



Policy Number: V.01
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Policy Owner: Provost/VP Academic Affairs
Policy Implementation: Provost/VP Academic Affairs,
VP Enrollment and Student Support Services

Student Code of Conduct and Disciplinary Procedures

I. Policy Statement and Purpose

In support of the University's mission, Athens State University strives to prepare students for leadership roles, and encourages students to be responsible citizens, to have integrity, and to show consideration for others. The University expects exemplary personal conduct from both employees and students.

It is therefore necessary to categorize certain kinds of behavior which the University regards as unacceptable for any of its students, and to establish procedures through which cases of alleged misconduct are investigated and resolved in a fair, responsible and timely manner emphasizing respect, trust, integrity, and the due process rights of alleged offenders.

This Code of Conduct applies to individual students and to informal or formal groups of students, including student clubs and organizations. The Code is applicable to the conduct all students, whether:

- Participating in classes or activities on campus or at off-campus instructional sites, or;
- Participating in Athens State distance learning activities, or;
- Acting as a representative of the University off campus, including but not limited to students who are completing their internship requirements for a particular academic College, or who are participating in the University's Cooperative Education Program, or;
- Other University activities on or off campus.

For the purposes of this policy, "**business day**" is defined as any day the University is officially open, regardless of whether classes are in session.

Retaliation is a very serious violation of this policy and should be reported immediately. Any attempt to penalize or retaliate in any way against a person bringing, investigating, or cooperating with an investigation of an alleged violation of the Student Code of Conduct is prohibited and will be treated as a separate incident to be reviewed on its own merit.

II. Statement of Student Responsibilities under the Code

The Athens State University Student Code of Conduct asserts that students at Athens State University have certain responsibilities as members of the University community. Included are the responsibilities to:

- Observe and follow all duly established local, state and federal laws.
- Respect the rights, privacy, and property of individuals, groups, the neighboring community and the University.
- Refrain from actions that deny other members of the University community their rights as described.
- Be knowledgeable of and follow all published University policies, including the Student Code of Conduct.
- Report violations of the Student Code of Conduct.
- Cooperate with the instructions of University employees acting within the scope of their employment.
- Exhibit behavior that does not interfere with academics, research, or any University operations or activities.
- Be accountable for one's own actions and the subsequent consequences.



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- Adhere to all student conduct procedures including provision of accurate information and the completion of sanctions.
- Exhibit appropriate behavior both on and off campus.

III. Violations of the Code

Violations of the Code of Conduct may result in sanctions or disciplinary actions, including formal reprimand, loss of privileges, suspension, or expulsion, subject to the disciplinary procedures defined later in this policy.

In cases of a violation of the Code or of University regulations where a student's continued presence disrupts the operations of the University or poses a potential threat to others, the President or the President's designated representative(s) may place the student on interim suspension. Continued sanctions or disciplinary actions for any student placed on interim suspension will be subject to the disciplinary procedures defined later in this policy.

Violations of the Code include, but may not be limited to:

- A. Any conduct or actions in violation of federal, state, or local laws.
- B. Academic dishonesty, including:
 1. **Plagiarism** – taking the words or specific substance of another and either copying or paraphrasing the work without giving credit to the source, including:
 - a. Submitting a term paper, examination, or other work created by another person as one's own work.
 - b. Failure to give credit for ideas, statements of facts, or conclusions derived by another.
 - c. Failure to use quotation marks when quoting directly from another source, regardless of the length of the quoted portion.
 - d. Close and extended paraphrasing from another source.
 2. **Cheating** – use of unauthorized notes, study aids, technology, information from another student or from another student's paper, and/or any information or resources not authorized by the instructor during an in-class or online examination; disabling or interfering with online testing security measures; altering a graded work after it has been returned then submitting the work for regrading; and/or allowing another person to do one's work and submitting the work under one's name.
 3. **Fabrication** – presenting data in a piece of work and failing to include a substantially accurate account of the method by which the data were generated or collected, including submission of data purporting to be the results of an experiment or inquiry not actually performed by the student.
 4. **Aiding and Abetting Dishonesty** – providing material or information to another person with knowledge that these materials or information will be used improperly, or taking of an examination or doing any work and submitting it under another student's name.
 5. **Collusion** – unauthorized collaboration of students in preparing work to be submitted.
 6. **Unauthorized Possession or Disposition of Academic Materials** – selling or purchasing of examinations or other academic work; taking another student's academic work without permission; possessing or distributing examinations or assignments, or electronic copies/images of examinations or assignments, that have not been formally released by an instructor; and/or submitting the same paper for two or more different classes without the specific authorization of all instructors involved.



