use, that the current work submitted for credit is cumulative in nature.

### **3. Information and Burden of Proof**

In determining whether or not academic dishonesty has occurred, the standard which should be used is that guilt must be proven by a preponderance of the information. This means that if the information which indicates that academic dishonesty occurred produces a stronger impression and is more convincing as to its truth when weighed against opposing information, then academic dishonesty has been proved. In other words, the information does not have to be enough to free the mind from a reasonable doubt but must be sufficient to incline a reasonable and impartial mind to one side of the issue rather than to the other. Information as used in this statement can be any observation, admission, statement, or document which would either directly or circumstantially indicate that academic dishonesty has occurred.

### **4. Procedures for Resolving Matters of Academic Honesty**

The following procedure is the only approved means for resolving matters of academic dishonesty, except for matters arising in the College of Law, which has its own Honor Code for handling such matters. It is available to all members of the academic community who wish to pursue an action against a student for academic dishonesty. A brief summary of the procedures is presented here; details of these procedures are found in the following sections.

- 1) The faculty member should discuss the incident with the student before filing a charge of academic dishonesty. The faculty member, in consultation with the department chair, prepares the Notice of Academic Dishonesty. The chair forwards the notice to the college dean, who sends the notification to the student by university email or by certified mail.
- 2) The student must appeal in writing to the College Dean within 10 business days of the date the email was sent or the certified mail was received if the student wishes to deny the finding of academic dishonesty.
- 3) If the student does not appeal within 10 business days, the College Dean forwards the notice of academic dishonesty to the Dean of Students.
- 4) If the student appeals the charges, a College Hearing Committee conducts a hearing and reports its findings to the College Dean regarding guilt or innocence. If the student is found not guilty, the faculty member is notified to assign an appropriate grade. If the student is found guilty, the dean forwards the notice of academic dishonesty to the dean of students.
- 5) Any recommendation for a disciplinary penalty and a challenge of that disciplinary penalty submitted by the student, if any, is reviewed by the University Senate Committee on Student Discipline. Based on the committee's recommendation, the provost makes a decision and takes action regarding any disciplinary sanction.

- 6) The dean of students maintains the disciplinary records on all findings of academic dishonesty and is responsible for forwarding notice of multiple findings to the Senate Committee on Student Discipline for review. Multiple findings may result in a disciplinary penalty even if one was not recommended by the faculty member.

## 5. Initiation of Action

If a member of the academic community believes that a student has engaged in academic dishonesty in a course, on a test, or as a part of an academic program, that individual is responsible for initiating action against the student or bringing the matter to the attention of an individual who may initiate action against the student (i.e., complete and submit a notification of academic honesty). In allegations of academic dishonesty involving course requirements, the course faculty member is required to initiate the action. If the alleged violation involves a departmental program requirement (e.g., comprehensive examination or language competency examination) or an institutionally-required test (e.g., test of Georgia/United States history or Georgia/United States constitutions), or if the individual who discovers the incident is not a faculty member, the individual should bring the matter to the attention of the faculty member and administrator who has responsibility of overseeing the activity (e.g., departmental chair, director of the Testing office). If that administrator decides to bring charges of academic dishonesty against the student, then that administrator becomes the initiator. (Test proctors, laboratory assistants, and other individuals who are not course faculty members should bring any instances of alleged academic dishonesty to the attention of the course faculty member or their administrative superior. That individual, after weighing the information, may become the initiator by formally charging the student with academic dishonesty.)

The channel of review, recommendation, and decision-making follows the administrative lines associated with the course or program requirement involved. In any instance, however, when the alleged incident does not occur within the context of a course, and when it is unclear which college should have jurisdiction in review and decision-making, any unit may initiate the case.

For the sake of brevity the following processing procedures are written from an academic unit/college perspective. Nonacademic units (i.e., Testing Center) would substitute appropriate supervisory personnel at the respective levels. Herein the initiator will be referred to as faculty member and the administrative unit head will be referred to as chair, designating the departmental chair. Dean will refer to appropriate administrative supervisory personnel at the overall college or division level.

When an allegation of academic dishonesty is made, the relevant dean will inform the office of the Registrar to place a grade of GP (grade pending) for the student in the course involved. Withdrawal from a course does not preclude the imposition of penalties for academic dishonesty. While the matter of academic dishonesty is pending, the student will be allowed to continue in the course and register for upcoming semesters.

### A. Penalties to be Imposed

Penalties to be imposed in incidents of academic dishonesty are classified as academic or disciplinary. Academic penalties include assignment of a failing grade for a particular course requirement, or for the course itself, or for other tests or program assignments. They are set by the faculty member, in consultation with the department chair.

Disciplinary penalties can be sought in addition to those considered academic and could include, but are not limited to, the following: suspension, expulsion, transcript annotations (temporary for a period of five years or permanent, as designated). Course credit earned at other institutions while on suspension may not be transferred to Georgia State University. Disciplinary penalties can be requested by the faculty member, in consultation with the chair; they must be reviewed by the University Senate Committee on Student Discipline and they are set by the provost.

### B. Action at Administrative Unit (Department and College Level)

As soon as possible after the alleged incident, the faculty member should discuss the matter with the student. This discussion should be conducted in a manner which protects the rights and confidentiality of students. If the faculty member believes that academic dishonesty has occurred, the faculty member, in consultation with the department chair, will determine the appropriate academic penalty. The faculty member and the chair will complete a notice of academic dishonesty form describing the incident and indicating the academic penalty imposed and any recommended disciplinary penalty. The chair will forward the notice of academic dishonesty, which includes a statement of the right to appeal, to the dean of the college, who delivers it either through the student's official university email address or by certified mail.

### C. Student Action

The student will have 10 business days after receipt of the notice of charges of academic dishonesty (i.e., the date that the email was sent or that the certified mail was received) to submit a written appeal denying the charges and providing any rationale for the appeal. The appeal should be addressed to the college dean of the initiator. In the event the student is found guilty of academic dishonesty, the student does not have the right to appeal the academic penalty assessed by the faculty member, unless the student can prove that such penalty was arbitrarily imposed or applied in a discriminatory manner.

If the student wishes to challenge a disciplinary penalty, the student must submit a written rationale for challenging the disciplinary penalty within 10 business days of receipt of the notice of charges of academic dishonesty. The statement of challenge should be addressed to the college dean. The college dean will forward the challenge to the dean of students for inclusion in the review of the disciplinary penalty by the University Senate Committee on Student Discipline. All disciplinary penalties are automatically reviewed by the University Senate Committee on Student Discipline, regardless of student appeal.

If the student has also filed an appeal denying the charges of academic dishonesty, any review of disciplinary penalty recommended will be delayed pending review of the charges of academic dishonesty by the college hearing committee.

### D. College Action

1. No Appeal by the Student. If the student does not submit a written appeal to the college dean or challenge the disciplinary penalty within 10 business days, the college dean will notify the chair/faculty member to post any pending grade(s) immediately. The college dean will then forward the notice of academic dishonesty to the dean of students for inclusion in the student's disciplinary file. Any recommendation of a disciplinary penalty will also be forwarded to the dean of students for appropriate review by the Senate Committee on Student Discipline.
2. Appeal by the Student.
  - a. If the student submits a written appeal of the charges of academic honesty, the college dean will forward the charges to the chair of a college hearing committee and will notify the faculty member to set forth in writing a comprehensive response describing the incident of academic dishonesty. This statement will be presented to the committee and to the student at least five (5) business days prior to the hearing.
  - b. If the student wishes to challenge the disciplinary penalty without appealing the charges of academic honesty, a college hearing committee will not be convened; instead, the college dean will forward the challenge to the dean of students for inclusion in the review of the disciplinary penalty by the University Senate Committee on Student Discipline.
3. Student Hearing Committee Process. Guidelines that Govern the Hearing of the Appeal by the College Student Hearing Committee
  - a. Within ten (10) business days after the committee receives the charges of academic dishonesty, a hearing date will be determined. The committee will notify the faculty member and the student of the time, date, and the place of the hearing. Copies of all charges of academic dishonesty and related materials for the hearing will be provided to the student at least five (5) business days in advance of the hearing.
  - b. The faculty member and the student will be allowed to make oral presentations, call witnesses, and present any documentary information regarding the incident in question. The hearing will be recorded on audio tape. The hearing will not be open to observers.
  - c. At the conclusion of the hearing, the committee will meet in closed session and will make its recommendation as to the guilt or innocence of the student based on a preponderance of information with respect to the charge of academic dishonesty. The committee chair will forward to the college dean its findings and recommendations in a written report within five (5) business days of the hearing.

4. College Decision on Appeals. Within five (5) business days of receiving the committee's written report, the college dean will make the final decision regarding guilt or innocence. The college dean will notify all appropriate parties of the decision.

If the college dean finds the student not guilty, the matter will be terminated and no notice of charges will be filed with the dean of students. The college dean will notify the chair to post the pending course grade promptly and will notify the registrar to remove the GP (grade pending) on the student's transcript.

If the college dean finds the student guilty, the notice of charges of academic dishonesty will be forwarded to the dean of students for inclusion in the student's disciplinary file. The academic penalty stipulated by the faculty member will be imposed. The college dean will notify the chair to insure that any pending grade is posted promptly. The college dean will notify the registrar to remove the GP (grade pending) on the student's transcript if only an academic penalty was involved.

If a disciplinary penalty has been recommended, the college dean will notify the registrar to continue the GP (grade pending) annotation until the disciplinary penalty can be reviewed by the University Senate Committee on Student Discipline.

5. Appeal of the Decision of the Dean. If the student or initiator wishes to appeal the decision of the college dean regarding guilt or innocence of the charges of academic dishonesty, the student or initiator may appeal to the provost. The subsequent appeal route would be to the president and then the Board of Regents. The student or initiator must submit a written statement of appeal to the provost within 10 business days of notification of the dean's decision. The basis of the appeal must be on the grounds that the decision was arbitrary, capricious, or discriminatory.

#### **E. UNIVERSITY SENATE COMMITTEE ON STUDENT DISCIPLINE ACTION**

In cases where a disciplinary penalty has been recommended, the Senate Committee on Student Discipline will conduct a hearing to review the disciplinary penalty. The committee will review the faculty member's notice of academic dishonesty and the student's statement of challenge of the disciplinary penalty, if any. The faculty member and the student will be allowed to appear at the hearing to discuss the imposition of disciplinary penalties. Only the recommendation concerning the disciplinary penalty to be imposed will be considered by this committee. Issues of guilt or innocence are determined at the college level (see II.4 C and D above).

The Senate Committee will conduct the hearing in accordance with its regular hearing procedures. Copies of these procedures may be obtained from the Provost's office.

The Senate Committee on Student Discipline will provide its recommendation within five (5) business days of its hearing to the provost regarding appropriateness of the disciplinary penalty recommended by the college and/or whether other disciplinary penalties are to be imposed in addition to or in lieu of those already recommended by the college.

#### **F. PROVOST ACTION**

1. Decision of the Provost. The role of the provost in handling student appeals regarding the charge of academic honesty has been explained (see II.E.5 above). Based on the recommendation, the Provost will render a decision within ten (10) business days of receipt of the recommendation of the Senate Committee. The provost will notify the student, the referring dean, the department chair and the faculty member of the Senate Committee's recommendations and of the provost's decision. At that time the provost will also notify the registrar to annotate the student's transcript, if necessary.
2. Appeal of the Decision of the Provost. If the student wishes to appeal the decision of the provost regarding the imposition of a disciplinary penalty, the student may appeal to the president, and then to the Board of Regents. The student must submit a written statement of appeal to the president within ten (10) business days of notification of the provost's decision. The basis for such an appeal must be on the grounds that the decision was arbitrary, capricious, or discriminatory.

#### **G. STUDENTS INVOLVED IN TWO OR MORE INCIDENTS OF ACADEMIC DISHONESTY**

A student is subject to disciplinary action in addition to any already undertaken once it is determined that the student has been found guilty in a previous incident of academic dishonesty. In such cases, the dean of students will forward a report to the University Senate Committee on Student Discipline regarding the incidents of academic dishonesty which have been reported. The dean of students is responsible for initiating this report within ten (10) business days of notification of the proceedings of any subsequent finding of academic dishonesty.

The University Senate Committee on Student Discipline will review the report of the dean of students. The student may submit supplemental written documents for the committee's review and may request to appear before the committee in its deliberations. After reviewing the matter, the committee will send a report to the provost with the recommendation for disciplinary penalty to be imposed. The provost will proceed as in G above.

#### **H. GRIEVANCE PROCEDURES FOR ACADEMIC MATTERS**

1. Each of the undergraduate colleges has stated policies for settling grievances of students for academic matters. Refer to the office of the dean of each college for policies.
2. Obligation to Report Suspected Violations. Members of the academic community, students, faculty and staff are expected to report all instances of academic dishonesty to the appropriate authorities. The procedures for such reporting are on file in the offices of the deans of each college.
3. Penalties. The university takes the matter of academic honesty most seriously. Penalties for violations vary, but include both suspension and permanent expulsion from the institution.

Approved - University Senate Committee on Admissions and Standards – March 14, 1994

Approved - University Senate - November 3, 1994

Amended - University Senate – October 15, 2009

Amended - University Senate – October 7, 2010

Amended - University Senate – January 19, 2012

Amended - University Senate – March 15, 2012

Amended - University Senate – April 17, 2014

## **IV. Administrative Policies**

### **A. Disruptive Student Conduct in the Classroom or Other Learning Environment**

#### **DEFINITION:**

*Disruptive student behavior is student behavior in a classroom or other learning environment (to include both on and off-campus locations), which disrupts the educational process. Disruptive class\* behavior for this purpose is defined by the instructor. Such behavior includes, but is not limited to, verbal or physical threats, repeated obscenities, unreasonable interference with class discussion, making/receiving personal phone calls, text messages or pages during class, excessive tardiness, leaving and entering class frequently in the absence of notice to instructor of illness or other extenuating circumstances, and persisting in disruptive personal conversations with other class members. For purposes of this policy, it may also be considered disruptive behavior for a student to exhibit threatening, intimidating, or other inappropriate behavior toward the instructor or classmates outside of class.*

#### **PREAMBLE:**

When disruptive behavior occurs in the class, the instructor shall make reasonable effort to address the disruption with the student, preferably in private. Georgia State encourages members of the university community to try to resolve problems informally whenever possible. Toward that end, the instructor and student may consult with the office of the Ombudsperson, the Dean of Students office, or other university offices to discuss ways to resolve the situation informally at any time during the process set forth in this policy. Should the instructor elect to withdraw the disruptive student, the following procedures should be followed. Individual college or academic units may have supplementary procedures to deal with disruptive student behavior so long as those procedures are consistent with this policy. Where this policy conflicts with the *Student Code of Conduct*, this policy will prevail with respect to disruptive behavior in the academic setting.

#### **PROCEDURE:**

##### **STEP ONE: INSTRUCTOR'S RESPONSE TO DISRUPTIVE BEHAVIOR**

When disruptive behavior occurs in a class

1. The instructor will warn the student. The warning will consist of orally notifying the student that his/her behavior is disruptive and that it must cease immediately or the student will face removal from the class.
2. If the student fails to comply with the instructor's warning, the instructor may require the disruptive student to immediately leave the classroom for the remainder of the class period. If the student refuses to leave, the instructor may summon the campus police to remove the student.
3. If the instructor believes the disruptive behavior poses an immediate threat to the safety of the instructor, the student, or any other students or persons, the instructor may summon the campus police to remove the student, regardless of whether a warning has been issued. This action should be immediately reported by the instructor to the Dean of Students for review with respect to whether the student's behavior poses an imminent threat to self or others such that s/he should be removed from the university, pending disciplinary proceedings.
4. If the instructor chooses to allow the student to return to the class and continue in the course, the process is resolved. If at any time the instructor or student believes it would be beneficial to contact the university office of the Ombudsperson, s/he may consult an Ombudsperson in an effort to resolve the matter.
5. If the instructor believes the student should not be permitted to return to the class to continue in that course, s/he should proceed to Step Two, below.



## **STEP TWO: WITHDRAWAL PROCESS**

### **A. THE INSTRUCTOR**

1. If the instructor decides that withdrawing the student from the course is necessary, s/he shall, within one (1) working day of the disruptive incident, provide the department Chair with a written report of the disruptive incident(s).
2. If the Instructor has the disruptive student in more than one class, and the Instructor decides that the student is disrupting learning in more than one of those classes, or when the student is exhibiting threatening and/or intimidating behavior outside the class (e.g., in the instructor's office, outside the classroom, etc.), the instructor has the authority under this policy to initiate removal of the student from all courses taught by that instructor, with the signed approval of the Chair and Dean or Associate Dean of the college, or the Dean or Associate Dean's designated representative.

