

GEORGIA STATE UNIVERSITY STUDENT CODE OF CONDUCT 2008-2009

The most current version of the Student Code of Conduct and Administrative Policies and Procedures may be viewed at www.gsu.edu/deanofstudents/codeofconduct.html .

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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 www.gsu.edu/deanofstudents 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

All students are members of the larger city, state and national community and enjoy the rights that such membership confers. Student status does not, however, protect a student from arrest and prosecution for violations of local, state or federal laws. In addition, 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. The University reports all suspected violations of law to appropriate law enforcement agencies.

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.

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 the Dean of Students has authority to make determinations on all charges of General Conduct Violations as these are defined in the Student Code of Conduct.

D. 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. This right of expression does not protect disruptive, threatening, lewd, indecent or obscene conduct or expression.

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.

E. Definitions

"Advisor" means any person (student or non-student) who the referred student may seek for advice. He or she may accompany the student during the hearing. The advisor may not represent the student before the hearing panel or be allowed to participate in the hearing process. A licensed attorney may serve as a student's advisor.

"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.

"Complainant" means any person(s) who initiates 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.

"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.

"Discriminatory Harassment" means speech or other expression (words, pictures or symbols) that intentionally constitutes fighting words and is also sufficiently severe, pervasive, or persistent so as to interfere, limit or

deny one's ability to participate in or benefit from an educational program. "Fighting words" are words, pictures or symbols that:

- a. are directed to an individual or individuals based upon that person's race, color, sex, religion, creed, age, sexual orientation, gender, disability, veteran status or national origin, and
- b. tend to threaten violence, incite an immediate breach of the peace or provoke a violent response. In the context of discriminatory harassment, "fighting words" are those which are commonly understood to convey direct and visceral hatred or contempt for human beings.

"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 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.

"Fighting Words" may include, but are not limited to, words, pictures or symbols that:

- a. are directed to an individual or individuals based upon that person's race, color, religion, national origin, age, disability, veteran status, sex or sexual orientation; and
- b. tend to threaten violence, incite an immediate breach of the peace or provoke a violent response. In the context of discriminatory harassment, "fighting words" are those which are commonly understood to convey direct and visceral hatred or contempt for human beings.

"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 University=s or the referred=s case.
- “In writing” means 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 person who holds 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 the information” means information that would lead a reasonable person to conclude that it is more likely than not that the act in question did occur. If the information which indicates that the referred committed the charged violation produces a stronger impression and is more convincing as to its truth when weighed against opposing information, then the violation 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 may be any observation, admission, statement, or document that would either directly or circumstantially indicate that the referred is responsible for the violation charged.
- “Referred” 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” is defined as any sexual contact without consent by an acquaintance or stranger (whether made directly or through clothing and whether contact is made with the non-consenting student or the non-consenting student is forced to have such sexual contact with another) and includes, but is not limited to: rape (sexual intercourse without consent), sodomy (oral or anal intercourse without consent), aggravated sodomy (sexual penetration with an object without consent), assault (intentional touching without consent of genitals, breast, groin, thighs, or buttocks), aggravated assault, child molestation, aggravated child molestation, non-consensual kissing, statutory rape, voyeurism (observing the sexual organs or acts of another for sexual satisfaction, usually from a hidden vantage point), and public indecency (in a public place, performing an act of sexual intercourse, lewd exposure of sex organs, lewd appearance in a state of partial or complete nudity, or a lewd caress or indecent fondling of the body of another person).
- “Stalking” means engaging in a course of conduct that is directed toward another person if that conduct would cause a reasonable person to fear for the person’s safety or the safety of that person’s immediate family member or close acquaintance, and that person in fact fears for their safety or the safety of that person’s immediate family member or close acquaintance.
- “Student” means a person who has both registered and matriculate throughout the entire semester. If, after registering for classes, a student drops all courses after the midpoint of the semester, he/she is put in

non-enrolled student status, retroactive to the beginning of the semester. If a person enrolls in but then drops all classes after the semester midpoint for two consecutive semesters, the person then immediately becomes a non-student upon the dropping of all classes in the second consecutive semester. Persons who do not fit the above definition of “students” or “non-enrolled students” or who enroll but drop all classes before the midpoint of the semester are deemed to be non-students. With the exception of Student Leaders per Section 14, below, non-students may not be members of nor participate in any student organization within the University. Further, non-students may not benefit from the privileges reserved for enrolled students.

