



Student Code of Conduct

2011-2012

Prepared by the Division of Student Affairs, Office of Student Life
Last revised December 2011

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I. Introduction

Student Code of Conduct

Students who enroll at College of Coastal Georgia are expected to conduct themselves responsibly and to pursue their studies with integrity. By enrolling at College of Coastal Georgia, students agree to comply with the College's rules and regulations. When students act as individuals or in concert to violate any of the following College regulations, they have individual and joint responsibility for such violations. The following delineation of these regulations is not exhaustive and may be added to, changed, and/or superseded. All regulations are subject to the policies of the Board of Regents.

College of Coastal Georgia reserves the right to change its policies without notice. Every effort will be made to keep students advised of such changes. Information regarding academic requirements for graduation will be available in the offices of the Registrar, Vice President for Academic Affairs, and the Director of the Camden Center. Although every effort is made to insure accuracy, in the case of any divergence from or conflict with the *Bylaws* of the Board of Regents, the official *Bylaws* of the Board of Regents shall prevail.

II. Definitions

Definition of Student

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

Alcohol & Other Drug Definitions

Possession of alcohol or drugs – refers, but is not limited, to holding, no matter the duration, alcohol or illegal drugs/controlled substances in hand or, having them in one's clothing, purse/book bag (or similar case), automobile, or residence.

Consumption of alcohol – refers to the act of drinking or ingesting any amount of an alcoholic beverage.

Use of drugs – refers to the act of ingesting, inhaling, drinking, eating, and/or any other method of introducing an illegal drug or controlled substance into one's body.

Distribution of drugs – refers to the sharing of illegal drugs/controlled substances with or giving them to others.

Sale of drugs – refers to the exchange of illegal drugs/controlled substances for money or other forms of compensation (sale).

Facilitating the possession/use of alcohol or drugs – refers to the act of allowing others to possess, consume, or use alcohol or illegal drugs/controlled substances in one’s residence or automobile.

III. College Authority

Violations of Law & Disciplinary Regulations

Students may be accountable to both civil authorities and to the College for acts which constitute violations of law and of this code. Disciplinary action at the College will normally proceed regardless of the status of criminal proceedings. Decisions about the timing of specific actions will be made by the Assistant Vice President of Student Life on the status of the evidence and other relevant case factors.

Interpretation of Regulations

Disciplinary regulations at the College are set forth in writing in order to give students general notice of prohibited conduct. The regulations should be read broadly and are not designed to define misconduct in exhaustive terms.

Inherent Authority

The College reserves the right to take necessary and appropriate action to protect the safety and well-being of the campus community. Generally, the College conduct regulations shall apply to conduct which occurs on College premises and to conduct which occurs while a student is attending or participating in any College related activity wherever that activity may take place, or any behavior, on or off College premises, which adversely affects the College community or the pursuit of its objectives.

The College conduct regulations shall also apply to students after receipt of an offer of admission but prior to arrival on campus for orientation or enrollment. The office of admission shall review an admission decision in light of allegations of misconduct that occur during this period.

IV. Student & Student Organization Rights & Responsibilities

Students and student organizations are not only members of the academic community but are also members of the larger society. Students, therefore, retain the rights, guarantees and protections afforded to and the responsibilities held by all citizens. A student is not immune to prosecution by local, state, or federal law enforcement agencies irrespective of whether the College initiates judicial proceedings in a given situation. As members of the College community, students have a responsibility to know and follow the College conduct regulations. Violations of these regulations will result in action by the Assistant Vice President for Student Life.

As would be expected, standards for CCGA students and student organizations are higher than those of communities not engaged solely in scholarly pursuits. Not every situation a student or student organization may encounter can be anticipated in a written document. Therefore, students and student organizations are expected to act in a manner that demonstrates integrity and respect for others and the campus environment.

V. College Conduct Regulations

1. Alcohol Possession and Use

College of Coastal Georgia follows the Board of Regents' Policy (4.6.4) on alcohol on campus. The sale, possession, distribution, and consumption of alcoholic beverages are prohibited on the campus and at off-campus College sponsored events.

2. Assault

Defined as any intentional physical contact of an insulting or provoking nature; or any physical abuse, intentional injury, or physical harm of another person.

3. Children on Campus

It is the goal of the College of Coastal Georgia to provide a safe and effective learning environment for all students. Any action which interferes with this goal will not be permitted. Children under the age of sixteen (16) who are not a currently enrolled CCGA student must not be left unattended at any time on campus, including in campus buildings, on campus grounds, or in a vehicle, and must be under the direct supervision of a legal guardian at all times. Parents or guardians of children considered disruptive or unsupervised will be asked to remove the children from the campus immediately.