### **B. DEPARTMENT CHAIR**

Except for extenuating circumstances, the Chair will:

1. Notify the student in writing, via e-mail and U.S. Mail, within 1 day of receiving the Instructor's notice that the matter has been submitted to the department Chair for a decision on whether the student should be removed from the course, and that s/he may not return to the class until the issue is resolved. This notice shall include a written description of the disruptive behavior complained of and a copy of the *Disruptive Student Conduct in the Classroom or Other Learning Environment Policy*, which includes a description of the appeals process. The student will also be informed that if s/he wishes to respond to the complaint, s/he must submit a written statement to the Chair and meet with the Chair within five 5 working days from the date of the written notice. The Chair's contact information and the contact information for the office of the Ombudsperson should be included.
2. Make her/himself available to meet with the student as soon as possible within 5 working days after written notice to the student.
3. Decide on the appropriate outcome and send notice of the decision, with an explanation of the basis for the decision, to the student. The decision may consist of
  - Allowing the student to return to course or courses, with or without conditions;
  - Allowing or requiring the student to transfer to another course section or sections; or
  - Withdrawing the student from the involved course or courses.
4. Notify the student via e-mail and U.S. mail of his/her decision within 5 working days of receiving the student's response. If the Chair decides that the student should be removed from the involved course or courses, s/he will notify the Dean of Students, who will send an email requesting the withdrawal to the Registrar. A copy of the withdrawal email to the Dean of Students will be mailed to the student by the Chair via e-mail and U.S. mail at the time the Chair's written notice of his/her decision is sent. The Chair will also include notice that the student may appeal the decision by submitting a written appeal to the College Dean, which shall detail the basis of the student's denial of the charges, within 5 working days from the date of the Chair's written notice of his/her decision.
5. Notify the Academic Dean and the Dean of Students of the charges and action taken.

## **STEP THREE: THE APPEALS PROCESS**

The student may appeal the decision of the department Chair to the Dean of the College. The student's appeal must be received by the Dean, in writing, within 5 working days of the date of the Chair's decision. The Dean's decision shall be made and, except for extenuating circumstances, will be sent to the student within five 5 working days of receipt by the Dean of the student's appeal via mail and U.S. mail.

The student may appeal the decision of the Dean of the College to the university Provost. This appeal must be in writing and received within 5 working days of the date of notification of the Dean's decision. The Provost, except for extenuating circumstances, will make a decision within 5 calendar days and notify the student vial e-mail and U.S. mail.

The student may appeal the decision of the Provost to the university President. This appeal must be in writing and received within 5 working days of the date of notification of the Provost's decision. The President, except for extenuating circumstances, will make a decision within 15 calendar days and notify the student via e-mail and U.S. mail. The President's decision shall be final at the university level.

To appeal to the Board of Regents, the student may make an application for review to the Board of Regents within 20 calendar days of the date of the President's decision. The application shall state the decision complained of and the redress desired. A hearing before the Board (or a Committee of, or appointed by, the Board) is not a matter of right but is within the sound discretion of the Board. If the application for review is granted, the Board will, except for extenuating circumstances, investigate the matter thoroughly and render its decision thereon within 60 calendar days from the date of any hearing that may have been held. Student will be notified according to the set procedures of the Board. The decision of the Board shall be final and binding for all purposes.

If the Board of Regents:

- 1) issues a final decision, then the university system administrative appeals process has been exhausted; or
- 2) remands the matter to the university for further consideration, then administrative deliberation on the dispute continues until such point as a final administrative decision on the dispute is made.

[Note: After a final administrative decision on the student appeal is made within the university system hierarchy, then there is the "possibility" of the student seeking judicial review of the matter.]

#### **STEP FOUR: FINAL RESOLUTION**

Students withdrawn for disruptive behavior from a course will receive a grade of W or WF, according to university policy. If the charge of disruptive behavior is upheld, regardless of whether the student is allowed to return to the course, the student is responsible for any loss of financial aid. In the event a decision is made at any point in this process that the student was removed without sufficient cause, then the student will be allowed to immediately return to the course without penalty and the chair will work with the student to facilitate the completion of any work missed.

The Department Chair or Dean of the College, depending upon where the decision ends, will notify the Dean of Students of the final decision on the matter. If the appeal goes to the university President or to the Board of Regents, the President will notify the Dean of Students and the Dean of the College. The Dean of Students will maintain a record of any disciplinary action and may initiate additional disciplinary processes at his/her discretion.

\*For purposes of this document, the word "class" is defined as one specific meeting of students and professor while the word "course" refers to the entire section.

Amended by the Senate on April 20, 2006

(See next page for flow chart.)

### Procedure Chart for Removal of Student from Classroom for Disruptive Behavior

Procedure	Time Frame	Actions in Process	Notification Requirements
Step One	Working Day 1	Incident Occurs	The Instructor may <ol style="list-style-type: none"> <li>1. Issue oral warning</li> <li>2. Require student to leave class</li> <li>3. Have security remove student</li> <li>4. Readmit student to class</li> </ol>
Step Two	Working Day 2	Instructor elects to remove student from course or courses	The Instructor will <ol style="list-style-type: none"> <li>1. Notify chair</li> <li>2. Include written report of the incident</li> </ol>
	Working Day 3	The Chair notifies the student	The chair via e-mail and U.S. mail will <ol style="list-style-type: none"> <li>1. Provide Student with notice that (a) request for removal has been submitted to chair and (b) student may not return to the classes in question until issue is resolved.</li> <li>2. Include written report of disruptive behavior, copy of <i>Disruptive Student Conduct in Classroom</i> policy, and contact information for Chair and Ombudsperson.</li> <li>3. Alert student to complete appeal to chair within 5 days of notification date</li> </ol>
	Working Days 3-8	Student may respond	The Student may <ol style="list-style-type: none"> <li>1. Submit a written statement to the Chair</li> <li>2. Meet with the Chair within five (5) working days from the date of the written notice</li> <li>3. Consult with office of the Ombudsperson, the Dean of Students office, or other university offices</li> </ol>
	Working Days 9-13	Chair notifies student of decision <ol style="list-style-type: none"> <li>1. To allow the student to return to course or courses, with or without conditions;</li> <li>2. To allow or require the student to transfer to another course section or sections; or</li> <li>3. To withdraw the student from the involved course or courses.</li> </ol>	The Chair will <ul style="list-style-type: none"> <li>• Notify the Student of his/her decision via e-mail and U.S. mail (within 5 working days).</li> <li>• If the decision is to withdraw the student, the Chair will also               <ol style="list-style-type: none"> <li>1. Send an email requesting a withdrawal to the Dean of Students.</li> <li>2. Send an email notification to the student.</li> <li>3. Include notice that the Student may appeal the decision by submitting a written appeal to the Dean, which shall detail the basis of the student's denial of the charges.</li> <li>4. Notify academic Dean and Dean of Students of charges and action taken.</li> <li>5. Notify the Dean of Students to withdraw the student from the class, if a class withdrawal is desired.</li> </ol> </li> </ul>
Step Three	Working Days 14-18	Student may appeal to Dean	The Student may submit written appeal to Dean within 5 working days
	Working Day 23	Dean responds to students appeal	The Dean will <ol style="list-style-type: none"> <li>1. Notify student of decision via e-mail and U.S. mail within 5 working days</li> <li>2. Notify student of right to appeal to Provost</li> <li>3. Alert student to complete appeal to Dean within 5 days of notification date.</li> <li>4. Notify Dean of Students of charges and action taken.</li> </ol>
	Working Day 28	Student may appeal to the Provost	The Student may submit written appeal to Provost within 5 working days
	Working Day 33	Provost responds to students' appeal	The Provost will <ol style="list-style-type: none"> <li>1. Notify student of decision via e-mail and U.S. mail within 5 working days</li> <li>2. Notify student of right to appeal to the President.</li> <li>3. Notify academic Dean and Dean of Students of action taken.</li> </ol>
	Working Day 38	Student may appeal to President	Student may submit written appeal within 5 working days
	Calendar Day 53	President responds to student's appeal	The President will <ol style="list-style-type: none"> <li>1. Notify student of decision via e-mail and U.S. mail within 15 calendar days</li> <li>2. Notify student of right to appeal to the President.</li> <li>3. Notify academic Dean and Dean of Students of action taken.</li> </ol>
	Calendar Day 73	Student may appeal to Board of Regents	Student may submit written appeal within 20 calendar days
	Day 133	The Board of Regents responds to student's appeal	The Board of Regents will respond in accordance with Board procedures within 60 calendar days. The President will notify the academic Dean and Dean of Students of action taken.

## **B. Non-Discrimination Policy**

### **1. Non-Discrimination**

Georgia State University does not discriminate against individuals on the basis of race, color, sex, religion, creed, age, sexual orientation, gender, disability, national origin, or veteran status in employment or the administration of the program and activities conducted by Georgia State University or any of its several departments now in existence or hereafter established.

Additionally, no chartered student organization may engage in discriminatory conduct whether collectively or through the actions of its individual members. (*See Code Section I. Chartering Student Organizations.*)

### **2. Reporting**

Members of the university community who believe they have been discriminated against by the university or a chartered student organization should contact the following offices to report the incident and for direction in filing a formal complaint:

- a. Discrimination by student organizations should be reported to the Dean of Students, office of the Dean of Students, Suite 303, Student Center East, 404/413-1515, deanofstudents@gsu.edu.
- b. Discrimination by faculty or staff should be reported to the Assistant Vice President of Human Resources, office of Opportunity Development/Diversity Education Planning (ODDEP), 1 Park Place South, Suite 527, 404/413-2567.

### **3. Review Process**

The Dean of Students will conduct a timely review of all complaints of discrimination against student organizations, including interviewing individuals identified in the complaint to determine whether there is sufficient basis to believe that a violation of the Non-Discrimination Policy may have occurred. Based upon the findings of fact during the review, if the Dean of Students determines that there is sufficient basis to believe that a violation of the Non-Discrimination Policy may have occurred, the Dean of Students will initiate Student Code of Conduct charges regarding the alleged Code violation (*See Student Code of Conduct – General Conduct Policy and Procedures*).

### **4. Sanctions for Student Organization Violations of the Non-Discrimination Policy**

- a. Violations of this policy by a chartered student organization will be adjudicated and may result in disciplinary action up to and including revocation of the organization's university charter.
- b. In addition to the foregoing sanctions, the Dean of Students may impose the following sanctions:
  1. A student organization that fails to respond to the Dean of Student's requests on any matter including, but not limited to, a request to meet concerning allegations of the Discrimination and Discriminatory Harassment policies, shall be subject to sanctions up to suspension of its university charter for one (1) year.
  2. A student organization that provides any false information or false testimony shall be subject to sanctions up to suspension of its university charter for two (2) years.
  3. A student organization that is found responsible for a second violation of the Non-Discrimination Policy, within six (6) years of the prior violation shall be subject to a minimum of a six (6) year suspension up to permanent revocation of its university charter.

### **C. Policy on Class Attendance**

The resources of the university are provided for the intellectual growth and development of its students. The university expects each student to take full responsibility for his or her academic work and academic progress. Students are expected to attend classes in order to gain command of the concepts and materials of their courses of study. As such, the university does not mandate the number or percentage of absences that are acceptable but suggests a guideline of 15% for determining an excessive level of absence. The specific class attendance policies for each class are at the discretion of the instructor, in accordance with the policies of the department and college.

All matters related to student absences, including making up work missed, are to be arranged between the student and the instructor before the semester begins or on the first week of classes. All instructors will, at the beginning of each semester, make a clear statement in the course syllabus for each of their classes, describing their policies for handling absences. Students are obligated to adhere to the requirements of each course and of each instructor. Instructors are encouraged to provide avenues for students to make up examinations and other work missed due to an excused absence.

Excused absences are recognized in the following cases:

#### **1. University-Sponsored Events**

Absences due to activities approved by the office of the Provost, in which a student is an official representative of the university will be recognized as excused when the student informs the instructor in writing during the first week of the semester of his or her participation in an activity that may generate excused absences and the dates of planned absences for the semester. If requested, the appropriate university official will provide a memo stating the official nature of the university business in advance of the activity. Absences due to similar events, which could not have been anticipated earlier in the semester, will be recognized as excused absences upon advance notification of the instructor by an appropriate faculty advisor or administrator.

#### **2. Legal Obligations**

Absences due to legal obligations (for example, jury duty, military orders) will be recognized as excused absences. The student must provide the instructor with written documentation of such absences at the earliest possible date.

#### **3. Religious Observances**

Students wishing to have an excused absence due to the observation of a religious holiday of special importance must provide advance written request to each instructor by the end of the first week of classes.

#### **Class Attendance by Veterans**

The Department of Veterans Affairs requires that institutions of higher learning immediately report to them when a student discontinues attendance for any reason. Instructors must report to the Registrar's office the absence of a veteran student as soon as it is known that the veteran student will not be returning to class. Generally, this should be reported after one week of absences and no later than two weeks of nonattendance by a veteran student.

In addition, it is suggested that the faculty give due consideration to absences relating to the following events:

- A. Death or major illness in student's immediate family
- B. Illness of a dependent family member
- C. Illness that is too severe or contagious for students to attend class

#### D. Privacy of Student Records

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education. FERPA rights are provided only to university applicants upon actual acceptance to and subsequent enrollment for classes at the University. Under FERPA, students attending an institution of postsecondary education may:

- A. Consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that such disclosures are authorized without consent;
- B. Choose to suppress (i.e., keep from being disclosed) their directory information per the process identified;
- C. Inspect and review their education records;
- D. Seek amendment of those education records believed to be inaccurate, misleading or otherwise in violation of their privacy rights; and
- E. File complaints with the Department of Education about alleged failures by the university to comply with the requirements of FERPA.

The full text of Georgia State University's Procedure on Student Records/Family Educational Rights and Privacy Act may be found at <http://registrar.gsu.edu/academic-records/records-management/ferpa/>.

#### E. Potential Conflict of Interest in Amorous Relationships

The integrity of academic and work relationships is the foundation of the university's educational mission. These relationships vest considerable trust in persons with authority whether as mentor, educator, evaluator and/or administrator. The unequal institutional power inherent in university academic and work relationships heightens the vulnerability of those in subordinate positions. The university must protect itself from influences or activities that interfere with intellectual, professional and personal growth, or with the university's financial interests. Consequently, people in positions of authority within the university community must be sensitive to the potential for conflict of interest as well as sexual harassment in amorous relationships with people over whom they have a professional power/status advantage. (See Section 206.03 of the Faculty Handbook, Section 6-1 of the Classified Employee Handbook, and the Georgia State University General Catalog for the Sexual Harassment Policy of the university.)

The individual in authority bears the primary responsibility for any negative consequences resulting from an amorous relationship. It is in the interest of the university to provide clear direction and educational opportunities to the university community about potential professional risks associated with consensual amorous relationships between members of the university community where a power/status advantage exists.

##### a. Power Advantages

**Academic Relationship Advantage:** A faculty member or other instructor always will be treated as having a power advantage when that faculty member or instructor has authority to assign grades; serves on thesis, dissertation, or scholarship awards committees; provides research and/or training opportunities, etc.

**Staff Advantage:** A staff member will always be treated as having a power advantage when the staff member has the authority to evaluate, determine salary, and/or make employment decisions.

**Other Power Advantage:** Power advantages also can occur between junior and senior faculty, faculty and administrators, and faculty/administrators and staff.

##### b. Conflict of Interest

Relationships that are mutual and consensual may be viewed by others as exploitative and may adversely affect the work environment in that serious conflicts of interests may be perceived to exist. In particular, the parties to an amorous relationship should be aware that such relationships often create general conflicts of interest and the fear from co-workers or students of unfair treatment in terms of promotions, grades, etc. Therefore, Georgia State University prohibits the parties who are or have been involved in any amorous relationship from evaluating each other.

There are situations sufficiently complex that judgments may differ as to whether there is or may be a conflict of interest, and individuals may inadvertently place themselves in situations where conflict exists. Accordingly, for the common good, should a situation arise in which parties who are or have been involved in any amorous relationship come into a position in which they would normally be called upon to evaluate one another, the individual in authority must promptly report this fact to his or her supervisor. The supervisor will then make arrangements to see that those who are or have been involved in any amorous relationship do not evaluate each other. In particular, if a faculty member has had or comes to have an amorous relationship with a student over whom the faculty member has authority as described above, the faculty member must promptly report this to the department/school chair who will make arrangements for an alternate evaluation mechanism. Should the individual in authority fail to promptly report an amorous relationship with a person the individual in authority evaluates, the individual in authority has violated university policy and is subject to disciplinary action as outlined in the Faculty Handbook, Classified Employee Handbook or appropriate student catalogue, handbook, or college regulations (depending on whether the individual in authority is faculty, staff or a student).

**c. Malicious Use of This Policy**

It is important to avoid conflict of interests resulting from amorous relationships; it is equally important to recognize that malicious accusations of inappropriate amorous relationships have the potential to severely damage a person's career and reputation. Therefore, Georgia State university prohibits making knowingly false accusations that an unreported amorous relationship exists or existed between two parties now in a position to evaluate each other.

**d. Due Process**

Due process rights are matters of fundamental fairness. Therefore, any disciplinary action initiated will be taken in accordance with the procedures set out in the Faculty Handbook, Classified Employee Handbook or appropriate student catalogue, handbook, or college regulations.