- Enrolled Student - status of one during a semester he/she is enrolled in classes and completes that semester. This status is applied to all students upon enrollment for classes and continues unless and until the student withdraws from classes during a semester, at which time the student’s status changes to either a Non-Enrolled Student or Non-Student status.
- Non-Enrolled Student – status of one during a semester he/she has both enrolled in classes and subsequently dropped all class after the semester midpoint.
- Non-Student – status of one who, during a semester, has (a) not enrolled in classes; (b) has enrolled but drops all classes before the semester midpoint; or (c) has been in a non-enrolled student status for two or more consecutive semesters.

“Student” throughout this Code may mean student or student organization as defined in the section.

“Student Judicial Panel” means three or more members of the Student Judicial Board with one member serving as the Chair of the Panel serving on a hearing panel.

“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.

“University” means Georgia State University.

“University property” means all resources, including but not limited to real and personal property, money, and intellectual property owned, operated, controlled or in the possession of the University.

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

II. 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 Affairs Handbook and the Student Handbook, On Campus, which is available to all members of the University community. The policy represents a core value of the University and all members of the University community are responsible for abiding by its tenets. Lack of knowledge of this policy is not an acceptable defense to any charge of academic dishonesty. All members of the academic community, including students, faculty, and staff, are expected to report violations of these standards of academic conduct to the appropriate authorities. The procedures for such reporting are on file in the offices of the deans of each college, the Office of the Dean of Students, and the Office of the Provost.

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 through the University's Counseling Center.

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 may be considered plagiarism. An author's name and the title of the original work, if available, should also be included as part of the reference. 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. Submission for academic credit of a work product, or a part thereof, represented as its being one's own effort, which has been developed in substantial collaboration with or with assistance from another person or source, is a violation of academic honesty. It is also a violation of academic honesty knowingly to provide such assistance. 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.

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. In allegations of academic dishonesty involving course requirements, the course faculty member is generally responsible for initiating 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 of more than one college involved should have jurisdiction in review and decision-making, either 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.

While the matter of academic dishonesty is pending, the student will be allowed to continue in the course and register for upcoming semesters. Should a grade be due to the registrar before the matter is resolved, a grade of GP (grade pending) will be reported for the student in the course involved. Withdrawal from a course does not preclude the imposition of penalties for academic dishonesty.

A. Penalties to be Imposed

Penalties to be imposed in incidents of academic dishonesty are classified as academic or disciplinary. Academic penalties include such sanctions as 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. Disciplinary sanctions can be sought in addition to those considered academic and could include, but are not limited to, the following penalties: suspension, expulsion, transcript annotations. 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 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 (with the advice of the chair if necessary) will determine the appropriate academic penalty. The faculty member will complete a notice of academic dishonesty form describing the incident and indicating the academic penalty imposed. Any recommendation for a disciplinary penalty must be reviewed in consultation with the chair.

The faculty member will deliver to the student the notice of academic dishonesty which includes a statement of appeal rights. If there is difficulty in delivering the notice to the student, the faculty member/chair should request assistance from the college dean in determining the most expeditious way to inform the student that a notice of academic dishonesty has been filed.

Once the student has been informed, the chair forwards the documentation, including the notice of academic dishonesty and an indication of when the student was informed, to the dean to be held pending possible appeal. Until the student has been given the opportunity to appeal, a grade of GP (grade pending) should be submitted for the student for the course involved.

C. Student Action

The student will have 20 business days after receipt of the notice of charges of academic dishonesty 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 20 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 within 20 business days, the dean will notify the chair/faculty member to post any pending grade(s) immediately. The 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. If the student submits a written appeal within 20 business days, the dean will notify the registrar to issue a grade of GP (grade pending) for the course(s) in question on all transcript requests for the student pending outcome of the appeal. The dean will forward the charges of academic dishonesty to the chair of a college hearing committee and will notify the faculty member to set forth in writing a comprehensive statement 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.

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 dean will notify all appropriate parties of the decision.