A copy of the full policy may be obtained at:

http://www.cpga.edu/Policy/Files/Children_on_Campus_Policy.pdf

4. Damage to College Property or to Property at College-Sponsored Events

Malicious or unauthorized intentional damage or destruction of property belonging to the College, to a member of the College community, or to a visitor to the campus or to facilities used for College-sponsored events is prohibited.

5. Deception

Any misuse of any College records, forms, or documents through forgery, unauthorized alteration, reproduction, or other means; any giving or receiving of false information to the College or to any College official, administrator, or administrative unit; providing false information to law enforcement officials; any attempt to perpetrate a fraud against the College or a member of the College community is prohibited.

6. Disruptive Behavior

Assembly on campus for the purpose of creating a riot, destruction, or disorderly diversion, which interferes with the normal operation of the College, is prohibited. This should not be construed so as to deny the right of peaceful, non-disruptive assembly. Obstruction of the free movement of persons about the campus (this includes any and all verbal, physical, or sexual harassment), interference with the use of College facilities, or interference with the normal operations of the College is prohibited. The abuse or unauthorized use of sound amplification equipment indoors or outdoors is prohibited.

7. Disorderly Conduct

Disorderly conduct or breach of the peace on College property or in College facilities (this includes all classroom situations) is prohibited. The following behaviors are considered a violation of the conduct policy:

- Physically assaulting, otherwise harassing, or threatening to do the same to a person on the College premises or at College-sponsored
- Conduct on College property or in College facilities which materially interferes with the normal operation of the College
- Entering or attempting to enter any dance, or any social, athletic, or other event sponsored or supervised by the College or any recognized College organization without credentials for admission (i.e., ticket, identification card, invitation, and so on)
- Conduct that is a crime under local, state, or federal law and which takes place on College property or at a College-sponsored event.
- Interference with or failing to cooperate with any college faculty member or employee while these persons are in the performance of their duties including the disruption of the teaching or learning process within the classroom or laboratory.

8. Drugs & Drug-Free Policy

Unauthorized manufacture, distribution, or possession for purposes of distribution of any controlled substance or illegal drug on College premises or at College-sponsored activities is prohibited. Use or possession of any illegal drug or controlled substance (without valid prescription) on College premises or at College-sponsored activities is prohibited. Conviction for a felony offense includes forfeiture of academic credit and may result in permanent suspension.

The College of Coastal Georgia's Drug-Free Policy can be accessed at:
<http://www.ccgga.edu/Faculty/HumanResources/DrugFreeWorkplace.asp>

9. Explosives

No student shall possess, furnish, sell, or use explosives of any kind in or on College property or at College-sponsored events.

10. Facilities Usage Policies

No student shall make unauthorized entry into any College building, office, or other facility, nor shall any person remain without authorization in any building after normal closing hours. Certain rooms on campus are available in which students may enjoy a snack. However, where designated, eating and/or drinking are prohibited. A complete listing of facility usage policies and facility reservation procedures can be found at:
www.ccgga.edu/StudentLife

11. Failure to Comply

A student may be found in violation of the code of conduct if they fail to respond to a lawful request by properly identified College officials or law enforcement officials in the performance of their duties; fail to appear and cooperate as a witness in a disciplinary case when properly notified; fail to comply with any disciplinary condition imposed on a person by any judicial body or administrator; or flee from law enforcement or College officials.

12. Falsification of Records

No student shall alter, counterfeit, forge, falsify, or cause to be altered, counterfeited, forged, or falsified, any record, form, or document used by the College. Nor shall a student furnish false information to the College.

13. Fire Safety

No student shall tamper with fire safety equipment. The unauthorized possession, sale, furnishing, or use of any incendiary device is prohibited. No student shall set or cause to be set any unauthorized fire in or on College property or at a College-sponsored event. The possession or use of fireworks in or on College property or at a College-sponsored event is prohibited. No student shall make or cause to be made a false fire alarm.

14. Gambling

No student shall conduct, organize, or participate in any activity involving games of chance or gambling except as permitted by law and College policy.