## **F. Policy/Procedures for Procedures for Student Complaints, Petitions for Policy Waivers/Variations and Appeals**

### **I. Purpose and Applicability**

Georgia State University seeks to maintain the highest standards of integrity and fairness in its relationships with students. The Undergraduate Catalog and the Graduate Catalog (both found at [http://www.gsu.edu/es/catalogs\\_courses.html](http://www.gsu.edu/es/catalogs_courses.html)), and the [Student Code of Conduct](#) set forth policies and requirements for Georgia State students. Students are expected to know and comply with these policies. Students may, however, seek relief or resolution when they believe that:

- A. The application of these policies and procedures will create undue hardship for them or will not recognize their extraordinary or extenuating circumstances; or
- B. Specific actions, practices, or decisions on academic or non-academic matters have been made or carried out in an arbitrary, discriminatory, or inequitable manner. The procedures set forth below cover complaints, petitions, and appeals related to university-wide and college-based policies. Individual colleges or departments may have additional or more specific procedures that may also apply to complaints, petitions, and appeals. Students are referred to the office of the dean of the particular college for information about additional or more specific procedures that apply. In case of conflict among policies, this university policy takes precedence over College and Departmental policies. The following policies include their own complaint, petition and waiver procedures. This policy may not be used in lieu of these policies.
  1. Any policy for anyone other than a student to make a complaint, file a grievance, or request a waiver, such as policies that govern faculty and staff.
  2. All policies in the student code of conduct
  3. Emergency Withdrawal Policy
  4. Admission, readmission, and exclusion policies
  5. Discriminatory and sexual harassment policies
  6. Disability policies
  7. College of Law Honor Code
  8. Student parking policy

The procedures set forth below are applicable to undergraduate and graduate students of the university. All appeals under these procedures will be made based only on the written record. A student's appeal under these procedures will be granted only if the student can prove by preponderance of evidence that a decision was arbitrary, discriminatory, or inequitable.

### **II. Student Complaints on Academic Matters**

- A. College-Level Academic Complaints
  1. Final Course Grade Appeals
    - a. Students are encouraged to discuss concerns and disputes over final course grades with the instructor prior to filing a formal grade appeal, in an effort to gain understanding about the basis of his/her grade. Instructors are encouraged to be available to students for such discussion regarding grades so that grade disputes, to the extent possible, are resolved informally. The office of the Ombudsperson can provide assistance to students, instructors and administrators with resolving disputes informally through voluntary facilitated discussions, in an effort to bring resolution to the matter prior to the initiation of a formal complaint.
    - b. In situations where such informal resolution does not occur or is not successful, the student may appeal the final course grade to the Department Chair. The appeal must be in writing and describe the precise reason for the appeal. Any pertinent information must be submitted with the appeal in order to be considered in this or subsequent appeals. The appeal must be submitted within 10 business days of the beginning of the academic term (fall, spring, summer) that follows the term in which the final grade was submitted by the instructor. For example, if a student took an incomplete in a fall term course and completed the course works in the following spring semester, then an appeal of that grade must be submitted within 10 business days of the beginning of the summer term. The Department Chair will provide a decision in writing to the student, normally within 10 business days of the receipt of the complaint in the Department.



- c. The student may appeal the decision of the Department Chair, as described in section 2-c through 2-e below.
2. Other College-Level Academic Complaints
    - a. Judgments on the suitability of academic decisions made within a college are most appropriately made by individuals with expertise in the particular academic discipline involved. For this reason, resolution of student complaints about college level academic decisions, actions, or practices is the responsibility of the department and college involved. Normally, such complaints can be resolved quickly and informally through discussion with the faculty member directly involved. The office of the Ombudsperson can provide assistance to students, instructors and administrators with resolving disputes informally through voluntary facilitated discussions, in an effort to bring resolution to the matter prior to the initiation of a formal complaint.
    - b. In situations where such informal resolution does not occur or is not successful, the student may submit a formal complaint to the Chair of the appropriate academic department. The student's complaint must be submitted in writing and be accompanied by pertinent documentation describing (a) the specific action, practice, or decision that is problematic; (b) the impact of that decision; (c) what resolution is being sought; (d) and why it should be granted. To promote prompt resolution, complaints must include current contact information and be submitted at the earliest possible time. Consideration will not be given to any complaint submitted later than the end of the term immediately following the term in which the matter in question arose. The Department Chair will provide a decision in writing to the student, normally within 10 business days of the receipt of the complaint in the Department.
    - c. The student may appeal the Department Chair's decision within 10 business days of being notified of the Chair's decision. Such appeal will be made, in writing, to the Dean of the College in which the Department is located. At the discretion of the Dean, an advisory panel may be appointed to review the written documentation and make a recommendation to the Dean. The Dean will issue a decision to the student in writing, normally within 10 business days of the receipt of the appeal.
    - d. A student may appeal the Dean's decision to the Provost, in writing, within 10 business days of being notified of the Dean's decision. The Provost will issue a decision to the student, in writing within 20 business days of receiving the appeal.
    - e. The student may appeal the Provost's decision to the President, in writing, within 10 business days of being notified of the Provost's decision. The President will issue a decision to the student in writing within 20 business days of receiving the appeal.
    - f. The student may appeal the President's decision to the Board of Regents, in writing, within 20 business days of being notified of the President's decision. Decisions regarding grades may not be appealed to the Board of Regents (BOR Policy 407.01).
  - B. University-Level Academic Complaints
    1. Judgments on the suitability of academic decisions made at the university level are most appropriately made by individuals with expertise in the particular area. Normally, such complaints can be resolved quickly through discussion with the Academic Administrator directly involved. (See the University Organizational Chart at [http://www.gsu.edu/administrative\\_organization.html](http://www.gsu.edu/administrative_organization.html).) Students can contact the office of the Ombudsperson for assistance in preparing for discussion with academic administrators. The office of the Ombudsperson can also provide assistance to students and academic administrators with resolving disputes informally through voluntary, facilitated discussions, in an effort to bring resolution to the matter prior to the initiation of a formal complaint.
    2. In situations where such informal resolution does not occur or is not successful, the student may submit a formal complaint to the Vice Provost. The student's complaint must be submitted in writing, and be accompanied by pertinent documentation describing (a) the specific action, practice, or decision that is problematic; (b) the impact of that decision; (c) what resolution is being sought; and (d) why it should be granted. To promote prompt resolution, complaints must include current contact information and be submitted as early as possible, but no later than the end of the term immediately following the term in which the matter arose. The Vice Provost will normally issue a decision to the student in writing, within 10 business days of receiving the complaint.

3. The student may appeal the Vice Provost's decision to the Provost within 10 business days of being notified of the decision. The Provost will respond in writing to the appeal within 20 business days of receiving the appeal.
4. The student may appeal the Provost's decision to the President in writing within 10 business days of being notified of the Provost's decision. The President will respond in writing to the appeal within 20 business days of receiving the appeal.
5. The student may appeal the President's decision to the Board of Regents in writing within 20 business days of being notified of the President's decision. Decisions regarding residency and the Guaranteed Tuition Plan may not be appealed to the Board of Regents (BOR Policy 407.01).

### **III. Non-Academic Complaints**

1. Judgments on the suitability of non-academic decisions are most appropriately made by individuals with expertise in the particular area. Normally, such complaints can be resolved quickly through discussion with the Administrator in charge of the department making the decision. (See the [University Organizational Chart](#)). Students can contact the office of the Ombudsperson for assistance in preparing for discussion with non-academic administrators. The office of the Ombudsperson can also provide assistance to students and non-academic administrators with resolving disputes informally through voluntary, facilitated discussions, in an effort to bring resolution to the matter prior to the initiation of a formal complaint.
2. In situations where such informal resolution does not occur or is not successful, the student may submit a formal complaint to the Vice President or Vice Provost who oversees the area. The student's complaint must be submitted in writing, and be accompanied by pertinent documentation describing (a) the specific action, practice, or decision that is problematic; (b) the impact of that decision; (c) what resolution is being sought; and (d) why it should be granted. To promote prompt resolution, complaints must include current contact information and be submitted as early as possible, but no later than the end of the term immediately following the term in which the matter arose. The Vice President or Vice Provost will provide a decision to the student in writing, normally within 10 business days of the receipt of the complaint.
3. The student may appeal the Vice President's or Vice Provost's decision to the Provost in writing within 10 business days of being notified of the decision. The Provost will respond in writing to the appeal within 20 business days of receiving the appeal.
4. The student may appeal the Provost's decision to the President in writing within 10 business days of being notified of the Provost's decision. The President will respond in writing to the appeal within 20 business days of receiving the appeal.
5. The student may appeal the President's decision to the Board of Regents in writing within 20 business days of being notified of the President's decision. Decisions regarding traffic citations may not be appealed to the Board of Regents (BOR Policy 407.01).

### **IV. Student Petitions for Academic Policy Waiver or Variance**

- A. College-Level Policy Waiver or Variance Petitions
  1. Students may petition for a waiver or variance of a department-level or college-level policy. The appropriate college office of Academic Assistance can provide the student with college policies and petition procedures.
  2. The student must submit a petition, in writing, to the office of Academic Assistance of the College which has made the policy in question. The petition must include the following: (a) the policy from which the student is seeking a waiver or variance, (b) the deviation being sought; and (c) the reason(s) why the exception should be granted. The office of Academic Assistance representative will determine whether the petition needs to be addressed at the departmental or college level, and will forward the petition to the appropriate administrator who will notify the student of his or her decision.

3. The student may appeal the decision, in writing, following the procedures stated in Section II.A.2.c through f above, the College-Level Academic Complaint Policy and Procedures. If the original decision was rendered by a Department Chair, the appeal should be initiated at the level of the Dean; if the original decision was rendered by the Dean (or his or her designate), the appeal should be initiated at the level of the Provost.
- B. University-Level Policy Waiver or Variance Petitions
1. Students may request a waiver or variance of a policy established by the university or the Board of Regents.
  2. All requests for waivers or variances from university-level policies will be made based only on the written record.
  3. The petition must include the following: (a) The section number from the Catalog (or other official university document) of the policy or requirement from which the student is requesting a waiver; (b) the deviation being sought; (c) the reason(s) why the exception should be granted; (d) a current copy of the student's academic evaluation record; and (e) a current copy of the student's Georgia State University transcripts (unless the petitioner is not a yet a Georgia State student); and (f) transcripts from any other college the student has attended (if the petitioner has attended other colleges).
4. Financial Appeals
- a. Appeals of tuition and fee rules (currently in sections 1210.10, 1210.20 and 1210.30 of the Catalog), Georgia resident status rules (currently in section 1220), and financial aid rules (currently in section 1230) will be made by the university Registrar.
  - b. If the petition is denied, the student may appeal to the Financial Appeals Committee, a committee appointed by the Vice Provost. The student must appeal in writing and within 10 business days of being notified of the decision of the university Registrar.
  - c. Appeals of the financial rules of colleges and departments (e.g., lab fees, graduate assistantship rules, etc.) are considered by the college or department. See Section IV.A. above.
5. Add, Drop and Withdrawal Appeals (Appeals of Rules Currently in Section 1332 of the Catalog)
- a. Appeals of add, drop and withdrawal rules will be made in the first instance by the university Registrar.
  - b. If the petition is denied, the student may appeal to the Registration Appeals Committee, a subcommittee of the Senate Committee on Admissions and Standards. The student must appeal in writing and within 10 business days of being notified of the decision of the University Registrar.
  - c. The Registrar will copy of the Chair of the Registration Appeals Committee on all letters to students notifying them of the results of their petitions. Every semester, the Registrar will distribute to the Senate Committee on Admissions and Standards a report that indicates (at a minimum) the number of petitions filed, the number granted, and the number denied. Any member of Admissions and Standards may review the documents of any petition when there is a legitimate educational interest.
  - d. This policy does not change the Emergency Withdrawal policy.
6. Course Load, Scholastic Discipline, Course Substitution in the Core, and Regents Test Appeals (Appeals of Rules Currently in Section 1330.30, 1360, 1410, and 1420 of the Catalog)
- a. Appeals of rules regarding course load, scholastic discipline, course substitution in the core and Regents Test will be made in the first instance by the head of the university Advisement Center. However, appeals for waivers of Section 1330.30 (Course Load) will be considered by the student's college if the student has declared a college and will follow the procedure outlined in Section IV.A above.
  - b. If the petition is denied by the head of the university Advisement Center, the student may appeal to the Academic Regulations Appeals Committee, a subcommittee of the Senate Committee on Admissions and Standards. The student must appeal in writing and within 10 business days of being notified of the decision of the Director of the university Advisement Center.
  - c. The head of the university Advisement Center will copy of the Chair of the Academic Regulations Appeals Committee on all letters to students notifying them of the results of their petitions. Every semester, the head of the university Advisement Center will distribute to the Senate Committee on Admissions and Standards a report that indicates (at a minimum) the number of petitions filed, the number granted, and the number denied. Any member of Admissions and Standards may review the documents of any petition when there is a legitimate educational interest.

7. Academic Regulation and Graduation Requirement Appeals (Appeals of Rules Currently in other parts of Sections 1300 and 1400 of the Catalog)
  - a. Appeals of other university-level rules and graduation requirements will be made in the first instance by the Assistant Vice President for Student Retention. However, appeals for waivers of Section 1330.30 (Course Load) will be considered by the student's college if the student has declared a college and will follow the procedure outlined in Section IV.A above.
  - b. If the petition is denied, the student may appeal to the Academic Regulations Appeals Committee, a subcommittee of the Senate Committee on Admissions and Standards. The student must appeal in writing and within 10 business days of being notified of the decision of the Assistant Vice President for Student Retention.
  - c. The Assistant Vice President for Student Retention will copy of the Chair of the Academic Regulations Appeals Committee on all letters to students notifying them of the results of their petitions. Every semester, the Assistant Vice President for Student Retention will distribute to the Senate Committee on Admissions and Standards a report that indicates (at a minimum) the number of petitions filed, the number granted, and the number denied. Any member of Admissions and Standards may review the documents of any petition when there is a legitimate educational interest.
  
8. Subsequent Appeals
  - a. The student may appeal the decisions of the Admissions Appeals Committee, Financial Aid Appeals Committee, the Registration Appeals Committee and Academic Regulations Appeals Committee to the Vice Provost in writing within 10 business days of being notified of the decision. The Vice Provost will respond in writing to the appeal within 20 business days of receiving the appeal.
  - b. The student may appeal the Vice Provost's decision to the Provost in writing within 10 business days of being notified of the decision. The Provost will respond in writing to the appeal within 20 business days of receiving the appeal.
  - c. The student may appeal the Provost's decision to the President in writing within 10 business days of being notified of the Provost's decision. The President will respond in writing to the appeal within 20 business days of receiving the appeal.
  - d. The student may appeal the President's decision to the Board of Regents in writing within 20 business days of being notified of the President's decision.
  
9. Should a reorganization of offices lead to case where the position of University Registrar or one of the heads/directors noted above no longer exists, the Vice Provost and Chair of the Senate Committee on Admissions and Standards will jointly designate an individual to handle petitions until the Senate can revise this policy to reflect the new organization.

**V. Deadlines**

- A. All deadlines established in this Policy are stated in terms of business days. If a deadline falls on a weekend or scheduled holiday, the deadline will be the next scheduled workday of Georgia State University.
- B. Students lose their right to continue to the next step of the procedures if they miss a stated or agreed-upon deadline.

**VI. Mediation**

Students who have filed formal complaints or petitions or those who have had formal complaints filed against them under Sections II A or B of this Policy (except for grade appeals) may request that the matter be submitted to mediation in an effort to achieve resolution. Mediation is a voluntary, confidential process whereby a neutral person facilitates discussion between the parties in a mutual attempt to reach resolution on the issues raised by the parties. In the event mediation is agreed upon by both parties, the timelines under this policy shall be suspended until which time the mediation is completed. In the event that mediation results in agreement, the student's complaint will be considered resolved. In the event that mediation does not result in resolution of the matter, the student may appeal to the next level of review under this policy. Information derived from mediation discussion may not be used as the basis for higher levels of appeal, nor can the mediator be asked to provide information or make any decision at any level of the formal appeals process. Persons interested in mediation should contact the office of the Ombudsperson.

Revised December 11, 2008 - University Senate  
Revised February 25, 2009 – University Senate Executive Committee  
Revised October 27, 2011 – University Senate  
Revised October 10, 2013 – University Senate

## G. Alcohol and Other Drugs Policy

**Introduction:** Georgia State University is a dynamic learning environment. Its students, faculty, staff and guests interact in a wide variety of intellectual and social activities that extend beyond the classroom. The university promotes an alcohol-free campus environment but recognizes that alcoholic beverages may be available at university-related events. Such activities are consistent with the university's cultural values when they foster moderation, accountability and safety in alcohol consumption by persons of legal drinking age.

To support responsible decision-making about drinking, Georgia State strives to make alcohol information and education available to all students. The Department of Student Health Promotion, together with the Counseling and Testing Center, developed the Substance Use Risk Reduction Program (SURRP) to increase understanding about the responsible use of alcohol and the potentially harmful effects of alcohol and other drugs. Its mission is to create a low risk environment by supporting change in the campus culture and by educating and empowering students. The IAOD Program provides a comprehensive range of evidence-based alcohol and other drug prevention and intervention services as well as confidential counseling services for students with issues related to alcohol and drug use and abuse. Advocacy training is provided to campus stakeholders on an ongoing basis.