If the 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 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 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 dean will notify the chair to insure that any pending grade is posted promptly. The 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 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 20 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 20 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 twenty (20) business days of completion 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 violations of these standards of academic conduct 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

SOURCE: Senate Office, 9/7/95

Approved by the University Senate Committee on Admissions and Standards: 3/14/94

Approved by the University Senate: 11/3/94

III. General Conduct Policies and Procedures

A. Prohibited General Conduct - The following are types of behaviors which constitute violations of the Georgia State University Student Code of Conduct Policies and Procedures and which are prohibited on all real or personal property belonging to or in any way controlled by the University including, but not limited to, violations that occur on the University Campus or that are made/received via University owned/controlled communication or information systems. Any student who is found responsible for any of the following misconduct is subject to the disciplinary sanctions outlined in Section III.B.8.

1. Violation of published Administrative or University policies, rules or regulations including, but not limited to those contained in this Student Code of Conduct and:
 - a) University Harassment Policy and Procedures
 - b) University Housing Community Living Guide
 - c) Library Rules and Regulations
 - d) University Parking Regulations
2. Conduct which is disruptive, obscene, lewd or indecent.
3. Disruption or obstruction of teaching, instructional, research, disciplinary, public service, administration, or other University activities.
4. Engaging in harassing or repeated unwanted contact, including but not limited to, stalking.
5. Verbally threatening, physically abusing, or threatening physical abuse, intimidation, coercion and/or conduct which threatens or endangers the health or safety of self, other students, other members of the University community or campus visitors.
6. Attempted or actual theft of and/or damage to property belonging to the University, any member of the University community or any visitor to the University.
7. Possession of property the student knows or has reason to believe may be stolen or misappropriated.
8. Use, possession, display or storage of any weapon, dangerous instrument, explosive devise, fireworks, or dangerous chemical unless specifically authorized by University officials.
9. Public intoxication or use, possession, consumption, distribution or sale of alcoholic beverages except as expressly permitted by the University's Alcohol Policy (Section IV.C.).
10. Use, consumption and possession or distribution of any narcotic, dangerous drug or controlled substance or possession of drug paraphernalia that would violate the law.
11. Falsification, forgery, alteration, fabrication or misuse of University records, forms or other documents.
12. Making any false statement or misleading information, including by omission, to University officials or committees.
13. Providing or gaining unauthorized access to or use of University property, resources or facilities.
14. Operating a non-chartered or non-approved organization on any property belonging to the University.
15. Engaging in, supporting, promoting or sponsoring hazing.
16. Gambling as prohibited by law.
17. Engaging in any sexual misconduct, including but not limited to, sexual assault, sexual harassment, or public indecency.
18. Commission of any offense prohibited by federal, state or local law.
19. Engaging in discriminatory harassment or other discriminatory activities, whether unlawful or whether prohibited by University policy, on the basis of race, color, sex, religion, creed, age, sexual orientation, gender, disability, veteran status or national origin.
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 by 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. Judicial Procedures for General Conduct Matters

1. Overview of Judicial Matters

- 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 chartered organizations.

- 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 Dean of Students Office.
- b) The complaint must state sufficient facts, including specific name(s), date(s), location(s) and description(s) of the alleged act(s) of misconduct to enable the Dean of Students to decide whether further fact-finding is necessary. The complaint form must be signed by the complainant.
- c) For matters involving complaints of discrimination, discriminatory harassment, sexual harassment or sexual misconduct committed by students or student organizations, the incident should be reported to the Office of the Dean of Students.
- d) For matters involving complaints of discrimination, discriminatory harassment, sexual harassment or sexual –misconduct committed by University faculty or staff, the incident should be reported to the Opportunity Development/Diversity Education Planning. Copies of the University harassment policy and procedures may be obtained at the Opportunity Development/Diversity Education Planning, the Office of the Ombudsperson or online at <http://www.gsu.edu/~wwwfhh/fhb.html>.

3. Investigation

- a) The Dean of Students may conduct an initial investigation to determine whether there is sufficient basis to believe that a violation of the Student Code of Conduct may have occurred. The Dean of Students may decide to interview the complainant and/or other witnesses or to request additional information from the complainant. Based on the initial review, the Dean of Students may choose to initiate charges, not initiate charges or dismiss a case administratively if there is no support for the claim, in fact or in the Code. In cases of sexual misconduct and/or hazing, an investigation of each reported incidence shall occur.
- b) All complaints of discrimination or discriminatory harassment will be initially reviewed by a Pre-Hearing Panel to determine if sufficient information exists to indicate a violation of the Discrimination or Discriminatory Harassment Policies may have occurred. The Pre-Hearing Panel will consist of the Dean of Students, the Assistant Vice President of Opportunity Development/Diversity Education Planning or designee, one Student University Senator, one member of the Senate Cultural Diversity Committee, one member of the Student Judicial Board, and a representative from Legal Affairs. Absent extenuating circumstances, the Pre-Hearing Panel shall meet within three (3) business days of receipt of the written complaint.