15. Harassment & Cyberstalking

It is the policy of College of Coastal Georgia (CCGA) that all employees and students have the opportunity to work and attend classes in an atmosphere and environment free from any form of harassment or retaliation based on race, color, religion, gender, sex, national origin, age, or disability. Such forms of harassment or retaliation constitute discrimination under various state and federal laws and will not be tolerated by the College. For a complete copy of the Non-Discrimination and Harassment Policy and directions on how to file a complaint, please go to:

<http://www.ccgga.edu/Policy/files/NonDiscriminationandHarassmentPolicy.pdf>

Cyberstalking

Georgia Law O.C.G.A. § 16-5-90 (2011) defines stalking as:

A person commits the offense of stalking when he or she follows, places under surveillance, or contacts another person at or about a place or places without the consent of the other person for the purpose of harassing and intimidating the other person. For the purpose of this article, the terms "computer" and "computer network" shall have the same meanings as set out in Code Section 16-9-92; the term "contact" shall mean any communication including without being limited to communication in person, by telephone, by mail, by broadcast, by computer, by computer network, or by

any other electronic device; and the place or places that contact by telephone, mail, broadcast, computer, computer network, or any other electronic device is deemed to occur shall be the place or places where such communication is received. For the purpose of this article, the term "place or places" shall include any public or private property occupied by the victim other than the residence of the defendant. For the purposes of this article, the term "harassing and intimidating" means a knowing and willful course of conduct directed at a specific person which causes emotional distress by placing such person in reasonable fear for such person's safety or the safety of a member of his or her immediate family, by establishing a pattern of harassing and intimidating behavior, and which serves no legitimate purpose. This Code section shall not be construed to require that an overt threat of death or bodily injury has been made.

See also the Acceptable Use of Computers Policy for information at:

<http://www.ccgga.edu/TS/files/AcceptableUsePolicy.pdf>

16. Hazing

The College does not condone hazing in any form. Hazing is defined as any intentional, negligent or reckless action, activity or situation that causes another pain, embarrassment, ridicule or harassment, regardless of the individual's willingness to participate. Such actions and situations 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 (push-ups, sit-ups, jogging, runs, etc.);
- Paddle swats;
- Line ups;
- Theft of any property;
- Road trips;
- Scavenger hunts;
- Causing fewer than six (6) continuous hours of sleep per night;
- Conducting activities that do not allow adequate time for study;
- Forcing or requiring nudity at any time;
- Performing acts of personal servitude for members;
- Forcing or requiring the violation of College policies, federal, state, or local law.

17. Housing Regulations

Residential students are expected to adhere to guidelines and policies laid out in the Residence Life Handbook found at: www.ccgga.edu/ResLife

Inspection, Search & Seizure Policy

The Fourth Amendment to the United States Constitution protects College students from unreasonable searches and seizures. Nonetheless, it is self-evident that an

institution of higher education has certain powers that may be exercised in carrying out the institution's educational mission. Students are entitled to an atmosphere that is conducive to educational pursuits, and it is the institution's responsibility to provide that atmosphere. This is especially true within the College's residence halls, generally considered to be a student's "home away from home." Accordingly, the College has developed and adopted reasonable measures in its housing regulations that are intended to provide a clean, safe environment in its residence halls.

Pursuant to these regulations:

- The College reserves the right to conduct administrative inspections of residence hall rooms for cleanliness, health hazards, and to enforce housing regulations. These limited inspections are permissible in light of the institution's interest in the maintenance of the residence hall and the health of the students residing within it.
- Additionally, the College reserves the right to carry out administrative inspections in cases of emergencies, such as in the case of a fire, or as part of its fire safety program, such as during fire drills to ensure the building has been vacated.
- College law enforcement officials may enter any student's residence hall room pursuant to a search warrant. While efforts will be made to have the student available during the search, this is not required and the search will not be unreasonably delayed to allow for the student's presence.
- In addition, College officials, including law enforcement personnel, may enter a student's residence hall room based upon the consent of the occupant of the room.

Any illegal items lawfully observed during the course of these searches may be seized, as long as the seizure is made in accordance with the Fourth Amendment. Further, all illegal items seized may be used in any administrative and/or disciplinary hearing that is conducted by the institution.

18. Parking Regulations

All College of Coastal Georgia students are required to purchase a parking decal and affix it to their vehicles. Those who do not have a parking decal on their vehicles will be ticketed. Parking is not permitted in drives, roadways, sidewalks, crosswalks, or yellow curb areas. Parking on grass is permissible only in clearly marked and specifically designated temporary lots. Traffic flow directions are clearly marked and should be adhered to at all times.