### I. Alcohol Policy

- A. General.** The university supports all federal, state and local laws relating to the use of alcoholic beverages. The unlawful possession, use, distribution, sale or manufacture of alcohol by members of the university Community (students, student organizations, staff and faculty) is strictly prohibited as is the possession, use, or sale of alcohol in violation of this Alcohol Policy.
- 1. Sale of Alcoholic Beverages on University Property.** The sale of alcoholic beverages on any property owned or controlled by the university is strictly prohibited. Cash bars at on-campus events are not permitted and alcoholic beverages at on-campus events may not be paid for by selling tickets for them whether in advance or at the door.
  - 2. Alcohol on University Property.** Except as expressly permitted in this policy, the possession or consumption of alcoholic beverages on property owned or controlled by the university is strictly prohibited. Exceptions to this Policy may be made on a case by case basis but only by the university President or his designee, the office of Legal Affairs. Persons wishing to request an exception for a specific event may do so by completing the university's Request to Serve Alcohol process described below in Paragraph C.1.
  - 3. Legal Age.** The legal age for possession and consumption of alcoholic beverages in Georgia is 21 and it shall be a violation of this Code Section for any member of the university community who is under the legal drinking age to possess or consume alcohol or for a member of the university community who is of legal age to provide alcohol to another member of the university Community who is a minor.
- B. University Housing.** Residents of University Housing who are of legal drinking age may possess and consume alcohol in their on-campus residences and in the residences of other University Housing residents of legal drinking age in accordance with the restrictions set forth in the University Housing Community Living Guide set forth at: <http://myhousing.gsu.edu/files/2015/08/Community-Living-Guide-2015-2016.pdf>. Those of legal age who choose to drink are encouraged to do so safely, responsibly and in moderation.
- C. Events with Alcohol.** Events with alcohol are subject to the policy requirements set forth below. These requirements are divided into two subcategories, depending on whether they are held on or off campus. For purposes of this policy, "campus" shall be understood to mean property owned or controlled by Georgia State University.
- 1. On-Campus Events with Alcohol.** This section governs all events held on the Georgia State University campus.
    - a. General Prohibition and Exceptions.** Possession and consumption of alcohol on campus is prohibited except as specifically permitted by this Policy or with the written permission of the university President or his designee, the office of Legal Affairs as more fully described in the following paragraph.

- b. **How to Request Permission to Serve Alcohol at an On-Campus Event.** Persons who would like permission to have alcohol served at an on-campus event may seek approval to do so by having the event sponsor complete and route a Request to Serve Alcohol Form (“Request Form”) to the office of Legal Affairs. The Request to Serve Alcohol Form is available at: <http://events.gsu.edu/request-serve-alcohol/>. All applicable departments identified on the Request Form must indicate their support of the event by signing the Request Form *prior* to submission of the document to the office of Legal Affairs for review. The Request Form must be received by the office of Legal Affairs for consideration no less than *two (2) weeks prior to the Event*. Permission to serve alcohol at an on-campus event, if granted, is conditioned on strict compliance with the requirements of this Policy.
- c. **Review of Policy Requirements.** The student group faculty/staff advisor (if a student organization is hosting the event) or the administrative supervisor of the group (if a university unit/subunit is hosting the event) is responsible for reviewing the provisions of this policy with the sponsoring group prior to the event. If the event is sponsored by an outside group, then this obligation is the responsibility of the authorized group representative identified on the corresponding Request to Serve Alcohol.
- d. **Prohibited Events.** Events where the alcoholic beverages are the main focal point of the event are prohibited as are any events that contribute to alcohol overindulgence or abuse.
- e. **Limit Hours of Service.** Service of alcoholic beverages must be discontinued after a reasonable time and any service that exceeds 2 total hours must cease at least one hour prior to the scheduled end of the event.
- f. **Advertising.** Advertising for the event may not include specific reference to the fact that alcoholic beverages will be available.
- g. **No Sale of Alcohol on Campus.** Because the sale of alcoholic beverages on any property owned or controlled by the university is strictly prohibited, cash bars at on-campus events are not permitted. Alcoholic beverages at on-campus events may not be paid for by selling tickets for them whether in advance or at the door.
- h. **Purchase of Alcohol.** No State funds, including student activity fees or other funds maintained in university accounts, may be used for the purchase of alcoholic beverages. Student organization funds self-generated by an organization and maintained in off-campus bank accounts and Georgia State University Foundation funds may be used for the purchase of alcohol; provided, this provision may not be construed to allow alcohol for on-campus events to be paid for by selling tickets to the on-campus event, either in advance or at the door.
- i. **Sponsorships and Donations from Alcohol Industry.** Student groups may not accept sponsorship or donations of alcoholic beverages from persons or entities whose primary focus of business is the manufacture, distribution or sale of alcohol products.
- j. **Who May Serve Alcoholic Beverages.** The group sponsoring the event must use a licensed and insured caterer; provided, there are limited circumstances when the President or his designee may grant university departments permission to serve alcohol without a caterer. The group sponsoring the event is responsible for providing the caterer with a copy of this Policy. The caterer must agree to abide by all of requirements of the Policy. No self-service of alcohol is permitted. No pass-service of alcohol is permitted at functions that students or minors may attend. For purposes of this Policy, “pass service” shall mean the service of alcohol carried out by catering staff moving about the Event facility and pouring or distributing wine or other alcoholic beverages for Event attendees.
- k. **No Access to Common Source Containers.** No common-source containers of alcohol (e.g., kegs, beer balls, champagne/punch fountains, punch bowls, frozen drink machines, etc.) may be used at any function unless there is a licensed caterer who will have sole access to the containers and will take responsibility for controlling the dispensing of alcoholic beverages in a legal and responsible manner.
- l. **Delivery and Removal of Alcohol.** The alcohol must be on site with the caterer before the start time of the event (i.e. the caterer must bring the alcohol or the group sponsoring the event must deliver the alcohol to the caterer before the event starts). Alcohol may not be delivered once the event has started and all alcoholic beverages must remain inside the reserved or designated event space during the actual Event. Any alcohol remaining at the end of the event must be removed from the premises by the event sponsor; provided, no alcohol may be released to a person who is visibly intoxicated. In the event there is alcohol remaining at the end of the event and the event sponsor is visibly intoxicated, then the remaining alcohol shall be poured out by the caterer prior to leaving the event facility.
- m. **No Underage Drinking.** The group sponsoring the event is responsible for taking reasonable steps necessary to prevent underage drinking at the event.
- n. **Check Identification.** If students or minors may attend the Event, then the group sponsoring is responsible for designating persons responsible for checking the IDs of anyone ordering alcohol at the Event who appears to be younger than 30 years of age. Persons designated to check IDs may not drink alcohol at the event and questionable forms of identification must be rejected.
- o. **Refuse to Admit or Serve Intoxicated Guests.** No visibly intoxicated person should be admitted to the event or served alcohol at any function.

- p. **Safe Travel.** A reasonable effort should be made to arrange a safe trip to and from the sponsored event for all attendees. The sponsoring group should encourage event attendees to have a designated driver who will refrain from drinking and should make taxi information available to event attendees.
  - q. **Provide Non-Alcoholic Beverages.** The group sponsoring the event must provide non-alcoholic beverages available for the duration of the event.
  - r. **Serve Food.** Food must be available for the duration of the alcohol service at the event.
  - s. **Post Drinking Restriction in Prominent Places.** Notices informing event attendees of the legal drinking age must be conspicuously posted at alcohol service locations at events where the event attendees may include students or members of the public who are younger than the legal drinking age.
  - t. **Restrict Alcoholic Beverages to a Controlled Area.** The group sponsoring the event must take reasonable steps to keep alcoholic beverages from being taken outside the predetermined boundaries for the event, to prevent visibly intoxicated persons from entering the event and to prevent persons from leaving the event to drink and then being readmitted to the event.
  - u. **Arrange for Event Security.** Georgia State University Police officer(s) must be present for any event at which minors may be in attendance or if 75 or more people may attend. The group sponsoring the event is solely responsible for paying the cost of hiring the number of required officers (officers require a four (4) hour minimum hire). At student events where minors may be in attendance, the officer(s) must be uniformed. The number of officers necessary to manage the event will be at the discretion of the Director of University Police. A greater number of officers may be required at events at which alcohol is to be served for more than two (2) hours. If event security is required, the officer(s) are to maintain a security presence and to respond to requests for intervention. They will maintain contact with the event sponsor, the event caterer, and event facility staff and are to intervene when circumstances warrant intervention, when there is a duty to act, and as reasonably requested by the event sponsor, caterer or facility staff.
  - v. **Review and Comply with other Applicable Policies.** Other policies may also govern on-campus events (e.g. fraternity and sorority risk management policies, university Special Event/Late Night Event Policy, chartered student organization requirements, NCAA requirements, etc.) and the group sponsoring the event is solely responsible for apprising itself of all compliance requirements applicable to the event.
  - w. **Cancellation for Non-Compliance.** Failure to comply with the rules set forth in this Policy, State Law or with the university Alcohol Policy, as applicable, may result in the immediate cancellation of an event but will not release the group sponsoring the event from any and all charges associated with the event. Failure to comply may also result in the loss of on-campus space reservation privileges, University disciplinary proceedings and/or criminal charges. Any alcohol remaining at an event canceled for non-compliance with the university Alcohol Policy must be disposed of by the caterer before leaving the event facility and no reimbursement or other compensation shall be due to the group sponsoring the event for the alcohol or alcohol service.
  - x. **Co-Sponsored Events.** Events co-sponsored by a student organization and a non-university entity are considered non-affiliated Events that require executing of the university's Facilities Use Agreement in addition to permission to serve alcohol at the Event.
2. **Off-Campus Events with Alcohol.** This section governs the following types of off-campus events: (1) events sponsored by chartered student organizations; and (2) events sponsored by university units if university students will be in attendance.
- a. **Review of Policy Requirements.** The student group faculty/staff advisor (if a student organization is hosting the event) or the administrative supervisor of the group (if a university unit/subunit is hosting the event) is responsible for reviewing the provisions of this policy with the sponsoring group prior to the event.
  - b. **Prohibited Events.** Events where the alcoholic beverages are the main focal point of the event are prohibited as are any events that contribute to alcohol overindulgence or abuse.
  - c. **Limit Hours of Service.** Service of alcoholic beverages must be discontinued after reasonable time and any service that exceeds 2 total hours must cease at least one hour prior to the scheduled end of the event.
  - d. **Advertising.** Advertising for the event may not refer in any way to the fact that alcoholic beverages will be available.



- e. **Purchase and Sale of Alcohol.** No State funds (including student activity fees or other funds maintained in university accounts) may be used for the purchase of alcoholic beverages. Student organization funds self-generated by an organization and maintained in off-campus bank accounts and Georgia State University Foundation funds may be used for the purchase of alcohol. Cash bars are permitted at off-campus events and the cost of alcoholic beverages may also be paid for by selling tickets for them in advance or at the door.
- f. **Sponsorships and Donations from Alcohol Industry.** Student groups may not accept sponsorship or donations of alcoholic beverages from persons or entities whose primary focus of business is the manufacture, distribution or sale of alcohol products.
- g. **Who May Serve Alcoholic Beverages.** The group sponsoring the event must use a licensed and insured caterer to serve alcohol at the event and to monitor the consumption of alcohol at the event; provided, there are limited circumstances when the President or his designee may grant university departments permission to serve alcohol without a caterer. The caterer must be provided with a copy of this policy and must agree to abide by all of its requirements. No self-service of alcohol is permitted. No pass-service of alcohol is permitted at functions that students or minors may attend. For purposes of this Policy, “pass service” shall mean the service of alcohol carried out by catering staff moving about the Event facility and pouring or distributing wine or other alcoholic beverages for Event attendees.
- h. **No Access to Common Source Containers.** No common-source containers of alcohol (e.g., kegs, beer balls, champagne/punch fountains, punch bowls, frozen drink machines, etc.) may be used at any function unless there is a licensed caterer who will have sole access to the containers and will take responsibility for controlling the dispensing of alcoholic beverages in a legal and responsible manner.
- i. **Delivery and Removal of Alcohol.** The alcohol must be on site with the caterer before the start time of the event (i.e. the caterer must have or bring the alcohol or the group sponsoring the event must deliver the alcohol to the caterer before the event starts). Alcohol may not be delivered once the event has started and all alcoholic beverages must remain inside the reserved or designated event space during the actual Event. Any alcohol remaining at the end of the event must be removed from the premises by the event sponsor; provided, no alcohol may be released to a person who is visibly intoxicated. In the event there is alcohol remaining at the end of the event and the event sponsor is visibly intoxicated, then the remaining alcohol shall be poured out by the caterer prior to leaving the event facility.
- j. **No Underage Drinking.** The group sponsoring the event is responsible for taking reasonable steps necessary to prevent underage drinking at the event.
- k. **Check Identification.** If students or minors may attend the event, then the group sponsoring is responsible for designating persons responsible for checking the IDs of anyone ordering alcohol at the event who appears to be younger than 30 years of age. Persons designated to check IDs may not drink alcohol at the event and questionable forms of identification must be rejected.
- l. **Refuse to Admit or Serve Intoxicated Guests.** No visibly intoxicated person should be admitted to the event or served alcohol at any function and a reasonable effort should be made to arrange a safe trip home for persons visibly intoxicated.
- m. **Provide Non-Alcoholic Beverages.** The group sponsoring the event must have non-alcoholic beverages available for the duration of the event.
- n. **Serve Food.** Food must be available for the duration of the alcohol service at the event.
- o. **Post Drinking Restriction in Prominent Places.** Notices informing event attendees of the legal drinking age should be conspicuously posted at alcohol service locations. This requirement is particularly important for events where the event attendees may include students or members of the public who are younger than the legal drinking age.
- p. **Restrict Alcoholic Beverages to a Controlled Area.** The group sponsoring the event must take reasonable steps to keep alcoholic beverages from being taken outside the predetermined boundaries for the event, to prevent visibly intoxicated persons from entering the event and to prevent persons from leaving the event to drink and then being readmitted to the event.
- q. **Arrange for Event Security.** Groups sponsoring events with alcohol must provide adequate event security whenever a reasonable person would believe that the event poses an increased security risk due to the large numbers of people expected to attend, the possibility that minors will be in attendance, and/or the location or type of event. Sponsoring groups may not permit greater numbers of attendees than would reasonably be provided for by the number of security personnel present at the event.

- r. **Safe Travel.** A reasonable effort should be made to arrange a safe trip to and from the sponsored event for all attendees. The sponsoring group should encourage event attendees to have a designated driver who will refrain from drinking and should make taxi information available to event attendees.
  - s. **Review and Comply with other Applicable Policies.** Other policies may also govern off-campus events (e.g. Greek risk management policies, University Special Event/Late Night Event Policy, chartered student organization requirements, NCAA requirements, etc.) and the group sponsoring the event is solely responsible for apprising itself of all compliance requirements applicable to the event.
- D. Student Travel.** Students participating in university-related travel (for such things as conferences, study abroad programs, athletic competitions, internships, co-ops, etc.) are bound by the legal drinking age of the state or country in which they are traveling but in all other respects this Policy shall apply. Students traveling for such purposes may also be subject to any additional conditions placed on their travel (e.g. NCAA rules for student athletes, fraternity and sorority risk management policies).
- E. Tailgating.** Tailgating at Georgia State sporting events shall be subject to this Policy and any additional tailgating policy adopted by the university. In the event of any inconsistency between the two, the university's specific tailgating policy shall control.

## II. Other Drugs

The university supports all federal, state and local laws regarding the use of controlled or illegal substances. The unlawful possession, use, distribution, sale or manufacture of illegal substances by members of the university community (students, student organizations, staff and faculty) is strictly forbidden. The use of drugs in University Housing will result in termination of the Housing contract.

## III. Responsibility for Compliance

- A. The individual adherence to these policies on alcohol and drugs shall be the personal responsibility of each member of the student body, staff, faculty or administration of the University.
- B. Direct responsibility and accountability for the enforcement of these policies are imposed upon students, members of the staff, faculty or administrators of the University who, in the course of their duties, participate in the arrangement, sponsorship, supervision or organization of institutionally sponsored events (whether taking place on property owned or leased by the University or any unit or subdivision thereof, or any organization requiring approval by the university or otherwise).
- C. Direct responsibility and accountability for the enforcement of these policies are imposed upon the direct administrative supervisors or members of the staff or administrators of the university having duties described in paragraph B above to ensure strict compliance with these policies.
- D. Direct responsibility and accountability are imposed upon faculty/staff advisors to student organizations approved by the university, together with all elected or appointed officers thereof, to ensure strict compliance with these policies.
- E. All chartered student organizations must implement a self-monitoring system to ensure compliance with this policy. The officers of each organization must certify, in writing to the office of Student Involvement each academic year that the organization is aware of and will comply with the provisions of this policy.
- F. Faculty/staff advisors, advisory boards, and student members of all student organizations must be familiar with the alcohol and drug policy and the sanctions for noncompliance. Further, they are required to report to the Dean of Students any cases of alcohol abuse, drug use or illegal service of alcoholic beverages.
- G. Every member of the Georgia State University community is encouraged to refer members of the university community with drug or alcohol problems to the Georgia State University Counseling and Testing Center or the university office of Employee Assistance.

## IV. Enforcement

- A. Students who violate this Policy shall be subject to disciplinary action and sanctions as set forth in the Student Code of Conduct. Sanctions take effect immediately upon being imposed by the Dean of Students and remain in effect unless and until overturned on appeal.
- B. University employees who violate this Policy shall be referred to their direct supervisor for disciplinary action up to and including the possibility of dismissal and referral to the appropriate federal, state or local authorities for prosecution in the courts.