4. Charges

If the Dean of Students (or Pre-Hearing Panel in cases of discrimination or discriminatory harassment) determines that there is a sufficient basis to believe that a violation of the Student Code of Conduct may have occurred, then the Dean of Students will promptly notify the student in writing of the alleged violation and will gather further information, if needed, by interviewing witnesses and reviewing documents.

5. Due Process

- a) A student who is charged in a Student Code of Conduct violation must meet with the Dean of Students for a due process meeting within five (5) business days from the signed receipt of the formal notification from the Dean of Students. Referred students must elect a hearing option for resolving the case within the same five (5) business day time frame.
- b) If a student does not contact the Dean of Students for the preliminary meeting, the Dean of Students may proceed with the case at his/her discretion.
- c) At the due process meeting the referred student will be provided with the following:
 - (1) an explanation of the charges;
 - (2) a copy of the Student Code of Conduct;
 - (3) a copy of the complaint, if requested;
 - (4) an explanation of the judicial process;
 - (5) review of the students' due process rights:
 - the right to a notice in writing of any charges;

- the right to admit responsibility for the alleged violation, which requires choosing to have the Dean of Students resolve the case administratively in lieu of a hearing;
 - the right 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 right to a fair hearing before a hearing panel, not including those who brought the charges;
 - the right 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 right to select an advisor of his or her choice to accompany the referred student during the formal hearing;
 - the right to call witnesses to present information in his or her behalf;
 - the right upon request to a list of witnesses who will appear against him or her;
 - the right to confront and cross-examine witnesses and/or accusers;
 - the right to receive a copy of the record of a hearing;
 - and, the right to appeal as indicated in the Code.
- d) A referred student may choose (1) to waive a hearing and have the Dean of Students resolve the case; (2) to have a hearing before the Student Judicial Board; or (3) to have a hearing before the Senate Committee on Student Discipline. At the time a hearing route is decided, the referred student who chooses a hearing before the Student Judicial Board must sign a waiver authorizing the University to release case-related information from his/her educational record to the Student Judicial Board. Choosing not to sign such a release limits a student's hearing options to (1) or (3) above. In cases of alleged sexual misconduct the referred student may choose (1) to waive a hearing and have the Dean of Students resolve the case; or (2) to have a hearing before the Sexual Misconduct Board. The Student Judicial Board may not hear cases of academic honesty.

6. Interim Action

- a) If the University believes a student or student organization poses a significant threat to the health, welfare or property of self or others, then the student or student organization may be immediately removed from class or University owned/controlled property and sanctions, including suspension, may be immediately imposed by the Dean of Students pending the outcome of disciplinary proceedings.
- b) The decision to suspend a student or student organization for an interim period will be communicated in writing to the student, and will become effective immediately as of the date of the written decision.
- c) The interim suspension will remain in effect until a final decision has been made on the pending charges or until the Dean determines that the reasons for imposing the interim suspension no longer exist.
- d) A student who is suspended for an interim period will be provided an opportunity to respond to the allegations of misconduct no later than five (5) business days following the effective date of the interim suspension.
- e) The Dean of Students may impose other forms of interim action, such as immediate removal from university housing, other locations, or exclusion from one or more classes.
- f) A student who is charged with or indicted for a felony or crime involving moral turpitude, in any jurisdiction, may be suspended pending the disposition of the criminal charges against the student. Upon request, the student shall be accorded a hearing to establish that continued presence as a member of the student body will not be detrimental to the health, safety, welfare or property of other students or members of the campus community or to the orderly operation of the institution. Upon resolution of the criminal proceedings, the student may be subject to University disciplinary action.
- g) Failure or refusal to respond to the Dean of Student's requests may result in the immediate placement of a hold on the involved student's records and further sanctions up to and including suspension or expulsion may be imposed in the student's absence. The equivalent sanction for a student organization would be a temporary restriction of some or all of the organization's activities (except in cases of alleged discriminatory harassment, in which case the student organization shall be subject to sanctions up to suspension of its University charter for one (1) year).