19. Sexual Misconduct

The College of Coastal Georgia supports the rights of all students to live and study in an environment free from sexual assault and dating violence. Sexual contact with another person without consent or with the use of threat or force violates the standards of

civility, decency, and respect expected of all members of the campus community. The institution prohibits interpersonal violence of any kind, including sexual violence, relationship violence, and stalking. Every member of the campus community should be aware that such behavior is prohibited by the College's student code of conduct, as well as by state and federal law, and be familiar with the campus protocol for responding to reported violations.

The institution is dedicated to providing assistance and support to students who have experienced relationship and/or sexual violence through our Counseling Center, as well as other resources. In addition to cooperating with law enforcement officials in the prosecution of perpetrators, the institution will take appropriate action to respond to and invoke sanctions for behavior through the Office of Student Life for any student that is found to violate this policy. Any staff or faculty member found in violation will be handled from an employment perspective. **Reporting an assault does not in any way obligate a student to pursue legal or institution disciplinary action; however, the institution, of its own initiative, may decide to pursue conduct charges if the alleged offender's identity is known by the institution.** Support is available for all aspects of the reporting process.

Definitions

These definitions apply to the terms as they are used in this policy:

Consent. The term "consent" means clearly communicating agreement or permission to participate in sexual activity. The individuals consenting must act freely and voluntarily and have knowledge of the nature of the act or transaction involved. Such consent may be withdrawn at any time, without regard to activity preceding the withdrawal of consent. A current or previous intimate relationship is not sufficient to constitute consent. Consent may not be inferred from silence or passivity alone. Non-consent occurs when the complaining party is prevented from resisting or giving consent as a result of intoxication, or is unconscious at the time of the act, and this fact is known to the person committing the act. It is a violation of this policy to engage in any form of sexual activity without the consent of the other person.

Coercion. The term "coercion" refers to the use of physical force, threat, intimidation, or exploitation of a person's mental or physical impairment of which the accused was aware or should have been aware. Mental or physical impairment refers to the victim's inability to understand the situation, understand the consequences of his/her choices, or to express his/her desires. This may include, but is not limited to, intoxication, being under the influence of drugs, unconsciousness, or other cognitive impairment, or being under the age of consent in the State of Georgia. The use of coercion in a sexual encounter constitutes a lack of consent. Coercion may be determined by the degree of pressured applied or other environmental factors, such as isolation or the initiator's knowledge of impairment by alcohol and/or drugs.

Relationship Violence. The term “relationship violence” refers to physically, sexually and/or psychologically abusive behaviors used by one individual to maintain power and control over an intimate partner. Intimate partners may be dating, cohabitating, married, separated or divorced. Relationship violence can occur in same- or opposite-sex relationships. Examples of relationship violence include, but are not limited to:

- attempting or committing an act that causes fear of injury [simple assault]
- assaulting with a deadly weapon or with intent to murder, rape or rob [aggravated assault]
- intentionally causing physical harm to another; making insulting or provoking physical contact [simple battery]
- intentionally causing substantial physical harm [battery]
- following, placing under surveillance or contacting without consent for the purpose of harassing and intimidating [stalking]
- stalking in violation of a restraining or protective order, condition of probation, etc. [aggravated stalking]
- threatening to commit a crime of violence or to damage property [terroristic threats].

Sexual Violence. The term “sexual violence” refers to any unwanted or non-consensual sexual act. Sexual violence can be committed by acquaintances, casual or long-term dating partners, spouses or strangers. The use of alcohol, by either party, in conjunction with an incident of sexual violence, does not mitigate responsibility or diminish the seriousness of the offense. Examples of sexual violence include, but are not limited to:

- non-consensual, intentional contact with intimate body parts [sexual battery]
- non-consensual, intentional penetration with a foreign object [aggravated sexual battery]
- non-consensual penetration of the female sex organ by the male sex organ [rape]
- non-consensual oral or anal sexual acts [aggravated sodomy]
- sexual intercourse with any person under the age of 16 [statutory rape]
- sexual acts with or in the presence of a child under the age of 16 with intent to arouse or satisfy desires of either child or person [child molestation]
- lewd exposure of sexual organs in public [public indecency]

Jurisdiction

In cases of sexual misconduct, the College reserves the right to take necessary and appropriate action to protect the safety and well-being of the College community. Accordingly, student sexual misconduct will be addressed whenever such acts occur, regardless of location.

Parallel Proceedings

Charges of sexual misconduct against students under this policy do not preclude civil and/or criminal liability under State or other law. Proceedings under the Student Code of Conduct may be carried out prior to, simultaneously with, or following civil and/or criminal proceedings. Additionally, College conduct proceedings are not restricted by the rules of evidence governing criminal and civil proceedings.