## H. Sexual Misconduct Policy

***Georgia State University is a public institution in the University System of Georgia. The policy set forth has been reviewed and approved by the Board of Regents and applies to all Georgia State University students.***

### 4.1.7 Sexual Misconduct Policy

The University System of Georgia is committed to ensuring a safe learning environment that supports the dignity of all members of the University System of Georgia community. The University System of Georgia does not discriminate on the basis of sex or gender in any of its education or employment programs and activities. To that end, this policy prohibits specific forms of behavior that violate Title IX of the Education Amendments of 1972. The University System of Georgia will not tolerate sexual misconduct, which is prohibited, and which includes, but is not limited to, domestic violence, dating violence, sexual assault, sexual exploitation, sexual harassment, and stalking. The University System further strongly encourages members of the University System community to report instances of sexual misconduct promptly. These policies and procedures are intended to ensure that all parties involved receive appropriate support and fair treatment, and that allegations of sexual misconduct are handled in a prompt, thorough and equitable manner.

Prevention is one of the primary mechanisms used to reduce incidents of sexual violence on campuses. USG institutions are required to provide prevention tools and to conduct ongoing awareness and prevention programming and training for the campus community including students, faculty, and staff. Such programs are designed to stop sexual violence through the promotion of positive and healthy behaviors. Programming will educate the campus community on consent, sexual assault, alcohol use, dating violence, domestic violence, stalking, bystander intervention, and reporting.

These policies and procedures shall become effective at all institutions on July 1, 2016.

#### 4.1.7.1 Definitions and Prohibited Conduct

**Community:** Students, faculty and staff, as well as contractors, vendors, visitors, and guests.

**Complainant:** An individual lodging a complaint. The complainant may not always be the alleged victim.

**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. 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. Minors under the age of 16 cannot legally consent under Georgia law.

**Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the alleged victim.

**Domestic Violence:** 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, by a person similarly situated to a spouse of the alleged victim under the domestic or family violence laws of the jurisdiction, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

**Incapacitation:** The physical and/or mental inability to make informed, rational judgments, and can result from mental disability, sleep, involuntary physical restraint, 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.

**Nonconsensual Sexual Contact:** An intentional sexual touching upon a person, without consent or where the person is incapacitated, and/or by force, by another person or with any object. Sexual contact includes but is not limited to, intentional contact with the breasts, buttocks, groin, or genitals, or touching another with these body parts, or making another touch the alleged victim or themselves with or on any of these body parts.

**Privileged Employees:** Individuals employed by the institution to whom a complainant or alleged victim may talk in confidence, as provided by law. Disclosure to these employees will not automatically trigger an investigation against the complainant's or alleged victim's wishes. Privileged Employees include those providing counseling, advocacy, health, mental health, or sexual-assault related services (e.g., sexual assault resource centers, campus health centers, pastoral counselors, and campus mental health centers) or as otherwise provided by applicable law. Exceptions to confidentiality exist where the conduct involves suspected abuse of a minor (in Georgia, under the age of 18) or otherwise provided by law, such as imminent threat of serious harm. Further, Privileged Employees must still submit anonymous statistical information for Clery Act purposes.

**Respondent:** Individual who is accused to have engaged in conduct that violates this Policy.

**Responsible Employees:** Those employees who must promptly and fully report complaints of or information regarding sexual misconduct to the Title IX Coordinator. Responsible Employees include any administrator, supervisor, faculty member, or other person in a position of authority who is not a Privileged Employee. Student employees who serve in a supervisory, advisory, or managerial role are in a position of authority for purposes of this Policy (e.g., teaching assistants, residential assistants, student managers, orientation leaders, etc.). Responsible Employees are not required to report information disclosed at public awareness events (e.g., "Take Back the Night," candlelight vigils, protests, "survivor speak-outs" or other public forums in which students may disclose incidents of prohibited conduct).

**Sexual Assault:** An umbrella term referring to a range of nonconsensual sexual contact, which can occur in many forms including but not limited to rape and sexual battery.

**Sexual Exploitation:** "Sexual Exploitation" occurs when an individual takes non-consensual or abusive sexual advantage of another for his or her own advantage or benefit, or to the benefit or advantage of anyone other than the one being exploited.

Examples of sexual exploitation may include, but are not limited to, the following:

1. Invasion of sexual privacy;
2. Prostituting another individual;
3. Non-consensual video or audio of sexual activity;
4. Non-consensual distribution of video or audio of sexual activity, even if the sexual activity or video or audio taken of sexual activity was consensual;
5. Intentional observation of unconsenting individuals who are partially undressed, naked, or engaged in sexual acts;
6. Knowingly transmitting an STD or HIV to another individual;
7. Intentionally and inappropriately exposing one's breasts, buttocks, groin, or genitals in non-consensual circumstances; and/or
8. Sexually-based bullying.

**Sexual Harassment:** Unwelcome verbal, nonverbal, or physical conduct, based on sex or gender stereotypes, that: is implicitly or explicitly a term or condition of employment or status in a course, program, or activity; is a basis for employment/educational decisions; or has the purpose or effect of interfering with one's work or educational performance creating an intimidating, hostile, or offensive work or learning environment, or interfering with or limiting one's ability to participate in or benefit from an institutional program or activity.

**Stalking:** Engaging in a course of conduct directed toward another person based upon sex that would cause a reasonable person (i) to fear for his or her safety or the safety of immediate family members or close acquaintances, or (ii) to suffer substantial emotional distress.

#### 4.1.7.2 Reporting Sexual Misconduct

A complainant of sexual misconduct can choose among several reporting options at their respective institutions: filing a criminal complaint with law enforcement officials; filing an administrative report with the institution; or filing an anonymous report at their institution. These processes are detailed below. An individual who believes he/she is a victim of sexual misconduct is encouraged to report allegations of sexual misconduct promptly.

## **Institutional Reports**

Complainants of sexual misconduct who wish to file a report with the institution should notify a Responsible Employee or the Title IX Coordinator. Responsible Employees informed about sexual misconduct allegations involving any student must notify the Title IX Coordinator as soon as practicable. Responsible Employees should not attempt to resolve the situation, but must notify and report all relevant information to the Title IX Coordinator. Privileged Employees are not bound by this requirement but may, consistent with their ethical and legal obligations, be required to report limited information about incidents without revealing the identities of the individuals involved to the Title IX Coordinator. All members of the University System of Georgia institutions' communities are encouraged to report incidents of sexual misconduct promptly.

The Title IX Coordinator's identity and contact information are published prominently on the Georgia State University Sexual Violence website, as well as in any relevant publication. Complainants are encouraged to report their complaints in writing, though oral complaints should also be accepted, taken seriously, and investigated, to the extent possible. Further, while complaints should be made as quickly as possible following an alleged incident of sexual misconduct, all reports will be accepted regardless of when reported.

Complaints should include as much information as possible – that is: (1) the type of sexual misconduct experienced; (2) the name of the respondent; (3) the date(s), time(s), and place(s) of the sexual misconduct; (4) the name(s) 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 will be shared only as necessary to investigate and to resolve the alleged sexual misconduct. Complaints will be investigated and resolved as outlined below. The Title IX Coordinators, will also assess the need for and institute interim measures as described below as appropriate and where reasonable, as well as work with the appropriate institutional department to determine the need to issue a broader warning to the community in compliance with the Clery Act or to report activity to the authorities.

Institutional reports will be investigated and adjudicated separately from any criminal complaints.

1. *Confidentiality*: Where a complainant or alleged victim requests that his or her identity be withheld or the allegation(s) not be investigated, the institutions should consider, through the Title IX Coordinator, whether this request can be honored while still providing a safe and nondiscriminatory environment for the institution. Honoring the request may limit the institution's ability to respond fully to the incident and may limit the institution's ability to discipline the respondent.
2. *Retaliation*: Anyone who, in good faith, reports what she or he believes to be misconduct under this Policy, or who participates or cooperates in, or is otherwise associated with any investigation, shall not be subjected to retaliation. Anyone who believes he or she has been the target of retaliation for reporting, participating or cooperating in, or otherwise being associated with an investigation should immediately contact the Title IX Coordinator. Any person found to have engaged in retaliation in violation of this Policy shall be subject to disciplinary action.
3. *False Complaints*: Individuals are prohibited from intentionally giving false statements to an institution official. Any person found to have intentionally submitted false complaints, accusations, or statements, including during a hearing, in violation of this policy shall be subject to disciplinary action.
4. *Amnesty*: Individuals should be encouraged to come forward and to report sexual misconduct notwithstanding their choice to consume alcohol or to use drugs. Information reported by an individual during an investigation concerning use of drugs or alcohol will not be used against the particular individual in a disciplinary proceeding or voluntarily reported to law enforcement; however, individuals may be provided with resources on drug and alcohol counseling and/or education, as appropriate.

## **Law Enforcement Reports**

Because sexual misconduct may constitute criminal activity, a complainant also has the option, should he or she so choose, of filing a report with campus or local police, for his or her own protection and that of the surrounding community.

Complainants considering filing a report of sexual misconduct with law enforcement should preserve any evidence of sexual misconduct, including, but not limited to, the following:

1. Clothing worn during the incident including undergarments;
2. Sheets, bedding, and condoms, if used;
3. Lists of witnesses with contact information;
4. Text messages, call history, social media posts;
5. Pictures of injuries; and/or
6. Videos.

### **Anonymous Reports**

Individuals can report incidents of alleged sexual misconduct anonymously.

#### **4.1.7.3 Interim Protective Measures**

The Title IX Coordinator or his/her designee may impose interim protective measures before the final outcome of an investigation and until final resolution of the allegations if failure to take the interim measures would constitute an immediate threat to the safety and well-being of the alleged victim or other members of the institution, or to ensure equal access to the institution's education programs and activities. Before any such measures are instituted, however, the Title IX Coordinator should, where practicable, provide the respondent with an initial opportunity to respond to the allegations and to the imposition of any interim protective measures specifically.

Imposing interim protective measures does not indicate that a violation of this Policy has occurred, and is designed to protect the alleged victim and community, and not to harm the respondent. To the extent interim measures are imposed, they should minimize the burden on both the alleged victim and the respondent, where feasible. Interim measures may include, but are not limited to:

1. Change of housing assignment;
2. Issuance of a "no contact" directive;
3. Restrictions or bars to entering certain institution property;
4. Changes to academic or employment arrangements, schedules, or supervision;
5. Interim suspension; and
6. Other measures designed to promote the safety and well-being of the parties and the institution's community.

An interim suspension should only occur where 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 alleged victim 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.

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

#### **4.1.7.4 Support Services**

Once an individual makes a complaint, or receives notice that a complaint has been made against him or her, that individual should receive information about support services, such as counseling, advocacy, housing assistance, academic support, disability services, health and mental services, and legal assistance, as is available at their respective institutions.

Available support services are listed on the Georgia State University Sexual Misconduct website

#### **4.1.7.5 Process for Investigating and Resolving Institutional Reports**

**Jurisdiction:** Georgia State University will take necessary and appropriate action to protect the safety and well-being of its community. Accordingly, sexual misconduct perpetrated against students by University System of Georgia students, faculty, or staff should be addressed whenever such acts occur on a campus, in connection with an institution's program or activity, or in a manner that creates a hostile environment for members of the Georgia State University community. Further, the policy is applicable to all University System of Georgia students, faculty, and staff, as well as contractors, vendors, visitors, guests or other third parties.

**Advisors:** Both the alleged victim and respondent, as parties to the matter, shall have the opportunity to use an advisor (including an attorney) of his/her choosing for the express purpose of providing advice and counsel at his/her own expense. The selected advisor shall not otherwise be a party or witness involved in the investigation. The advisor may be present during any meetings and proceedings involved in the investigatory or resolution process in which the advisee is also eligible to be present. The advisor may advise the advisee, including providing questions, suggestions, advice on the proceedings, and guidance on responses to any questions of the participant, but shall not participate directly. The institution shall not prohibit family members of any party from attending if the party requests such attendance, but may limit the number to two family members.

**Timeframe:** Reasonable efforts will be made to complete the investigation and resolution within 60 calendar days of the initial complaint, though a longer period of time may be needed in some cases. The Title IX Coordinator will notify the respondent and the alleged victim, in writing, of any extension of this timeframe.

## Investigations

1. The Title IX Coordinator is primarily responsible for directly overseeing the investigation and resolution of complaints, and coordinating possible remedial actions or other responses reasonably designed to minimize the recurrence of the alleged conduct as well as mitigate the effects of any misconduct. The Title IX Coordinator will ensure prompt, fair, and impartial investigations and resolutions of complaints alleging violations of the sexual misconduct policy. The Title IX Coordinator shall be responsible for ensuring any individual participating in the investigation, resolution, or appeal of any sexual misconduct case has received regular training on issues pertaining to sexual misconduct.
2. The Title IX Coordinator shall designate an investigator to conduct a prompt, thorough, and impartial investigation into each complaint received. The investigation shall consist of interviews of the complainant, alleged victim, respondent, and witnesses, and the collection and review of documents or other physical or electronic information, as well as other steps, as appropriate.
3. Unrelated charges and cases shall be investigated separately, unless the respondent consents to having them aggregated.
4. The respondent shall be provided with written notice of the complaint, pending investigation, possible charges, possible sanctions, and available support services. The notice should also include the identity of the Title IX Coordinator and any investigator(s) involved. Notice shall be provided via institution email. If confirmation of receipt is not received by the Title IX Coordinator or the investigator, the Title IX Coordinator or the investigator shall engage in other measures to ensure notice is received by the respondent. A copy shall also be provided to the alleged victim via the same means.
5. The investigator will timely begin the investigation and will schedule an initial interview with the complainant, alleged victim, respondent and any known relevant witnesses. The investigator should retain written notes and/or obtain written or recorded statements from each interview. The investigator shall also keep a record of any proffered witnesses not interviewed, along with a brief, written explanation.
6. Each party shall have three (3) business days to submit a written statement to supplement the notice of complaint and the verbal interview. 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 documents – whether written or electronic – in support. If respondent has not otherwise responded, a non-written response will be considered a general denial of the alleged misconduct.
7. Based on this response and other relevant information, the investigator shall continue to interview witnesses for both sides, to re-interview parties where necessary, and to collect and review documents or other physical or electronic information, as well as other steps, as appropriate.
8. Where the respondent is a student, the respondent has the right to remain silent during the investigation and resolution process, without an automatic adverse inference resulting. If the respondent chooses to remain silent, the investigation may ultimately still proceed and policy violation charges may still result, which may be resolved against the respondent.
9. The respondent and/or the alleged victim may challenge the participation of the investigator on the grounds of personal bias by submitting a written statement to the Title IX Coordinator setting forth the basis for the challenge no later than three (3) business days after the party reasonably should have known of the bias. The Title IX Coordinator will determine whether to sustain or deny the challenge, and if sustained, to appoint a replacement.
10. At the conclusion of the investigation, the investigator will issue to the parties a written report setting forth charges and possible sanctions, as well as an explanation of the evidence against the respondent.
11. The parties shall have at least three (3) business days to respond to the report in writing. The respondent's written response should outline his or her plea in response to the charge(s), and where applicable, his or her defense(s), and the facts, witnesses, and documents – whether written or electronic – in support.
12. The investigator shall, as necessary, conduct further investigation and update the report as warranted by the response(s), and will update the report as necessary.

13. Upon completion of the investigation, the investigator will review the evidence with the Title IX Coordinator. The Title IX Coordinator will ensure policies have been followed.
14. The Title IX Coordinator will contact the alleged victim(s) and the respondent(s) and schedule an opportunity to meet with each party individually. During these meetings, the Title IX Coordinator shall review the report with the parties (individually). Should the report be acceptable to all parties, an informal resolution may be made, which would not require the parties to move to the hearing phase of these procedures. If, however, the parties agree on the conduct, but not on the sanctions, then the sanctions shall be addressed by the hearing panel.
15. Allegations of sexual misconduct involving a student that are brought against an institution's faculty or staff will be investigated as outlined above, but will be further addressed and/or resolved through the institution's applicable employment policies, and in accordance with the procedures for dismissal outlined in the Board of Regents Policy including procedures for appealing such decisions.
16. Where the respondent(s) is a student, a hearing, as well as corresponding procedures/rights to appeal, shall be set and administered as set forth below, and a final report shall be provided to all parties, which will also provide a date, time, and location for a hearing on the matter.
17. The final report should also be provided to the panel for their consideration in adjudicating the charges brought against the respondent. The investigator may testify as a witness before the panel regarding the investigation and findings, but shall otherwise have no part in the hearing process and shall not attempt to otherwise influence the panel outside of providing testimony during the hearing.