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- C. Knowingly furnishing false information to the University, willful misrepresentation to University staff with intent to deceive, or forgery, alteration or misuse of any University document, record, or instrument of identification.
- D. Obstruction or disruption of the University's academic programs or operations, including the willful reporting of false threats or emergencies.
- E. Failure to comply with directions of a University official acting in performance of his/her duties.
- F. Possession of alcohol or being under the influence of alcoholic beverages on state-owned property.
- G. Possession, use, or sales of illegal drugs or of drugs not prescribed by a licensed physician for the individual.
- H. Malicious destruction, damage or defacement of public or private property.
- I. Theft or unauthorized possession of University property or the property of any member of the University community, or any visitor to the University.
- J. Unauthorized entry into University buildings or closed areas.
- K. Misuse of fire alarms or fire extinguishers, or the causing of false fire alarms.
- L. Possession and/or use of firearms, air rifles, or weapons not permitted by local, state, or federal law and/or applicable University policies. Weapons are prohibited on property owned or controlled by the University except for persons who are duly authorized law enforcement or civil officials in the discharge of their official duties, law enforcement officials who are students, or University security personnel.
- M. Possession or use of fireworks (including caps, sparklers, etc.) or explosives on University property.
- N. Willful violation of University regulations or policies as specified in the University Catalog, Student Handbook, and other University publications or the University website.

IV. Disciplinary Procedures for Violations of the Code

Disciplinary procedures for violations of the Student Code of Conduct generally fall into two categories:

- Disciplinary Procedures for Academic Violations
- Disciplinary Procedures for Non-Academic Violations

Violations or accusations related to harassment (of a non-sexual nature) or discrimination are subject to the provisions and procedures of the University's policy *Harassment and Discrimination*. Violations or accusations related to sexual misconduct are subject to the provisions and procedures of the University's *Sexual Misconduct Policy and Procedures*.

A. Disciplinary Procedures for Academic Violations

1. **Consultation with the Faculty Member.** In instances where a faculty member believes a student has committed a specific act of academic dishonesty (such as plagiarism or cheating on an exam), or a Code violation associated with a course or program requirement, and where the faculty member and student agree to meet, the faculty member and student will meet to discuss the alleged Code violation, the nature of the specific act, and when appropriate, the suggested penalty to be imposed. If either the faculty member or the student is not willing to meet, the alleged Code violation will immediately proceed to a



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consultation with the Department Chair or College Dean (see below).

If the student meets with the faculty member and does not contest the charge, and is willing to accept the penalty suggested, the student may waive the right for further review or due process.

Possible penalties that may be imposed by a faculty member on a student who has committed a specific act of academic dishonesty include:

- a. A requirement to resubmit an assignment or retake an examination.
- b. A lower or failing grade on an assignment or examination.
- c. A lower or failing grade for the course.
- d. Removal from the course, subject to the approval of the Provost/Vice President for Academic Affairs.

If the student waives the right for further review, the faculty member will complete a written report describing the charge and the student's acceptance of the proposed penalty. The report must include:

- Date of report
- Date and Time of Incident
- Name of Student
- Name of Faculty Involved
- Course Number and Title
- Description of the specific academic violation
- Proposed Penalty
- Student's signed acceptance of the penalty

The faculty member will meet with the student to review this report, and if the student agrees with the content of the report, both the student and faculty member will sign the report. The report and any supporting documentation will be submitted within ten (10) business days of the initial consultation with the student to the appropriate Department Chair, College Dean, and the Provost/Vice President for Academic Affairs (VPAA), and will be kept on permanent file in the Office of Academic Affairs to document the alleged Code violation and any resulting sanctions or disciplinary actions.

2. Consultation with the Department Chair or College Dean. A faculty or staff member will refer an alleged academic violation to the appropriate Department Chair (Chair) or College Dean (Dean), in that order, via a written memorandum in instances where:

- a student contests the specific charge of academic dishonesty or of a Code violation that is associated with a course or program requirement, or;
- a faculty member or student are not willing to meet concerning an alleged violation, or;
- a faculty or staff member believes a student or a group of students have committed an act of academic dishonesty or a Code violation that is associated with a course or program requirement, and it is not appropriate for the faculty or staff member to propose or implement penalties, sanctions, or disciplinary actions.