Reporting Procedures

There are several basic reporting options available to members of the College community who are victims of sexual violence. These include filing an administrative complaint with the College; filing a criminal complaint with law enforcement officials; or filing an anonymous report.

Filing an Administrative Complaint. A student may file an administrative complaint against another student.

- Student complaints shall be filed with the Director of Human Resources, who is the designated Title IX Coordinator for the institution.
- Ideally, complaints of sexual misconduct should be submitted in writing, so that a proper investigation may begin promptly; however, all complaints will be taken seriously and investigated, whether oral or written.
- The complainant should include all the facts available regarding the sexual misconduct, such as: (a) the type of sexual misconduct experienced; (b) the name of the student who committed the sexual misconduct; (c) the nature of the incident(s) which led to the filing of the complaint, including the dates, times, and places the incident(s) occurred; (d) the names of other persons, including other students, if any, who may have knowledge of the incidents; (e) the names of others whom the student believes may have been subjected to similar sexual misconduct by this individual; (f) any alleged effects of the incident(s) on the student; and (g) any steps the employee may have already taken to try and stop the sexual misconduct.
- Students are encouraged to report the sexual misconduct as soon as possible; however, the Director of Human Resources will review all complaints of sexual misconduct, regardless of when reported.

b. Filing a Criminal Complaint. A student may file a criminal complaint with either the Campus Police Department or local law enforcement officials. A criminal complaint may be filed in conjunction with an administrative complaint. Complaints filed with the Campus Police Department will be shared with the Title IX Coordinator (the Director of Human Resources) and will be investigated thoroughly.

c. Anonymous Complaints. A student may file an anonymous complaint about an incident of sexual misconduct. In such situations, the information will be used,

at a minimum, to collect aggregate statistical data in order to monitor service usage, detect trends, and inform educational and public information activities, including the College's annual report on crime statistics. The link to the Campus Police Anonymous Report form can be accessed here:
<http://www.ccgga.edu/PublicSafety/AnonymousTipsForm.asp>.

Amnesty

A student who is under the influence of alcohol and/or drugs at the time he or she is a victim of a sexual misconduct incident should not be reluctant to file a complaint for that reason. The College will not pursue disciplinary action against a student (or against a witness) who is a victim of sexual misconduct for his or her improper use of alcohol or drugs (e.g., underage drinking) at the time of the incident, if the student is making a good faith report of sexual misconduct.

The Student Conduct Process

If, following completion of an investigation, either administrative or criminal, it is determined that appropriate College action is warranted, the following process shall be followed:

- a. Student Conduct Process. The student will be adjudicated through the campus conduct system, as detailed in the Student Code of Conduct.
- b. No-Contact Order. Upon receipt of a report of sexual misconduct, the Office of Student Life may issue a no-contact order between the parties involved in the case. The no-contact order prohibits communication between and/or among the parties, including, but not limited to: contact by telephone, email, hand-written note, instant messaging, text messaging, online postings/message boards, through a third person, or in person. This includes any email or message accounts that are affiliated with the parties' identities. If any party violates the no-contact order, the Office of Student Life may pursue additional disciplinary action.
- c. Timeframe. Investigation and adjudication of these cases will be completed as quickly as possible, but is dependent upon the complexity of the case.
- d. Communication. The Complainant will be informed of the date and location of the hearing, whether the accused is found responsible or not responsible, and the status/outcome of any appeals to the Institute or the Board of Regents. The responsibility to communicate with both the student and the complainant will lie with the Office of Student Life.
- e. Contact Between the Complainant and the Student. Students reporting sexual misconduct or harassment may choose not to be physically present at the hearing, but may participate through other pre-arranged means (e.g., written statement, telephonically, or video conference).

Student Survivor Options

The following student survivor options are available for students who experience sexual or relationship violence:

- a. Seeking Medical Care. A physical exam should be done in all cases of sexual assault, regardless of the length of time that has elapsed since the violence. Medically related concerns may include pregnancy, sexually transmitted infections (including HIV) and physical injuries. If the violence occurred within the past 72 hours, a survivor has the option of having an evidence collection exam. Consider seeking medical attention for any physical abuse experienced.
- b. Counseling. Talking with a counselor can be an important step in the recovery process. Students may be able to receive services on-campus. In addition, community based organizations can often provide direct counseling services and/or referrals to appropriate counseling resources.
- c. Administrative Services. A student may request changes in her or his academic and living situations after a report of violence is made, and the College may grant any reasonable request for such change.