### **Hearings**

1. The hearing will be conducted by the Title IX Coordinator and/or his/her designee(s). The Panel must be composed of at least three (3) members.
2. The investigator shall not serve on the Panel.
3. No student shall serve on the Panel.
4. Both the alleged victim and respondent shall have the opportunity to present witnesses and evidence to the Panel. Both parties shall have the right to confront any witnesses, including the other party, by submitting written questions to the Title IX Coordinator and/or his or her designee for consideration. Witness testimony, if provided, shall pertain to knowledge and facts directly associated with the case being heard. Advisors may actively assist in drafting questions. The 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 Panel shall err on the side of asking all submitted questions, and must document the reason for not asking any particular questions.
5. The Title IX Coordinator reserves the right to allow a party to testify in a separate room, when determined to be necessary. Where such a determination is made, special measures must be put in place to ensure no party is unfairly disadvantaged by this procedure. A party must still give testimony in the presence of the Panel, and the opposing party must have the opportunity to view the testimony remotely and to submit follow-up questions.
6. Similarly, where the Title IX Coordinator determines that a witness or party necessary to the proceedings is unavailable and unable to be present due to exigent circumstances (e.g., on a study abroad program, medical restrictions on travel, etc.), he or she may establish special procedures for providing testimony from a separate location. In doing so, the Title IX Coordinator must determine there is a valid basis for the unavailability, ensure proper sequestration in a manner that ensures the testimony has not been tainted, and make a determination that such an arrangement will not unfairly disadvantage any parties. Should it be reasonably believed that a party or witness who is not physically present has presented tainted testimony to the Panel, the Panel will disregard the testimony of that witness.
7. The standard of review shall be a preponderance of the evidence; however, any decision to suspend or to expel a student must also be supported by substantial evidence at the hearing.
8. The civil rules of evidence do not apply to the investigatory or resolution process.
9. Both the respondent and alleged victim shall be provided a written report via institution email of the outcome and any resulting sanctions. The written report must summarize the evidence in support of the sanction. The report should include details on how to appeal, as outlined below.

### **Possible Sanctions**

The severity of sanctions or corrective actions may depend on the severity, frequency and/or nature of the offense, history of past discriminatory, harassing, or retaliatory conduct, the respondent's willingness to accept responsibility, previous institutional response to similar conduct, and the institution's interests. The Panel will determine the sanction after review of the investigatory findings.



The broad range of sanctions includes but is not limited to: 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 orders; required participation in sexual or relationship 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 on sexual misconduct; financial restitution; or any other discretionary sanctions directly related to the violation or conduct.

#### **4.7.1.6 Appeals**

Parties shall have the right to appeal the outcome on any of the following grounds: (1) to consider new information, sufficient to alter the decision, or other relevant facts not brought out in the original hearing, because such information was not known or knowable to the person appealing during the time of the hearing; (2) to allege a procedural error within the hearing process that may have substantially impacted the fairness of the hearing, including but not limited to whether any hearing questions were improperly excluded or whether the decision was tainted by bias; or (3) to allege that the finding was inconsistent with the weight of the information. Appeals may be made by the alleged offender for the above reasons in any case where sanctions are issued – even those in which such sanctions are held “in abeyance,” such as probationary suspension or expulsion.

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

Where the respondent or alleged victim appealing the outcome is a student, the appeal should be made to the Vice President for Student Affairs or his/her designee. The appeal shall be a review of the record only, and no new meeting with the respondent or alleged victim will be held. The non-appealing party shall be given the opportunity to respond to the appellant’s submission. The applicable Vice President, or his/her 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 the Title IX Coordinator to correct a procedural or factual defect; or reverse or dismiss the case if there was a procedural or factual defect that cannot be remedied by remand. The Vice President or his/her designee shall then issue a decision in writing to both the respondent and alleged victim simultaneously within a reasonable time period.

The decision of the Vice President or his/her designee may be appealed in writing within five (5) business days (as determined by the date of the decision letter) to the President of the institution solely on the three grounds set forth above.

The President 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 the Title IX Coordinator to correct a procedural or factual defect; or reverse or dismiss the case if there was a procedural or factual defect that cannot be remedied by remand. The President’s decision shall be issued in writing to both the respondent and alleged victim and shall be issued within a reasonable amount of time. The President’s decision shall be the final decision of the institution. Should the respondent or alleged victim wish to appeal the President’s decision, he or she may appeal to the Board of Regents in accordance with the Board of Regents Policy 8.6.

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

Any party may challenge the participation of any institution official or employee 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 written challenge should be submitted within a reasonable time after the individual reasonably should have known of the existence of the bias. The institution’s designee will determine whether to sustain or deny the challenge, and if sustained, the replacement to be appointed.

## Support Service/Resources

On and off campus support services/resources listed below are available to students who have been the victim of Sexual Misconduct. Additional resources may be found at [victimassistance.gsu.edu/sexual-violation](http://victimassistance.gsu.edu/sexual-violation).

### On-Campus Support Services/Resources

#### Privileged Employees (Confidential)

Counseling and Testing Center  
[Counseling.gsu.edu](http://Counseling.gsu.edu)

Student Health Clinic  
[health.gsu.edu](http://health.gsu.edu)

Student Victim Assistance  
[victimassistance.gsu.edu](http://victimassistance.gsu.edu)

#### Incident Report

office of the Dean of Students  
Sexual Misconduct by Students  
[deanofstudents.gsu.edu](http://deanofstudents.gsu.edu)

Human Resources- Administration  
Sexual Misconduct by faculty/staff/contractors  
[odaa.gsu.edu](http://odaa.gsu.edu)

Law Enforcement Report  
GSU Police Department  
[safety.gsu.edu](http://safety.gsu.edu)

### Off-Campus Support Services/Resources

Atlanta Bar Association  
229 Peachtree St. NE, Suite 400  
Atlanta, GA 30303  
404-521-0777\_  
[www.atlantabar.org](http://www.atlantabar.org)

Grady Rape Crisis Center  
*Sexual Assault Nurse Examiner (SANE)*  
80 Jesse Hill Drive  
Atlanta, GA 30303  
404-616-4861\_  
[www.gradyhealth.org](http://www.gradyhealth.org)

DeKalb Medical Center - Hillandale  
*Sexual Assault Nurse Examiner (SANE)*  
2801 DeKalb Medical Parkway  
Lithonia, GA 30058  
404-501-8000

Gwinnett Sexual Assault Center  
*Sexual Assault Nurse Examiner (SANE)*  
770-476-7407\_  
[www.gsac-cac.org](http://www.gsac-cac.org)

Tapestri  
3939 Lavista Road, Suite E  
Tucker, GA 30084  
404-299-2185\_  
[www.tapestri.org](http://www.tapestri.org)

Women's Resource Center to End Domestic Violence  
Address Confidential  
404-688-9436\_  
[www.wrcdv.org](http://www.wrcdv.org)

Criminal Justice Coordinating Council  
104 Marietta St NW, Suite 440  
Atlanta, GA 30303  
404-657-1956\_  
[www.cjcc.georgia.gov](http://www.cjcc.georgia.gov)

Day League (formerly DeKalb Rape Crisis Center)  
204 Church Street  
Decatur, GA 30030  
404-377-1428\_  
[www.dayleague.org](http://www.dayleague.org)

DeKalb Medical Center – North  
*Sexual Assault Nurse Examiner (SANE)*  
2701 North Decatur Road  
Decatur, GA 30033  
404-501-1000

United4Safety (LGBTQQI)  
1530 DeKalb Avenue  
Atlanta, GA 30307  
404-688-2524 ext. 112\_  
[www.thehealthinitiative.org](http://www.thehealthinitiative.org)

Partnership Against Domestic Violence  
Address Confidential  
404-873-1766 (Fulton) 770-963-9799 (Gwinnett)  
[www.padv.org](http://www.padv.org)

### National Crisis Hotlines

National Sexual Assault Hotline  
1-800-656-HOPE (4673)

National Domestic Violence Hotline  
1-800-799-7233

### **Sexual Assault Victims Bill of Rights**

In compliance with Section 485 of the Higher Education Act of 1965 (20 U.S.C. 1092(f), as amended by the Student Right-to-Know and Campus Security Act, Public Law 101-542, as amended by the Higher Education Technical Amendments of 1991, Public Law 102-26 (April 9, 1991) and 102-325 (July 23, 1992), and the Campus Sexual Assault Victims' Bill of Rights Act of 1991, victims of campus-related sexual assaults shall be accorded the following rights by all Georgia State University campus officers, administrators and employees.

1. The right to have any and all sexual assaults against them treated with seriousness, the right to be treated with dignity, and the right for campus organizations that assist such victims to be accorded recognition.
2. The right to have sexual assaults committed against them investigated and adjudicated by the duly constituted criminal and civil authorities of the governmental entity in which the crimes occurred and the right to the full and prompt cooperation and assistance of campus personnel in notifying the proper authorities. The foregoing shall be in addition to any campus disciplinary proceedings.
3. The right to be free from any kind of pressure from campus personnel to: (1) not report crimes committed against them to civil/criminal authorities or to campus law enforcement/disciplinary officials; or (2) report crimes as lesser offenses than the victims perceive them to be.
4. The right to be free from any kind of suggestion that campus sexual assault victims not report, or under-report, crimes because: (1) victims are somehow "responsible" for the commission of crimes against them; (2) victims are contributorily negligent or assumed the risk of being assaulted; or (3) by reporting crimes, the victim would incur unwanted personal publicity.
5. The same right to legal assistance, or ability to have others present, in any campus disciplinary proceeding that the institution affords the referred; and the right to be notified of the outcome of such proceeding.
6. The right to full and prompt cooperation from campus personnel in obtaining, securing, and maintaining such information (including a medical examination) as may be necessary to the proof of criminal sexual assault in subsequent legal proceedings.
7. The right to be made aware of and assisted in exercising any options as provided by State and Federal laws or regulations with regard to mandatory testing of sexual assault suspects for communicable diseases and with regard to notification to victims of the results of such testing.
8. The right to counseling from any mental health services previously established by the institution, or by other victim-service entities, or by victims themselves.
9. After campus sexual assaults have been reported, the victims of such crimes shall have the right to require that campus personnel take the necessary steps or actions reasonably feasible to prevent any unnecessary or unwanted contact or proximity with alleged assailants, including immediate relocation of the victim to safe and secure alternative housing, and transfer of classes if requested by the victims.
10. In addition to the above rights, students, whether sexual assault victims or not, have a right to habitability in campus accommodations for which the college receives any compensation, direct or indirect. Habitability shall mean an environment free from sexual or physical intimidation, or any other continuing disruptive behavior that is of such a serious nature as would prevent a reasonable person from attaining their educational goals. Substantiated violations of the above listed habitability provisions shall be corrected by campus personnel by relocations, if reasonably possible, of the complainant to an acceptable, safe and secure alternative location as soon as practicable, unless the conditions of nonhabitability demonstrate the necessity of immediate action by campus personnel.

## **I. Hazing Policy**

### **1. Policy Statement**

Georgia State University is committed to providing a safe learning environment that supports the dignity of all university community members. Hazing is a violation of state law and is strictly prohibited by Georgia State University both on and off campus. **Violation of this policy may result in both disciplinary action and criminal charges.**

### **2. Definition**

“Hazing” means any intentional, negligent or reckless action, activity or situation that endangers or is likely to endanger the physical health of an individual or causes an individual pain, embarrassment, ridicule or harassment as a condition or precondition of gaining acceptance, membership, office or other status in a student group, whether or not such group is formally recognized by the university and regardless of the individual’s willingness to participate. Actions and situations that may constitute hazing may include, but are not limited to, the following:

- forcing or requiring the drinking of alcohol or any other substance;
- forcing or requiring the consumption of food or any other substance;
- calisthenics (e.g., push-ups, sit-ups, jogging, runs);
- treeings (e.g., tying someone up and throwing food or other substances on them);
- paddle swats;
- line-ups (e.g., yelling at or harassing people in a formation);
- theft of any property;
- road trips (e.g., dropping someone off and leaving him/her to find his/her own way back);
- scavenger hunts;
- causing an individual to have fewer than six (6) continuous hours of sleep per night;
- conducting activities that do not allow adequate time for study (e.g., not allowing an individual to attend class, causing one to miss group projects);
- forcing or requiring partial or complete nudity at any time;
- performing acts of personal servitude for members (e.g., driving them to class, cleaning their individual rooms, serving meals, washing cars, shopping, laundry);
- forcing or requiring the violation of university policies, federal, state or local law.

### **3. Prevention**

As a part of the student group informational, recruitment, and membership intake activities, student groups are required to educate members and prospective members about hazing and to maintain documentation that they have fulfilled this requirement. Each member of a student group must sign the Georgia State University Hazing Compliance and Awareness Form. These forms are located in the office of the Dean of Students and in the office of Student Involvement.

### **4. Reporting a Hazing Violation**

All members of the university community are strongly encouraged to report suspected instances of hazing to the office of the Dean of Students and university employees are required to do so.

### **5. University as the Complainant**

All reports of hazing are investigated to determine whether there is sufficient basis to believe that a violation of the Student Code of Conduct may have occurred. Based on this review, the Dean of Students may choose to initiate charges, not initiate charges or dismiss a case administratively if the claim does not appear to be supported by the facts. If charges are initiated, the university will serve as the complainant throughout the student code process.

## J. Student Leadership Positions

### 1. Definitions

- a. **Student Leader:** A student member of a university Sponsored Student Organization who (1) has a stipend or (2) holds office, title, or is a committee member.
- b. **University Sponsored Student Organization:** A student organization that serves a primary function for and help to support the mission and goals of the university. These organizations have a faculty or staff member designated by the university to serve as the faculty/staff advisor and are directly tied to a university department or office. Chartering is not required, but annual updating of information is required. The student organizations that are considered university Sponsored Student Organizations are determined by the office of Student Involvement.
- c. **Good Standing:** A student that is not under any sanctions as a result of being found responsible for a violation of the Student Code of Conduct.
- d. **Term of Office:** Begins at the point in time the student is selected, elected, or appointed as a Student Leader.

### 2. Eligibility for Student Leader Position

- a. A student seeking a student leader position must meet all requirements of the university Sponsored Student Organization. In addition, in order to be eligible and run for a student leader position, a student must:
  - i. Be a student as determined by the university Registrar at the time of the election or appointment.
  - ii. Be enrolled in a minimum of six (6) hours if an undergraduate student or three (3) hours if a graduate student; must be in a degree-seeking program.
  - iii. Have at least a 2.5 Georgia State University cumulative grade point average or better at the time of election or appointment and must not be on academic probation or suspension.
  - iv. Be in Good Standing with the office of the Dean of Students and have no pending charges of violating the Student Code of Conduct and Administrative Policies.
  - v. Conduct themselves responsibly and in a manner that does not reflect negatively on the university.
- b. A student may meet the minimum qualifications of a student leadership position, but be found to be unqualified overall based on other factors such as experience and level of leadership skill.
- c. It is the responsibility of the student organization advisor to verify eligibility of students prior to their election or appointment. If requested, the office of Student Involvement can assist with verification of enrollment, confirmation of grade point average, and obtain a student conduct check.

### 3. Maintaining a Student Leader Position

- a. Throughout the term of office, a student must continue to meet all requirements of the university Sponsored Student Organization. In addition, a student leader must:
  - i. Remain enrolled in a degree-seeking program for a minimum of six (6) hours if an undergraduate student or three (3) hours if a graduate student, during the Fall and Spring semesters of the academic year of his/her term of office. The academic school year is defined as Summer, Fall, and Spring semester, in that order. When a student does not enroll for Fall or Spring semester during a term of office, this act causes the student to immediately forfeit the position. Students may elect not to enroll during the Summer semester. The act of dropping all courses before the midpoint of a semester is considered to be not enrolled. If a student graduates while holding a student leader position, the position automatically terminates at graduation, unless the student has been accepted into a degree-seeking program and has enrolled in the subsequent semester.
  - ii. Maintain a minimum Georgia State University grade point average of 2.2.
  - iii. Remain in good standing with the office of the Dean of Students. A student charged with a violation of the Student Code of Conduct may be required to temporarily relinquish the student leader position pending the outcome of the charges.
  - iv. Conduct themselves responsibly and in a manner that does not reflect negatively on the university.

- b. Term Limits: Student leaders may hold a student leader position for up to two terms per any one position (Term Maximum). Any time during which a student leader may have held the involved position on an interim basis shall not count toward meeting a student leader's Term Maximum. For purposes of this section, "interim basis" shall mean time spent in office completing the term of a person originally elected/appointed to the office who has left the position for any reason before the end of the term of office. Having reached the Term Maximum will not prohibit a student leader from running for re-election or re-appointment, with the permission of the Dean of Students, in times when there are no other qualified applicants for the position.

Amended February 28, 2008 Student Life and Development Committee Amended  
April 15, 2010 Student Life and Development Committee Amended February 19,  
2015 Student Life and Development Committee

## K. Student Organizations

### 1. Definition of Terms

- a. **University Sponsored Student Organization** – A Student Organization that serves a primary function for and help to support the mission and goals of the university. These organizations have a faculty or staff member designated by the university to serve as the faculty/staff advisor and are directly tied to a university department or office. Chartering is not required, but annual updating of information is required. The Student Organizations that are considered university Sponsored Student Organizations are determined by the office of Student Involvement.
- b. **Chartered Student Organization** – A separate, independent entity from the university whose membership is comprised of Georgia State University students; which the University Student Life and Development Committee have approved to charter. The group comes together to express a common purpose, accomplish certain goals, explore opportunities, and serve the campus community.
- c. **Active Student Organization** – A Student Organization that has complied with all requirements to be in good standing with the university as outlined in Section I.5.
- d. **Inactive** – A Student Organization that once existed at Georgia State University, but is currently not recognized and therefore has lost all benefits outlined in Section I.2.
- e. **Student Organizations** – A broad term to encompass both university sponsored student organizations and chartered student organizations.
- f. **Social Fraternities and Sororities** – An organization that exists to promote fraternal relationships and personal development; requirement for membership is not limited to a specific field of study, class year, or grade attainment beyond the typical grade requirement; members are not permitted to hold membership in other identified social fraternities or sororities at the university; the organization is affiliated with a(n) (inter)national organization; and the (inter)national organization has tax-exempt status under Section 501 of the Internal Revenue Code.