If the faculty member who believes a student has committed an act of academic dishonesty is a Department Chair, the alleged Code violation will immediately proceed to a consultation with the College Dean through the process below.



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The Chair (Dean) will consult with the accuser and the alleged offender(s) to discuss and review the alleged violation. The consultations with the parties will be separate if requested by any of the parties. This process typically involves a basic inquiry into the relevant facts surrounding the alleged violation. If the charge of the alleged code violation is found to be valid and the student or group of students does not contest the charge, and are willing to accept any sanctions or disciplinary actions suggested concerning the violation, the student or group of students may waive the right for further review or due process.

If the student or group of students waives the right for further review, the Chair (Dean) will complete the standard written form describing the charge and the acceptance of the proposed sanctions or actions. The Chair (Dean) will meet with the student(s) to review the form within ten (10) business days of the initial consultation with the student(s), and if the student(s) agrees with the content of the form, the student(s), and Chair (Dean) will sign the form. The form and any supporting documentation will be submitted to and kept on permanent file in the Office of Academic Affairs to document the alleged Code violation and any sanctions or disciplinary actions resulting from the initial disciplinary process.

In instances where a student or group of students, having met with the Department Chair and College Dean, contests the charge of academic dishonesty, the student(s) may choose to have the alleged charge of a Code violation heard by the Student Judicial Committee, subject to the procedures defined in Section V of this policy.

B. Disciplinary Procedures for Non-Academic Violations

In instances where any member of the University community believes a student or group of students has committed a non-academic act in violation of the Code of Conduct, the member will report in writing the alleged Code violation to the Vice President for Enrollment and Student Support Services or the Vice President's designee. The report must include:

- Date of report
- Date and Time of Incident
- Name of Student
- Description of the specific non-academic violation

The Vice President or designee will consult with the accuser and the alleged offender(s) to discuss and review the alleged violation. The consultations with the parties will be separate if requested by any of the parties. However, if either party is permitted to have individuals from outside the University attend or participate in the interviews, the Title IX Coordinator must extend this opportunity to the other party.

This process typically involves a basic inquiry into the relevant facts surrounding the alleged violation. If the charge of the alleged code violation is found to be valid and the student or group of students does not contest the charge, and is willing to accept the sanctions or disciplinary actions suggested concerning the violation, the student or group may waive the right for further review or due process.

If the student or group waives the right for further review, the Vice President or designee will note on the written report describing the charge the student's or group's acceptance of the proposed penalty. The Vice President or designee will meet with the student or group of students within ten (10) business days of the



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initial consultation with the student(s) to review this report, and if the student or group agrees with the content of the report, the student(s) and Vice President or designee will sign the report. The report and any supporting documentation will be submitted to the Provost/ VPAA, and will be kept on permanent file in the Office of Academic Affairs to document the alleged Code violation and any sanctions or disciplinary actions resulting from the initial disciplinary process.

In instances where a student or group of students contests the charge of a non-academic violation of the Code, the student(s) may choose to have the alleged charge of a Code violation heard by the Student Judicial Committee, subject to the procedures defined in Section V of this policy.

V. The Student Judicial Committee

In instances where a student or group of students contests an alleged charge of violating the Student Code of Conduct, the student(s) may choose to have the alleged charge heard by the Student Judicial Committee. Requests for a hearing shall be made by filing a written request with the Office of the Vice President for Enrollment and Student Support Services within ten (10) business days of the final consultation with the appropriate University administrator in the disciplinary procedures defined above.

A. Structure of the Student Judicial Committee

The Student Judicial Committee will consist of the following persons:

- Three faculty members (one from each academic College), appointed for two year terms by the President.
- Two staff members, appointed for two year terms by the Vice President for Enrollment and Student Support Services.
- One Student Judicial Committee chairperson who is a faculty or staff member, appointed for a two year term by the President, in consultation with the Vice President for Enrollment and Student Support Services.
- Three student members (one from each academic College) appointed for one or two year terms by the Vice President for Enrollment and Student Support Services.

In the event of a vacancy on the Committee, the appropriate University administrator will appoint a replacement member to serve the remaining portion of the term where the vacancy exists in accordance with the above guidelines.

Any member of the Student Judicial Committee who has any interest or connection to the alleged Code violation must recuse themselves. The appropriate University administrator will appoint replacements for any recused members until the full committee is established in accordance with the above guidelines.