Retaliation

The College will not tolerate retaliation against any person who makes a complaint of sexual misconduct, whether reported to the institution or an external agency. If any

person, whether involved in the incident or not, retaliates in any way against a complainant, witness, or any other person involved in the investigation, he or she may be subject to additional disciplinary action, up to and including expulsion.

Sexual Assault Bill of Rights: Although this Bill of Rights speaks to a situation on the College campus, a student may expect the same compassionate concern and assistance from the counselors, advisors, and administrators for any student who has been sexually assaulted. Victims should seek assistance from these persons or from one of the agencies identified in this handbook.

The following rights shall be accorded by all campus officers, administrators, and employees of The College of Coastal Georgia to victims of campus-related sexual assaults:

- The right to have any and all sexual assaults against them treated with seriousness;
- The right, as victims, to be treated with dignity;
- The right for campus organizations that assist such victims to be accorded recognition;
- The right to have the sexual assaults committed against them investigated and adjudicated by the duly constituted criminal and civil authorities of the governmental entity in which the crimes

occurred;

- The right to the full and prompt cooperation and assistance of campus personnel in notifying the proper authorities; (The rights stated in 4 and 5 are in addition to any campus disciplinary proceedings.)
- The right to be free from any kind of pressure from campus personnel because the victims (i) did not report crimes committed against them to civil and criminal authorities or to campus law enforcement and disciplinary officials, or (ii) reported crimes as lesser offenses than the victims perceive them to be;
- The right to be free from any kind of suggestion that campus sexual assault victims not report or under-report crimes because (i) victims are somehow “responsible” for the commission of crimes against them; (ii) victims were contributory negligent or assumed the risk of being assaulted; or (iii) by reporting crimes, they would incur unwanted personal publicity;
- The same right to legal assistance or ability to have others present in any campus disciplinary proceeding that the institution permits to the accused and the right to be notified of the outcome of such proceeding;
- The right to full and prompt cooperation from campus personnel in obtaining, securing, and maintaining evidence (including a medical examination) as may be necessary to the proof of criminal sexual assault in subsequent legal proceedings;
- The right to be made aware of and assisted in exercising any options, as provided by state and federal laws or regulations, with regard to mandatory testing of sexual assault suspects for communicable diseases and with regard to notification to victims of the results of such testing;
- The right to counseling from any mental health services established by the institution, or by other victim-service entities, or by victims themselves;
- After campus sexual assaults have been reported, the right to require that campus personnel take the necessary steps or actions reasonably feasible to prevent any unnecessary or unwanted contact or proximity with alleged assailants, if requested by the victim. The College of Coastal Georgia complies with these requirements (Federal Campus Sexual Assault Victims’ Bill of Rights Act of 1991, effective September 1, 1992).

20. Shared Responsibility

Students who knowingly act or plan to act in concert to violate College regulations have individual and joint responsibility for their behavior; any student who knowingly allows another student to violate College regulations without reporting to a College Official is in violation of the code of conduct.

21. Solicitation

Advertising, solicitation and selling of a commercial nature, directly by a vendor or through a campus organization, are not permitted except in campus publications and through contractual arrangements with the College Business Office, as stipulated in the policies of the Board of Regents.

Non-commercial selling by college affiliated organizations and distribution of non-commercial information, such as pamphlets, handbills and other materials protected by the first amendment, is allowed in public areas when approved by the Office of Student Life in the Student Activity Center. The Office of Student Life establishes specific procedures for such activities.

Soliciting on campus (door to door; office to office; or through use of campus wide distribution lists) is expressly prohibited. The following procedures apply to on campus sales and solicitations.

CCGA student organizations and administrative offices should refer to the fundraising policy at:

<http://www.ccgga.edu/Faculty/HumanResources/PoliciesProcedures/CampusFundraisingPolicy.pdf>

22. Student Identification Card

The Mariner Access Card (MAC) is the official College of Coastal Georgia Identification Card and the key to the campus. Students are required to present an ID card to any properly identified faculty or staff member upon request, and the ID card may be required for admission to certain student activities and College facilities. Student's must retain possession of their MAC card at all times and are prohibited from sharing or giving other students or non-students access to their MAC card.

23. Theft

No student shall take, attempt to take, or keep in his/her possession items of College property or items belonging to students, faculty, staff, student groups, or visitors to the campus.

24. Threats

An expression of intention to inflict injury or damage which may cause another person to feel fear for their safety or well-being is prohibited.