### 2. Benefits

University Sponsored and Chartered Student Organizations are recognized as a part of the university community and are granted the privileges set forth below. They may:

- a. be listed on the office of Student Involvement website
- b. reserve meeting rooms and event space
- c. request a mail box in the office of Student Involvement
- d. petition for Student Activity fee funding (only for Chartered Student Organizations)
- e. maintain a portal in the on-line Student Organization database and create a website through the same system
- f. reserve vehicles through the office of Student Involvement for official activity of the Student Organization
- g. promote or advertise the Student Organization on campus

### 3. Jurisdiction

An organization or activity whose membership includes students may be considered to be under university jurisdiction when it seeks to exercise one of the following privileges:

- a. hold meetings on university premises
- b. use the facilities of the university for carrying on business
- c. accept such financial support as may be available from the university
- d. solicit funds or distribute materials to members of the University community
- e. include the name Georgia State University (or any similar indication of university affiliation) at the end of its name
- f. use the campus mail service
- g. promote or advertise the organization on campus

### 4. Special Procedures

In addition to being recognized by the Student Life and Development Committee, certain Student Organizations must also seek prior approval from appropriate governing bodies and maintain the approval once given.

- a. **Social Fraternities and Sororities:** Expansion involves inviting inter/national fraternities and sororities to establish chapters at Georgia State University. This is encouraged when a need exists and the Greek community is viable for additional chapters. Expansion of social fraternities or sororities requires the adherence to the Greek Life Expansion Policy outlined by the office of Student Involvement. Only inter/nationally recognized fraternities and sororities may be considered for expansion. Individuals wishing to re-establish a Greek letter organization must follow the expansion policy outlined by the office of Student Involvement. Once invited to expand, the chartering process must be followed and the organization must maintain membership in one of the Greek governing bodies.

- b. **Sport Clubs:** Sport Club Student Organizations are made up of individuals that have a desire to compete or participate in a sport throughout their college career. These sport clubs are formed because no varsity team exists, or because the talent, dedication, and interest to the sport demand an opportunity other than varsity athletics or intramurals. Sport Club teams function under student leadership and the monies needed to support them are generated through membership dues, fundraisers, donations, Department of Recreation Services or university support. Coaches and leaders are often unpaid volunteers or students. Teams or groups hold regular practices and often compete in an organized league with other collegiate sport club teams. Prior to any sport club submitting the “Petition to Charter”, the group must obtain approval from the Sport Clubs Coordinator in the Department of Recreation Services.
- c. **Publication and Media Organizations:** These Student Organizations must receive approval from the Committee on Student Communications, prior to their submission of the “Petition to Charter.” The Committee on Student Communications has been authorized by the Dean of Students to the editor or general manager of each such organization and to make necessary policies that govern the operations of such organizations.

## 5. Conditions for Chartering and Maintaining a Charter

The conditions set forth below must be met and maintained at all times to qualify for a Student Organization charter at Georgia State University. Failure to maintain compliance with the conditions set forth below will result in administrative suspension or termination of the Chartered Student Organization and immediate loss all benefits afforded by the university to Chartered Student Organizations including, but not limited to, those identified in section I.2.

- a. select a name (see section I.12 for specific guidelines)
- b. adopt a statement of purpose
- c. determine eligibility for membership
- d. identify officer titles and duties
- e. create a constitution that meets the guidelines outlined in the Student Organization Handbook
- f. select a faculty or staff advisor, who must be a full-time employee of the university. Graduate students, temporary employees and part-time employees may not serve as the designated advisor to a Chartered Student Organization.
- g. maintain eight (8) members on the organization’s roster; members must be current Georgia State university students. Student Organizations that fall under Special Procedures may be given a one- semester exemption to this requirement, but will be limited in their activities to only those that are for recruitment/intake purposes.
- h. if applicable, be in good standing with any state, regional, and/or national governing bodies. Upon notification of the loss of good standing, Georgia State University will take appropriate corresponding action up to and including suspension of the Student Organization’s charter and all privileges afforded to Chartered Student Organizations.
- i. attend the Annual Mandatory Student Organization Training each fall semester
- j. follow the process for Chartering a Student Organization (Section I.7) and the Annual Renewal (Section I.8)

## 6. Faculty or Staff Advisors

Each Student organization is required to have a full-time faculty or staff advisor and to keep this information updated on-line as directed by the office of Student Involvement in order to be recognized. The advisor must approve the “Petition to Charter”, any update that is made to the Student Organization’s information submitted to the office of Student Involvement, and other additional forms as needed. In addition, the advisor’s duty is to counsel and advise the officers and members of the organization. No advisor shall have the power to prohibit the expression of editorial opinion by a unit of campus media. The office of Student Involvement may assist an organization in obtaining an advisor.

## 7. Process for Chartering a Student Organization

- a. Before creating an organization, students are encouraged to review the list of current Student Organizations to avoid creating a new Student Organization that has similar goals to a Student Organization that already exists. After this review, submit the “Petition to Charter” with the office of Student Involvement.
- b. An appointment with the designated office of Student Involvement representative will be scheduled to review the petition and constitution.
- c. Attend a New Student Organization Orientation session offered by the office of Student Involvement. This may be completed prior to submitting the “Petition to Charter”.
- d. Once approved by the office of Student Involvement, the petition is reviewed by the Student Life and Development Committee of the University Senate. Upon approval, the Student Organization is considered a Chartered Student Organization.
- e. Notification will be sent from the office of Student Involvement, notifying the Student Organization of the approval or non-approval of the Student Organization’s “Petition to Charter.”



- f. Given the meeting schedule of the Student Life and Development Committee, petitions can only be accepted between September 1 and March 1. A Student Organization that has completed all required steps to be considered a Chartered Student Organization, with the exception of approval by the University Student Life and Development Committee may be given temporary privileges such as reserving space on campus and promoting or advertising the Student Organization on campus. The office of Student Involvement will give such privileges.

#### **8. Annual Renewal**

- a. Between April 1 and May 1, each Student Organization must update and verify their information with the office of Student Involvement. Advisors are required to review and approve the submission, before the office of Student Involvement will review and approve. Failure to complete this annual renewal process will result in the organization being put as Inactive.
- b. An Inactive Student Organization may request to become Active by contacting the office of Student Involvement. The organization will be given one week to complete the annual renewal process or will return to being considered Inactive. After a Student Organization is Inactive for twenty-four (24) months or if the organization was put as Inactive due to a student conduct sanction, it is required to submit a "Petition to Re-Establish".

#### **9. Petition to Re-Establish a Charter**

Submit a "Petition to Re-Establish a Charter" with the office of Student Involvement and follow the process outlined in 7.b. through 7.f. You may contact the office of Student Involvement and obtain information on file such as a constitution or other chartering documents.

#### **10. Suspension or Revocation of Charter**

The charter of a Student Organization may be suspended or revoked by the office of the Dean of Students or the Student Life and Development Committee. The suspension of a charter will result in temporary loss of all benefits outlined in section I.2. The revocation of a charter will result in a permanent loss of all benefits outlined in section I.2. Organizations that have their charters suspended or revoked shall immediately:

- a. Cease all activities including, but not limited to, intake/recruitment activities, collection of dues, organizational meetings, and educational, social, recreational and philanthropic activities;
- b. Relinquish the organization's designated room/office in university facilities, when applicable;
- c. Lose existing reservations and the use of any university facilities, equipment or services that obtained on the basis of being a Chartered Student Organization;
- d. Be excluded from recognition as a Georgia State University Student Organization in university publications;
- e. Lose the right to represent the organization as being affiliated with Georgia State University (e.g., no use of the university's name in relation to the organization's name whether on organization websites, in organization publications);
- f. Become ineligible, as a Student Organization, to participate in, cosponsor, or host university athletic, educational, cultural, social or other events;
- g. Become ineligible for student fee allocation, awards, honors, or any other privileges afforded to chartered Student Organizations and their members.

#### **11. Use of University Name and Facilities**

- a. To be eligible to use the words "Georgia State University" in its name, a Student Organization must be chartered by the Student Life and Development Committee, which has been designated by the Dean of Students as the authority to charter Student Organizations. However, unless given express written permission by the University, no Student Organization may use "Georgia State University" as a prefix to their names (example of prohibited use: "Georgia State University ABC Club"). The only allowed identification is the "ABC Club at Georgia State University". No Student Organization may use the university's name in such a way that states or reasonably implies that the activities of the organization are official university actions or are endorsed by the university. For example, no Student Organization may identify the university as a sponsor of an activity because such reference gives the appearance of university endorsement of the involved activity. It shall be a violation of this section to use the university name in such a way as to give the impression that action taken by the Student Organization or its individual members is official university action.
- b. All Student Organizations approved by the Committee on Student Life and Development are eligible to meet on university premises provided that they make reservations through the Events Management office in accordance with the rules and regulations for room and space reservations. Requests for space outside of the jurisdiction of the Reservations office must be approved by the appropriate authority. Students and Student Organizations may not make reservations in the name of the Student Organization for use of university space by non-university Student Organizations, people or entities.

## 12. Academic Standards for Membership in Student Organizations

Members of Student Organizations must have and maintain at least a 2.0 Georgia State cumulative grade- point average or better and must not be on academic probation or suspension. An organization officer whose Georgia State cumulative grade-point average drops below 2.0 or who is on academic probation or suspension must relinquish his/her elected or appointed office in the organization until such time as he/she meets the required 2.0 cumulative GPA.

## 13. Additional Policies

- a. No Student Organization may collectively, or through the actions of its individual members, engage in discriminatory, harassing, obscene or indecent conduct.
- b. Student Organizations must follow all rules and regulations related to Student Fee Usage guidelines. Any organization collecting monies through dues, sale of goods, donations, etc. other than through the Student Activity Fee Allocation Process, must open and maintain a bank account in the name of the Student Organization and run all of the non-fee money through the account. Only current officers of the organization are allowed to perform transactions on the account.
- c. Student Organizations must cooperate with all reasonable requests for information by the university including, but not limited to, requests to review financial information and records.
- d. Non-Discrimination – abiding by Georgia State University’s non-discrimination requirements as set forth herein is a condition of being a Chartered Student Organization at Georgia State.
- e. The university recognizes that a nondiscriminatory environment complements its commitment to academic inquiry, intellectual discourse and personal growth. Georgia State also recognizes the interests of students to organize and associate with like-minded students. Accordingly, any individual who subscribes to the goals and beliefs of a Student Organization may participate in and become a member of the organization.
- f. Membership, leadership and participation in the organization must be open to all students without regard to race, color, sex (unless exempt under Title IX), age, religion, national origin, sexual orientation, gender identity, marital status, disability, or status as a U.S. veteran. Organizations may limit membership and/or leadership in the organization to students who, upon individual inquiry by the organization, affirm that they support the organization’s goals and agree with its beliefs, so long as no student who meets these criteria is excluded based on his or her race, color, age, religion, national origin, sexual orientation, gender identity, sex, marital status, disability, or a status as a U.S. veteran.
- g. Hazing Statement: The Student Organization will prohibit its members, both individually and collectively from committing any acts of hazing as defined in the Student Code of Conduct at Georgia State University.
- h. Organization Agreement: The Student Organization agrees to abide by the Georgia State University Student Code of Conduct. Furthermore, agrees to abide by all the office of Student Involvement policies, to check the organization’s OrgSync account, mailbox, communicate via email upon request, update the organization’s records on OrgSync, attend a Student Organization orientation annually, and renew the organization by May 1<sup>st</sup>.

## L. Special Event/Late Night Event Policy

### 1. Introduction

Georgia State University endeavors to provide for the safety of students and guests attending campus events. These guidelines apply to late night and special events and are intended to complement the university's regular reservation policies and procedures. For purposes of this policy, "late night events" shall mean events expected to end at 11p.m. or later and "special events" shall mean events that 300 or more guests are reasonably expected to attend or that pose a security concern for some other reason, as determined in the sole discretion of the university.

### 2. Sponsoring Student Organization

Chartered student organizations at Georgia State may not co-sponsor the event with an off-campus organization or with any commercial enterprise. In order to sponsor campus events, student organizations must be in good standing with the University. Student organizations that are on probation or that have any outstanding financial obligations to the university may not sponsor special events/late night events.

### 3. Special Event/Late Night Event Approval Process

- a. The special event/late night event approval process is administered by the office of Student Involvement. Request forms are available through the office of Student Involvement and must be submitted to the office of Student Involvement a minimum of fifteen (15) business days prior to the event.
- b. All student organizations sponsoring late night or special events must complete the approval procedures outlined in these guidelines. The sponsoring student organization must tentatively reserve the space through the standard reservation procedures for the specific venue. This reservation will remain tentative until all of the required approvals are obtained.
- c. At least ten (10) business days prior to the event, a security meeting must occur to discuss the security plan for the event. The following must be present at the security meeting: student organization representative (president or primary student organizer of the event), student organization's faculty/staff advisor, event venue representative, Georgia State University Police Department representative, and the office of Student Involvement representative. Each of the above must sign the approval form for the event to be able to occur.

### 4. Student Organization Agreement

- a. **Admission:** Admission to special events/late night events is limited to 1) currently enrolled Georgia State students presenting a valid Georgia State ID; 2) guests of a currently enrolled Georgia State student. No more than two guests are allowed per student. It is the obligation of the student organization and the faculty/staff advisor to enforce these attendance expectations.
- b. **Admission Charges:** Only student organization representatives will take admission funds and must maintain the security of the funds. University police officers or other university officials will not handle tickets or money. There will be no refunds for any event admission charges.
- c. **Payment for the Event:** Payment for charges for the event will be through the standard billing process for the university department providing the service (police, reservations, physical plant/maintenance, etc.). Student organizations with outstanding debts will not be allowed to hold future events. Should the student organization fail to meet the financial obligations, the student organization representative who has signed the Special Event/Late Night Event form will be financially responsible for these charges. These debts will be viewed as debts to the university and the student will have a hold placed on their account until the debt is cleared.
- d. **Event Time:** Times for events must be approved by the appropriate event venue representative. All Special Events/Late Night events must end by 2 a.m. All patrons must exit the building no later than 2:30 a.m. The sponsoring student organization must exit the building no later than 3 a.m.
- e. **Responsibility of Student Organization:** The officers of the sponsoring student organization shall be responsible for maintaining order at the event. This includes meeting with the faculty/staff advisor and police prior to the event, administering the ticket process, checking student IDs of students and guests, ensuring compliance with maximum-event capacity, ending the event, ensuring compliance with all facility rules and expectations, etc.

- f. **Maximum Attendance and Loitering:** The maximum attendance for each event is determined by the capacity of the

scheduled room. After the room capacity has been met, no one will be admitted to the event even if other patrons have left the event. No loitering is permitted in the lobby, outside the building, or in parking areas. It is the responsibility of the student organization to inform patrons of this policy during the event and utilize police officers to enforce these policies. An accurate account of all entering patrons must be recorded.

- g. **Advertising for the Event:** No advertising may be distributed for the event until the approval form has been completed and final confirmation and approval have been received by the student organization. All advertisement should include the statement "This event is not a public event. Attendance is limited to Georgia State students and their invited guests" in noticeable prominence. Advertisements must be in compliance with the Campus Posting Policy. Failure to comply with this regulation could result in the cancellation of the event.
- h. **Cancellation and Inclement Weather:** Cancellation policies are venue specific. Cancellations must be in writing and signed by the person that made the original reservation or by the student organization's faculty/staff advisor. The cancellation must be made to the service provider, event venue representative, and the Georgia State University Police Department. Failure to cancel the event may result in the student organization incurring minimum charges for the event. If the event is canceled by the sponsoring student organization, the space arrangements may not be assumed by another student organization. If the event is canceled and another student organization has time to complete the Special Event/Late Night Event approval process, the new student organization must initiate the approval process as a new event. In the event that the university is closed due to inclement weather, the event will be canceled and no charges will be incurred for security support. Should inclement weather be a possibility, student organizations are encouraged to listen to the local media for official announcements. It is highly encouraged to secure an inclement weather location or alternate date when planning your event.
- i. **Outdoor Venues:** Special considerations must be made for any event that occurs outdoors. Such considerations include lighting, egress, and admission controls. Based on the needs of the event, additional security or measures may be required.
- j. **Alcohol:** The student organization must adhere to the Alcohol and Other Drugs Policy, as outlined in the Student Code of Conduct and Administrative Policies.
- k. **Violations of State Law and University Policy at Event:** If violations of state law or university policy occur at the event, including but not limited to, the presence of alcoholic beverages, smoking or disruptive behavior, the event could be canceled immediately by the advisor, police, student organization officials or university officials. This judgment call can be made at any time during the event in question by the aforementioned entities; however, the university police have the final decision regarding the safety of the patrons and the security of university property and may cancel the event immediately.