The accused student(s) must be notified of the membership of the Student Judicial Committee and the scheduled date of the hearing at least ten (10) business days prior to the scheduled day of the hearing. The accused student(s) shall have the opportunity to challenge the impartiality of any Student Judicial Committee member within three (3) business days of notification. The student(s) shall state in writing the basis for such challenge. A committee member who is challenged for good cause may be replaced by the appropriate University administrator in accordance with the above guidelines.



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B. Hearings of the Student Judicial Committee

Hearings of the Student Judicial Committee will be conducted in a fair and impartial manner and will not be open to the public. The judicial hearing process is not a formal court proceeding, but is a review process for alleged Code violations to be addressed and resolved while maintaining the due process rights of the accused.

1. Objectives of the Hearing. The primary responsibilities of the Student Judicial Committee during a judicial hearing are to:

- a. Inform the accused student(s) of the charges.
- b. Present and review the facts surrounding the alleged Code violation.
- c. Give the accused student(s) the opportunity to respond to the charges by introducing relevant evidence or documents, and/or by presenting appropriate witnesses.
- d. Determine if any violation of the Student Code of Conduct was committed.
- e. Recommend any sanctions or disciplinary actions to be imposed based on the findings of the hearing.

2. Witnesses. Witnesses will not be required to testify under oath. However, each witness who is a University employee or enrolled student should be aware that any deliberate falsehood may result in disciplinary action against the witness. No witness (except the parties directly connected to the alleged violation) will be allowed to hear the testimony of any other witness.

3. Introduction of Evidence or Documents. Pertinent records, exhibits, and written statements may be accepted as information for consideration by the Committee at the discretion of the chairperson. However, privileged information or information that is protected under state or federal law and/or applicable University privacy policies will not be allowed.

4. Advisors. The accused student or group of students may choose one advisor to be present during the hearing. The advisor may be a faculty or staff member, or an advisor of the student's or group's choosing. A group of students accused of a Code violation may be allowed to have more than one advisor, at the discretion of the Committee chairperson. However, no advisor(s) will be allowed to present statements, arguments, or question witnesses or participate directly in any Student Judicial Committee hearing. Advisors have no standing in the proceedings but may provide advice to the respective student(s) in a quiet manner that is not disruptive to the proceedings. The student or group must give the Committee chairperson notice in writing of any plans to bring an advisor(s) at least 24 hours before the start time of the hearing.

The student or group of students may retain, at the student's or group's expense, an attorney or legal counsel. However, any attorney or legal counsel retained by a student or group will not be allowed to attend the hearing. The University will also not be allowed to have any attorneys present during the hearing.

5. Hearing Record. The hearing will be recorded, using some type of digital recording medium. In addition, all items offered into evidence by the parties, whether admitted into evidence or not, will be



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marked and preserved as part of the hearing record. Deliberations of the Student Judicial Committee will not be recorded.

6. Proceedings. The following guidelines summarize the sequence of events for hearings of the Student Judicial Committee. The Committee chairperson may change the order if necessary.

- a. Review of Hearing procedures.
- b. Reading of Charges.
- c. Opening statement and presentation of evidence for the University by a University representative who is not the accuser, followed by the opening statement and presentation of evidence by the accused student(s). If the accused student(s) fails to appear at the scheduled hearing (with or without prior notice), the Committee can review the case and proceed without the student(s). Consideration will be given for non-appearance due to extenuating circumstances.
- d. Questioning of University witnesses, followed by the questioning of the accused student(s) and of witnesses for the accused student(s). All questions shall be directed to the Committee chairperson who will question the witnesses.
- e. Closing statement by the University, followed by the closing statement of the charged student.
- f. Closed deliberation by the Committee (not recorded).

7. Decisions. The deliberations of the Committee will determine whether it is more likely than not that the accused student(s) violated the Student Code of Conduct by a preponderance of the evidence. The Committee will find the student(s) either "Responsible" or "Not Responsible" for the alleged violation(s) as read into the hearing record.

If the Committee reaches a decision of "Responsible" for any charge(s), the Committee shall recommend any appropriate sanctions or disciplinary actions to be imposed on the student(s).

If the Committee cannot reach a decision of "Responsible" or "Not Responsible" to any charge(s) within ten (10) business days, then the charge(s) against the accused student(s) shall be dismissed.