25. Tobacco-Free Campus

College of Coastal Georgia prohibits the use of tobacco products on any property owned, leased or controlled by the College of Coastal Georgia effective July 1, 2009. All faculty, staff, students, visitors, vendors, contractors, and all others are prohibited from using any tobacco products i.e. cigarettes, cigars, smokeless tobacco, snuff, chewing tobacco, etc. while on CCGA property.

The complete policy can be accessed at:

www.ccgga.edu/faculty/HumanResources/Forms-Documents/PolicesProcedures

Faculty, staff and students of CCGA are expected to be positive role models and good ambassadors of the Tobacco Free initiative to non-CCGA persons on campus.

- 1) All CCGA supervisors must inform subordinate staff members of this policy and inform them that failure to comply can be grounds for disciplinary action, up to and including dismissal. Employees will be informed of the penalties for violation of work rules and policies for faculty and students.
- 2) The monitoring and enforcement of the tobacco free workplace policy is the responsibility of all CCGA faculty, staff and students. Each member should

consistently and politely bring any infraction of this policy to the attention of the person or persons observed violating the policy.

3) Visitors, vendors, or contractors, and others not specifically employed by CCGA will be reported to the department responsible for their presence on campus.

Attempts should be made to remedy violations prior to contacting CCGA Campus Safety. In circumstances where departmental leadership is unable to remedy the situation, then CCGA Campus Police will be contacted for assistance.

4) CCGA will inform and remind faculty, staff, students, visitors, vendors and contractors of this policy by posting signage in strategically located areas. Faculty and staff will also be informed and reminded of this policy as part of pre-employment processes, new employee orientation and other general employee communications.

5) CCGA will make every effort to make available referral options and support to faculty, staff, students, and others who choose to pursue cessation programs.

6) Visitors who violate this policy will be informed that they may be asked to leave the premises. Vendors and contractors may be subject to action, up to and including, the legal termination of a contract.

1 st Offense	Written citation/warning/documentation in judicial file
2 nd Offense	Written warning letter from Student Affairs/documentation in judicial file
3 rd Offense	Disciplinary Hearing; Possible fine or community service hours
4 th Offense	Suspension from the College

26. Unauthorized Entry/Use of Property/Facilities/Keys

Unauthorized entry or attempted entry into any building, office, or other facility on or off campus is prohibited. Making or attempting to make unauthorized use of College facilities and unauthorized possession, use, or duplication of keys or other methods of controlled access (i.e. cards, codes) is prohibited.

27. Use of Computers Policy

Technology resources (hardware and software) provided by College of Coastal Georgia are made available to students, faculty, and staff primarily as tools for enhancing and facilitating teaching, learning, scholarly research, communications, and the operation and administration of the institution. Uses which are not directly related to these purposes shall be considered secondary activities and should such secondary activities in any way interfere with the primary activities, access to institutional technology resources may be terminated immediately. Access to and usage of such resources is a privilege and is not a right; it is therefore deemed appropriate and necessary that certain guidelines for the use of these technology resources be set forth and explained.

For a complete copy of the “Use of Computers Policy” go to:

<http://www.ccg.edu/TS/files/AcceptableUsePolicy.pdf>

28. Weapons

Subject to certain specified exceptions, all faculty, staff, students and visitors to the College of Coastal Georgia are prohibited from carrying or possessing any weapon or explosive compound while on College grounds or in College buildings.

Violations of this policy will result in prompt disciplinary action up to and including termination of employment or expulsion, in accordance with College employee or student disciplinary policies, as applicable.

Actions in violation of this policy are also a violation of Chapter 11 of Title 16 of the Official Code of Georgia Annotated (O.C.G.A.), Section 127.1, which may result in criminal prosecution.

The “Prohibition of Weapons on Campus” policy may be accessed at:
<http://www.ccg.edu/PublicSafety/Files/ProhibitionofWeaponsPolicy.pdf>

V. Conduct Procedures

Case Referrals

Any person may refer a student/organization suspected of violating this code to the judicial system. Persons making such referrals are required to provide information pertinent to the case and will normally be expected to participate in proceedings conducted to resolve the case. **The complaint should be made in writing, providing the dates and times of the complaint, and the names of people who can provide further documentation of the complaint.** All referrals are to be made to the Assistant Vice-President for Student Life or a designee.

Due Process

Students/organizations subject to disciplinary expulsion, suspension, restitution, or forced withdrawal will be afforded an opportunity to have a hearing before the Vice President for Student Affairs. Students/organizations subject to less severe sanctions will have an informal disciplinary conference with the Assistant Vice President for Student Life or a designee.