## 5. Student Organization Faculty/Staff Advisor Responsibility

For all Special Events/Late Night Events, the student organization's University faculty/staff advisor (or approved designee) must attend a security meeting with respective university officials and must be present during the entire event. The faculty/staff advisor's responsibilities include conferring with the student organization leaders and the university police regarding security expectations; assisting with attendance requirements; and assisting in handling any problems related to the event (that is, violations of university regulations regarding alcohol, overcrowding, unruly behavior, ending the event, etc.). An event evaluation form shall be signed during the event and returned to the office of Student Involvement one business day after the event.

## 6. Security

- a. Georgia State University Police officers must be present for all late night and special events. A minimum of two officers will be required for all events for a minimum of a four-hour time period and the student organization will be billed accordingly. Only officially assigned Georgia State University police officers may be utilized for these events. The final determination of the number of police officers necessary for a specific event will be made by the Georgia State University Police.
- b. The police officers on duty will enforce state law and university regulations. One officer will be posted at the entrance to the event to supervise admissions procedures and to provide security for any cash receipts. The other officer will patrol the event both inside the room and outside the hall. If problems occur, officers will respond and request additional support from the Georgia State University police as necessary. The student organization may be billed if additional officers are needed at the event.
- c. The sponsoring student organization will be responsible for all costs related to security for the event. The sponsoring student organization will develop a security plan with a representative of the Georgia State University Police, in conjunction with the event venue representative and in advance of the event. The police will make decisions on the number of police officers required, the number of hours necessary and the estimated cost. Prior to the beginning of the event, the student leaders of the student organization and the faculty/staff advisor will meet with the police officers assigned to the event for introductions, to clarify roles and to discuss any policy concerns regarding the event.

- d. Should circumstances related to the event (excessive loitering after the event, lengthy cleaning time, etc.) require the officers to work overtime, there will be additional charges billed to the sponsoring student organization. The police officers will secure the building following the event and will not leave until the building and the area are cleared of people and the area is secure. If any damages are discovered at the end of the event, the police will submit a report to the appropriate facility representative and the student organization will be billed accordingly.

#### **7. Damage and Excessive Clean-Up Requirements**

- a. Prior to the event, the sponsoring student organization, together with the university police, will inspect the facility to ensure that there is no damage caused to the facility. If there is any damage, it will be noted by the sponsoring student organization and verified by the university police. A report will be submitted to the appropriate venue documenting damages after the event has concluded. The student organization is responsible for any damage that occurs during the event, in the event room, adjacent facilities (e.g. restrooms), and entry areas, regardless of who is at fault.
- b. The sponsoring student organization should clean up all debris and/or decorations from the facility. Should the student organization fail to clean the facility, the student organization will incur additional costs related to having the excessive cleaning complete. The sponsoring student organization is financially responsible for all damage or excessive clean-up costs and will be billed accordingly following the event.

#### **8. Limited Reservations**

- a. Student organizations may sponsor multiple special events/late night events during a semester, provided they follow the special event/late night event approval process.
- b. Student organizations may be denied approval for future special events/late night events if there are significant problems associated with a previous special event/late night event sponsored by the student organization. Significant problems may include but are not limited to, physical altercations, excessive damage to the facility, presence of alcoholic beverages or illegal substances, non-compliance with special event/late night event policy, or any violation of university policies or state law.

#### **9. Variances**

Written requests for variances may be made in advance to the office of Student Involvement. These requests will be reviewed on a case by case basis.

Adopted January 1997 Student Life and Development Committee  
Amended April 7, 2005 Student Life and Development Committee  
Amended November 16, 2006 Student Life and Development Committee  
Amended January 21, 2010 Student Life and Development Committee  
Amended April 15, 2010 Student Life and Development Committee  
Amended February 19, 2015 Student Life and Development Committee

## **M. Campus Speech, Distribution and Posting Policy**

### **1. Speeches and Demonstrations**

- a. The university strongly supports the First Amendment guarantees of freedom of speech, expression, and the right to assemble peaceably (“speech activities”). Accordingly, the university remains firmly committed to affording every member of the university community the opportunity to engage in peaceful and orderly speech that does not disrupt the operation of the university. Such opportunities are provided on an equal, content-neutral basis.
- b. In order to balance the rights, health and safety of all members of the university community, the university regulates the time, place, and manner of such expression. Accordingly, the following regulations shall apply to all students, student organizations, faculty, staff, and visitors:
  - i. Persons or organizations may engage in speech activities in the following locations (follow links for a map of the area):

Atlanta Campus – [the lawn next to Unity Plaza outside Student Center East and the Urban Life Center Plaza between the Urban Life Center, Sports Arena and Student Center West.](#)

Alpharetta Campus – [the East Patio entrance to building AA-1310](#)

Clarkston Campus – [the quad area between buildings CA, CB, CC and CG](#)

Decatur Campus – [the quad between buildings SA, SB, SC and SG](#)

Dunwoody Campus – [the quad area NT, NE, LRC and NB \(not shown on map\)](#)

Newton Campus – [the south end of the lawn between building 1N and 2N](#)
  - ii. University sites are available for speaking or other forms of expression between 8:00 a.m. and 9:00 p.m., Monday through Friday except when the areas have been reserved by a university-affiliated department or student organization.
  - iii. No amplified sound is allowed.
  - iv. Plans for speaking activities in other campus areas and times must be approved by the Student Center Event Management office at least 72 hours in advance of the event. Such plans will be considered in a content-neutral manner.

### **2. Distribution of Written Materials**

#### **a. University Affiliated Distribution**

- i. Chartered student organizations and university departments and agencies may distribute literature and non-commercial pamphlets, handbills, circulars, newspapers, magazines, surveys, petitions, and questionnaires (or other items that require the interruption of pedestrian traffic) in the public areas on our campuses except in the following locations: classrooms and laboratories, dining areas, elevators, escalators, libraries, entrances and exits to buildings and other campus locations exempted by the Dean of Students.
- ii. Chartered student organizations, university departments and agencies may distribute material from tables reserved through the Student Center Event Management office, Student Center East Suite 305, (404) 413- 1870. Chartered student organizations co-sponsoring an event or distributing written materials with a non-university affiliated organization must maintain a presence throughout the entire duration of the event or distribution.
- iii. All printed material must bear the name of the organization or department.
- iv. Scatter marketing (throwing multiple copies of documents on the ground for them to be seen and/or picked up) and other forms of marketing that violate City of Atlanta anti-litter ordinances are strictly prohibited. Violation of this prohibition may result in disciplinary action, fines, or both.
- v. The university makes all decisions about written material distributed on campus in a content-neutral manner.

## **b. Non-University Affiliated Distribution**

- i. Organizations not affiliated with the university may only distribute literature and non-commercial pamphlets, handbills, circulars, newspapers, magazines, surveys, petitions, or questionnaires (or other non-commercial items that require the interruption of pedestrian traffic) in the following locations: a) properly reserved meeting spaces or b) Library Plaza, Unity Plaza and the Urban Life Center Plaza. Maps indicating valid areas to distribute materials shall be made available in the Student Center office, Suite 310, (404) 413-1860.
- ii. All printed material must bear the name of the individual or organization and may not solicit for donations, membership fees or sales.
- iii. Requests to distribute written material must be made in advance to the Senior Director of the Student Center and such activity may be limited by the Dean of Students to specific areas. Authorized representatives of a Non-university affiliated organization engaging in activities under this section must maintain a presence throughout the entire duration of the event or distribution.
- iv. Scatter marketing (throwing multiple copies of documents on the ground for them to be seen and/or picked up) and other forms of marketing that violate City of Atlanta anti-litter ordinances are strictly prohibited. Violation of this prohibition may result in disciplinary action, fines, or both.
- v. The university makes all distribution decisions on a content-neutral basis.

## **3. Commercial and Nonprofit Solicitation/Sales**

All commercial solicitations or sales by university affiliated and non-university Affiliated persons or organizations on the university campuses must be cleared in advance through the appropriate office. Information regarding the appropriate contacts is provided at [services.gsu.edu](http://services.gsu.edu). All sales of materials, memberships, applications or other commercial enterprises – whether temporary or extended in nature - must be conducted in compliance with the University Commercial Solicitation Agreement (available at [services.gsu.edu](http://services.gsu.edu)). However, certain fundraising activities (e.g. candy sales, bake sales, etc.) held by members of the university community or token giveaways by significant sponsors of university events are exempt from the Agreement.

## **4. Other Provisions**

Reasonable limitations may be placed on the time, manner, and place of the above activities in order to serve the interests of health and safety, prevent disruption of the educational process, and protect against threats to the rights of others. Accordingly, all university affiliated and non-university affiliated persons or organizations must comply with the following provisions, or be asked by the Dean of Students office, the Student Center Event Management office or University Police to cease activities and leave campus.

- a. Activities may not obstruct, or aggressively confront, vehicular, pedestrian or other traffic.
- b. Use of sound amplification or unreasonable noise on the university campus is prohibited if it disrupts University activities. Use of sound amplification may be limited to certain specified hours at various campus locations, such as Unity Plaza, and the Urban Life Plaza (hours during which sound amplification is allowed may be obtained from the Student Center Event Management office). The Student Center Event Management office staff reserves the right to monitor sound levels and to require sound level modification. Failure to promptly comply with university directives to reduce sound levels may result in the immediate cancellation of the reservation and/or event.
- c. There must be no obstruction of entrances or exits to buildings.
- d. There must be no interference with educational activities inside or outside of buildings.
- e. There must be no interference with scheduled university ceremonies, events or activities.
- f. Malicious or unwarranted damage or destruction of property owned or operated by the university or property belonging to students, student organizations, faculty, staff or visitors of the university is prohibited. Persons or organizations causing such damage may be held financially responsible.
- g. Persons or organizations operating under these provisions on or adjacent to the university campus must remove all resulting structures, signs, and litter from the area at the end of their activities. If this is not accomplished, persons or organizations responsible for the activities may be held financially responsible.
- h. Persons or organizations must be in compliance with all applicable federal, state and local laws and ordinances as

well as all university policies, rules, and regulations.

- i. Chartered student organizations co-sponsoring an event or distributing written materials with a non-university Affiliated organization must maintain a presence throughout the entire duration of the event or distribution.

## 5. Campus Posting Policy

### a. Introduction

In order to create and maintain an aesthetic environment and neat campuses, Georgia State University established the following guidelines regarding posting of informational material in campus facilities. Questions about the Campus Posting Policy may be addressed to the Student Center Administrative office, 55 Gilmer Street, Suite 310, Atlanta, Georgia 30303-3973, (404) 413-1860.

### b. Posting Prohibitions

Posters, flyers, notices or similar items may not be attached to unauthorized campus facilities including, but not limited to, doors, walls, windows, trees, vehicle windshields, trash cans, recycling bins, benches, campus maps, light poles or exterior surfaces of buildings. Items posted improperly will be removed daily and destroyed. Persons and organizations that post items improperly may be subject to disciplinary sanctions and/or charged for the cost of removal and any damage to university property. Georgia State University is not responsible for maintaining or returning items that are improperly posted and removed.

### c. Public Notices Posted by Affiliated Individuals or Organizations

Chartered student organizations, Georgia State departments, students, faculty and staff may post information related to official university activities in other locations on our campuses.

- i. Posting of materials on any campus bulletin board that is assigned to a university department or unit requires the approval of that department or unit, and must follow its applicable policies and practices relating to the posting of materials. Any materials not authorized by the applicable department or unit will be removed and discarded.
- ii. Specific department or unit bulletin boards authorized for posting include, but are not limited to, those found in the Student Center, the Sports Arena and university athletic facilities, Student Life offices, the University Library, University Housing, university classroom buildings, and the Student Recreation Center. Information regarding posting guidelines for any of the above locations can be obtained from the respective department or unit.
- iii. University-affiliated individuals or organizations seeking to post personal or non-university-related materials may only do so in explicitly designated bulletin boards described in subsection (d) below.
- iv. Georgia State University is not responsible for maintaining or returning items that are improperly posted and removed. Persons and organizations that post items improperly may be subject to disciplinary sanctions and/or charged for the cost of removal and any damage to university property.

### d. Public Notices Posted by Non-Affiliated Individuals or Organizations

- i. Persons and organizations not affiliated with the university may post public notices on explicitly designated bulletin boards located in university buildings. Notices are removed each Friday.
- ii. The university assumes no responsibility for the content of the material posted nor does this posting constitute any endorsement by the university. Georgia State University is not responsible for maintaining or returning items that are improperly posted and removed.
- iii. A list of the designated bulletin board locations may be obtained at the Student Center Administrative office (Student Center East 310).
- iv. In addition, non-university affiliated persons and organizations may not post items on the university grip strips reserved for university-related programs located in campus facilities.
- v. Finally, persons or organizations not affiliated with the university may purchase advertisements through The Signal, the campus newspaper, whose business office is located in Student Center West, Suite 250 and can be reached at (404) 413-1620.



## **N. Student Travel Agreement**

Any student representing Georgia State University while attending any conference, workshop, or other activity and while traveling to and from these events is considered to be on official university business and is therefore governed by the Student Code of Conduct and other Administrative Policies. Any violation of the Code of conduct may result in appropriate disciplinary action as allowed by the Code.

In addition, all Georgia State University students on official university travel must follow the procedures below:

### **1. Participation**

Students are expected to participate fully in the conference, workshop, or other activity by attending all programs and events as outlined by the conference when feasible. If participating as a part of a group, the group will seek to attend as many different sessions as possible in order to obtain the greatest amount of information and/or resources.

### **2. Proper Dress**

Students must dress appropriately for the conference event based on the guidelines provided by the conference organizers and conference materials. Any questions about proper attire should be directed to the advisor or the conference organizers prior to leaving for the conference.

### **3. Alcohol Use**

Students must comply with the Alcohol Policy while on university travel.

### **4. Vehicle Privileges**

All trips that include the usage of a university vehicle or the rental of the vehicle(s) is paid for with university funds will follow all the rules as outlined by the office of Student Involvement and/or Department of Recreational Services. Failure to follow the rules may result in temporary or permanent loss of driving or renting privileges. Such acts include, but are not limited to: reckless driving, possession and/or consumption of alcoholic beverages in the vehicle, littering, failure to return the vehicle at the agreed time, personal use of the vehicle and using the vehicle as a taxi for students.

### **5. Budget Office Regulations**

Travelers are expected to follow the university regulation(s) for financial reimbursement and travel- expense limitations. Any expenditures not pre-authorized may not be reimbursed.

## O. University Information Systems Use Policies

<http://technology.gsu.edu/about/technology-policies/>

### i. Introduction

Georgia State University's information systems are critical resources and play an integral part in the fulfillment of the university's objectives of teaching, research, and extension of knowledge to the public. The Georgia State University Information Systems Use Policies provide guidelines for the access, use, and protection of these resources. Current guidelines and policies can be accessed at <http://www.gsu.edu/ist/infosysuse.html>.

### ii. Purpose

The purpose of this document is to summarize and provide in a single location all approved policies aimed at ensuring that the access, use, and protection of the information systems promote the university's objectives. These policies will achieve the following principles:

- ensure that users abide by state and federal laws, as well as the policies of the university and the University System of Georgia;
- ensure that all individuals accessing or using the information systems assume responsibility for protecting these resources from unauthorized access, modification, destruction, or disclosure;
- ensure the integrity, reliability, and availability of the information systems; and
- ensure that individuals do not abuse the university's information systems and do respect the rights of members of the university community.

### iii. Policies

The following webpage, [http://www.gsu.edu/ist/infosysuse\\_chart.html](http://www.gsu.edu/ist/infosysuse_chart.html), links to the current [Information System Use Policies Chart](#) in practice at Georgia State University.

Approved by the Student Life and Development Committee, Winter Semester, 1998  
Revised by the Student Life and Development Committee, Spring Semester, 2000  
Revised by Student Life and Development Committee, April 17, 2008

## **P. Tobacco and Smoke-Free Campus Policy**

Georgia State University (“Georgia State”) is committed to providing a clean, healthy, and comfortable environment for all students, faculty, staff and visitors.

The use of tobacco products is prohibited on all property owned, leased or used by Georgia State, including but not limited to all internal and external areas; parking garages and parking lots; and in Georgia State owned and/or leased vehicles. Such use is also prohibited within 25 feet of all Georgia State building entrances and exits. Tobacco products include 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.

The advertising, sale or free sampling of tobacco products on Georgia State property is also prohibited.

### Exceptions

University Housing designates limited exterior smoking/tobacco use areas within the grounds of residential facilities.

This Policy does not prohibit the use of tobacco products for educational or research purposes.

### Enforcement

Faculty, staff and students share the responsibility to promote a tobacco-free university community and therefore share in the responsibility of enforcement. Individuals observed smoking/using tobacco products are to be reminded in a professional and courteous manner of this Policy.

Georgia State reserves the right to initiate disciplinary procedures against any individual found to be in violation of this Policy in accordance with the Student Code of Conduct or Employee Handbook.

### Tobacco Cessation Resources

Tobacco cessation resources are available to assist students, faculty and staff.

Faculty and staff should contact: Faculty and Staff Assistance; (404) 413-3342;  
<http://employees.hr.gsu.edu/worklife-balance/faculty-and-staff-assistance/>

Students should contact: Student Health Promotion; (404) 413-577  
<http://healthpromotion.gsu.edu/>