Within five (5) business days of the conclusion of the Committee's deliberations, the Committee chairperson will submit in writing a summary report of the Committee's findings, decisions, and recommendations for sanctions or disciplinary actions to the accused student(s), the Vice President for Enrollment and Student Support Services, and the Provost/Vice President for Academic Affairs. Sanction recommendations will be reviewed by the Vice President for Enrollment and Student Support Services and the Provost prior to the implementation of any sanctions or disciplinary actions. If good cause exists, the Provost can return the decision to the Student Judicial Committee for reconsideration. If not returned for reconsideration within five (5) business days, the determination of the Student Judicial Committee is final and binding on all parties unless appealed to the Provost/VPAA and President (see below).

The report of the Committee will be kept on permanent file in the Office of Academic Affairs to document the alleged Code violation and any sanctions or disciplinary actions resulting from the judicial hearing process.

8. Sanctions and Disciplinary Actions. If a student or group of students is found in violation of the Student Code of Conduct, the student or group may be subject to one or more sanctions or disciplinary



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actions, including but not limited to:

- a. **Warning** – a written statement warning student(s) of the violation.
- b. **Administrative Probation** – a precautionary measure which carries the provision that continued enrollment depends on strict compliance with the Student Code of Conduct. Administrative probation shall be for a definite period of time.
- c. **Restitution** – reimbursement for damages or loss incurred as a result of the Code violation.
- d. **Campus and/or community service** – a requirement of work for a specified period of time under the supervision of a University employee who will determine the satisfactory performance and completion of the service.
- e. **Academic Penalties** – in cases of an act of academic misconduct in violation of the Code, a requirement that the student(s) accept an academic penalty proposed by the faculty member teaching the course, as specified in Section IV.A.1 above.
- f. **Educational Sanctions** – a requirement that the student(s) participate in an education program or activity, including, but not limited to, an educational seminar, paper, counseling, or other program/task designed to assist the student(s) in learning more about how the violation impacted themselves and/or the University community.
- g. **Social Probation** – a prohibition from participating in any officially recognized extracurricular activity and/or holding office in any University organization.
- h. **Suspension** – removal from the University for a specified period of time.
- i. **Expulsion** – permanent termination of student status at the University.

In addition to any University sanctions or disciplinary actions imposed for a Code violation, criminal acts and violations of state or federal law will be reported as required, with possible investigation and processing through the appropriate authority.

Note on Violations Involving Alcohol and Other Controlled Substances – the general Education Provisions Act gives the University the authority to inform parents when underage students commit violations involving the use of alcohol or other controlled substances.

VI. Appeals to the Provost/VPAA and the President

The student has the right to appeal the decision of the Student Judicial Committee to the Provost/VPAA and the President of Athens State University provided that:

- A notice of appeal is filed in writing with the Provost and the President within ten (10) business days following the student's receipt of the Committee's report and decision.
- The notice of appeal contains clear and specific objection(s) to the finding(s), conclusion(s), or recommendation(s) of the Committee. In general, appeals will only be considered in cases where good cause, such as a misapplication or violation of University policies or procedures, or a violation of state or federal laws not covered by other University policies, has occurred.

Failure by the student to request an appeal to the Provost and President by the end of the tenth business day constitutes a waiver of the opportunity for an appeal. If the appeal does not contain clear and specific objections to the hearing report, it can be denied by the Provost and President.



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If an appeal is accepted by the Provost and President, they will have twenty (20) business days from the receipt of the notice of appeal to review the hearing record, gather any additional facts as required, and produce a report of their findings of fact and conclusions based on the findings. The Provost and President will have the authority to (1) affirm, (2) reverse, or (3) affirm in part and reverse in part the findings, conclusions, and recommendations arising from the Committee hearing. The decision of the Provost and President will be final.

The Provost/President's report will be provided to all parties connected with the grievance by personal service or by certified mail, return receipt requested, at their respective home addresses. The report will be kept on permanent file in the Office of Academic Affairs to document the alleged Code violation and any sanctions or disciplinary actions resulting from the appeal process.

VII. Responsibility for this Operating Policy

Policy Owner

As part of the initial approval of this policy by the President and subsequent to the original dissemination of the policy, the President has assigned the Provost/Vice President for Academic Affairs as the policy owner for the ongoing evaluation, review, and approval of this policy. Subsequent reviews and revisions to this policy must be in accordance with approved operating policy procedures and processes.

This policy will be reviewed every two years or more frequently as needed.

Responsibility for Policy Implementation

The President has assigned the responsibility of implementing this policy to both the Provost/Vice President for Academic Affairs and the Vice President for Enrollment Management and Student Support Services.