7. Resolution Options

- a) Mediation:

With the prior written consent of the Georgia State University Dean of Students any student or group of students involved in a general (nonacademic) 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 (nonacademic) conduct matter judicial system.
- b) Administrative Hearing:
 - (1) A student may waive the right to a formal hearing and have the case heard administratively by the Dean of Students.
 - (2) The Dean of Students, in his or her sole discretion, may decide to personally hear the case or designate another to hear the matter.
 - (3) The Dean of Students will meet with the student and determine whether it is more likely than not that a violation of the Student Code of Conduct has occurred and, if so, the appropriate disciplinary sanction to apply.
 - (4) If necessary, witnesses may be interviewed and further information may be gathered to determine responsibility.
 - (5) In determining the sanction, the Dean will consider any mitigating or aggravating factors, including any prior violations of the Student Code of Conduct.
 - (6) The Dean of Students will inform the student of the decision in writing. The written decision will include a statement of the charges, the determination, and the sanction to be imposed, if any.
- c) Student Judicial Board or Senate Committee on Student Discipline or Sexual Misconduct Board:
 - (1) Composition of Hearing Panels
 - (a) Student Judicial Board hearings will be conducted by a Hearing Panel composed of three. One member, designated the chairperson, will serve as the presiding officer.
 - (b) Senate Committee on Student Discipline Committee hearings will be conducted by a Hearing Panel composed of the number of members set forth in Senate Committee on Student Discipline procedures.
 - (c) The Sexual Misconduct Board hearing, as set forth in the Sexual Misconduct Board procedures, will be conducted by a Hearing Panel comprised of two faculty, two students and one staff. The Dean of Students will identify the chair of the Hearing Panel.
 - (d) Each hearing panel will establish its own rules to govern the selection process for Hearing Panel members.
 - (e) In cases dealing with discrimination, sexual harassment or discriminatory harassment, the Assistant Vice President of Opportunity Development/Diversity Education Planning or designee will sit as an ex-officio member of the committee and will give guidance to the committee.
 - (f) The university will provide training for members of the Student Judicial Board and Sexual Misconduct 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 student'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 student no less than five (5) business days prior to the date set for the hearing. The notice will be delivered personally or by mail directed to the address furnished by the student on his/her hearing request. The notice will include:
 - A statement of the date, time, location and nature of the hearing;
 - A written statement of the charges which specifies the allegations of misconduct in sufficient detail to enable the student to respond;
 - A list of the names of all Hearing Panel members, and the university address of the chairperson.
 - (d) If the student cannot attend the hearing on the date scheduled for the hearing due to extraordinary circumstances, he/she must notify the hearing panel chairperson in writing, no later than three (3) business days prior to the

hearing. The chairperson will determine whether to approve or deny the request to reschedule the hearing.

- (e) 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 statements of each witness;
 - Copies of all documents or notarized statements to be presented at the hearing; and
 - The name and title of the person who will present the information on behalf of the university, and the name of the advisor, if any, who will be present to assist or represent the student.
- (f) A student may challenge the participation of any member of the Hearing Panel on the grounds of personal bias by submitting a written statement to the chairperson setting forth the basis for the challenge no later than three (3) business days prior to the hearing. The chairperson 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 rule on the challenge.
- (g) Members of the university community will be expected to comply with any request or directive issued by the chairperson in connection with a disciplinary proceeding, unless compliance would result in significant personal hardship or substantial interference with normal university functions.

(3) Hearing Procedures

- (a) Absent extenuating circumstances, the evidence 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. The deliberation stage of all hearings shall be closed to all but hearing committee/judicial board members.
- (b) The chairperson will preside at the hearing and will rule upon all procedural matters. The formal rules of evidence will not apply, although objections to the introduction of specific statements or documents may be considered by the chairperson. Information regarding prior misconduct will not be considered for the purpose of determining responsibility, but may after a finding of responsibility has been made, be considered for purposes of determining appropriate sanctions. The chair may establish reasonable limits upon the time allotted to the referred and the complainant for oral presentation and examination of witnesses.
- (c) The complainant will present the information which supports the charges, and will have the burden of showing that a violation of the Student Code of Conduct was more likely than not to have been committed by the student.
- (d) The student who has selected a formal hearing will present statements or written information on his/her own behalf.
- (e) Information - All information, including hearsay, is admissible. Although, the Hearing Panel may exclude information during the Hearing if it is clearly immaterial or irrelevant. The Hearing Panel will determine, during deliberations, the weight or credibility of the information.
- (f) The student who is charged with the misconduct may be assisted throughout the proceeding by an advisor.
- (g) Each party is responsible for insuring the appearance of their witnesses at the Hearing or obtaining written, signed statements from their witnesses.
- (h) A record shall be made of the Hearing. A copy of the record is available to the student(s) at the cost of making the reproduction.
- (i) Witnesses will be excluded from the hearing except during their own statement.
- (j) Student cases may be combined and heard jointly for matters arising from the same set of circumstances or events.
- (k) 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 Student Code of Conduct.

- (l) If, during the course of a hearing, new information is introduced which indicates that additional violations of the code have occurred, the Hearing Panel has the discretion to find the referred responsible.
- (m) Deliberations – Upon the conclusion of the evidence stage of the hearing, the Hearing Panel will adjourn to review the information and make determination of responsibility and appropriate sanctions, if any.
- (n) After deliberating, either the Senate Committee on Student Discipline or the Student Judicial Board 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 and appropriate sanction.
- (o) The Dean of Students shall then make a final decision concerning responsibility for the violation and the imposition of sanctions, if any, within five (5) business days of the receipt of the recommendation.
- (p) The Dean of Students will inform the referred of the decision in writing. The written decision will include a statement of the charges, the determination, and the sanction to be imposed, if any. In cases of sexual misconduct or crimes of violence, the complainant will also be notified.

8. Sanctions

- a) Students or student organizations who are found to be in violation of University rules, procedures or policies may be subject to one or more of the following sanctions, which may be imposed on a temporary or permanent basis.
- b) 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 unless and until overturned on appeal.
- c) 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.
- d) Students under disciplinary suspension or expulsion may not use University facilities during the term of their sanction.
- e) Sanctions for Individuals:
 - (1) Written Reprimand: A written statement that the student has violated regulations and 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: Exclusion from classes and other student privileges for a defined period of time.
 - (6) Expulsion: Permanent termination of student status in the University community.
- 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) 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.
 - (3) 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.
 - (4) Recommendation for Charter Revocation: An official request to a national office that the local chapter's charter be revoked.
 - (5) Revocation of University Charter: Permanent severance of the organization's relationship with the University.

- (6) Educational Sanctions: Sanctions specified by the Dean of Students such as alcohol awareness programs, risk management programs, community service, letters of apology, education workshops, essays or research papers.

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 in writing to the Vice President for Student Affairs within five business days after the decision is made. Grounds for appeals are limited to new information that was not presented at the hearing, procedural errors, or that the sanction is disproportionately severe. The Vice President has the authority to remand, reverse or change the decision; decrease, increase or add sanctions; and, make new charges. Absent extenuating circumstances, the Vice President will make a decision on the appeal within 15 calendar days.
- b) To the President: Appeals of the decision of the Vice President for Student Affairs may be made to the President of the University within five business days after the vice president's decision is made. The President has the authority to remand, reverse or change the decision; decrease, increase or add sanctions; and, make new charges. The President's decision shall be final at the University level. Absent extenuating circumstances, the President will make a decision on the appeal within 15 calendar 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 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. If the application for review is granted, the Board will, absent extenuating circumstances, investigate the matter thoroughly and render its decision thereon within 60 calendar days from the filing date of any hearing that may have been held. The Board has the authority to remand, reverse or change the decision; decrease, increase or add sanctions; and, make new charges. The decision of the Board shall be final and binding for all purposes.
- d) In the event any position in the appeal route is vacant, the appeal should be directed to the individual holding the next-listed filled position.

10. 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 minor students who are found responsible for alcohol or other drug violations of the Code.

11. Student Judicial Records

Student disciplinary records are educational records governed by the Family Educational Rights and Privacy Act (FERPA). As educational records, disciplinary 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 referred student, regardless if whether the student is found responsible. For cases of sexual misconduct and crimes of violence which result in the referred student 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. Disciplinary records are retained on file by the Office of the Dean of Students for five years past the referred student's graduation date or his/her date of last attendance.

Adopted by the Student Life and Development Committee, April 15, 1992.

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