The focus of the inquiry in disciplinary proceedings shall be the guilt or innocence of those accused of violating disciplinary regulations, and decisions shall be based upon the preponderance of all available evidence in each case. Disciplinary hearings are not legalistic proceedings, and formal rules of evidence do not apply.

All complaints of alleged violations by students/organizations shall be made in writing to the Assistant Vice President for Student Life or a designee. Each complaint shall contain a statement of facts outlining each alleged act of misconduct.

Disciplinary Procedures

When a student/organization is charged with violation of conduct regulations, disposition of the student/organization's case shall follow the procedures outlined below.

1. The Assistant Vice President for Student Life or a designee will review case referrals and determine the disciplinary charges to be filed. He/she may also meet with persons identified in the complaint who may have knowledge of the complaint. If he/she determines at any point during the development of a case that the alleged misconduct might result in disciplinary expulsion, suspension, restitution, forced withdrawal, the student/organization defendant shall be afforded the opportunity for a hearing. All other cases shall be resolved through informal disciplinary conferences.
2. Students/organizations shall be notified in writing of their alleged misconduct and scheduled for a conference to discuss the alleged violations. They shall be informed of the complaint and the nature of evidence against them, and they shall be asked to plead "in violation" or "not in violation" to the charges.
3. Students/organizations subject to disciplinary expulsion, suspension, restitution, or administrative withdrawal shall be given a choice as to how they wish their cases to be resolved. They may elect to have a hearing before the Vice President for Student Affairs or a designee or they may waive a hearing and elect to have their case settled through an informal disciplinary conference with the Assistant Vice President for Student Life. If they waive their right to a hearing, the full range of sanctions authorized by this code may be imposed, and the right to appeal shall not be applicable.
4. Students/organizations subject to or electing to participate in an informal disciplinary conference, which will be conducted by the Assistant Vice President for Student Life or a designee, are accorded the following procedural protection:
 - Written notice of charges prior to the scheduled conference.
 - An explanation of the evidence against them.
 - An opportunity to respond to evidence against them and to produce evidence on their behalf
 - The right to request administrative review of their case at the next highest level if the sanction includes disciplinary expulsion, suspension, restitution, or administrative withdrawal.
5. Student/organization defendants in disciplinary hearings are assured the following procedural safeguards:
 - Adequate written notice of the hearing and the specific charges against them.
 - The right to produce evidence, call and question witnesses, raise questions as to the procedure, or remain silent.
 - The right to be present at the hearing without academic action resulting from class absence.

- Defendants or complainants participating in a disciplinary hearing may be accompanied by an advisor, who may be an attorney. Those who will be accompanied by an attorney must so inform the Office of the Vice President for Student Affairs in writing at least two business days prior to the scheduled date of the hearing. The student or organization is responsible for presenting his/her/its own case. Attorneys will participate only as advisors to their clients. Advisors may not appear in lieu of student participants. The Advisor may be present, but is not permitted to speak or participate directly in any hearing before a judicial body.
- The right of access to a tape recording or written summary of the proceedings, which will be made available at the student's expense if requested at least twenty-four hours before the hearing.
- The right to appeal disciplinary decisions of disciplinary expulsion, suspension, restitution, or administrative withdrawal.
- The right to attend classes and have access to College facilities until the hearing process is completed. An exception may be made in the case of an interim suspension or administrative withdrawal.

Resolution of Discipline Cases

Disciplinary proceedings as provided in this code may be held in the following ways:

Disciplinary Conferences: Informal disciplinary conference will be conducted by the Assistant Vice President for Student Life or a designee to resolve cases not referred to a hearing. In complex or contested cases, the administrator may solicit the opinion of a conference panel to be appointed by the administrator.

Administrative Hearings: When student defendants choose this option (in cases which may result in disciplinary expulsion, suspension, restitution, forced withdrawal, or a change in grade), the Assistant Vice President for Student Life or a designee conducts disciplinary hearings.

Ad Hoc Boards: Such boards may be appointed by the Vice President for Student Affairs or a designee. Each ad hoc board shall be composed of three members, including at least one student. Ad hoc boards recommend outcomes to the Vice President for Student Affairs or a designee.

Hearing Procedures

The following procedural guidelines shall be applicable in disciplinary hearings:

- Defendants shall be given adequate notice of their hearing date and the specific charges against them and shall be apprised of the nature of the evidence and the names of witnesses expected to be present.
- The Vice President of Student Affairs or a designee may summon witnesses to appear at hearings. College students and employees are expected to comply with summons issued pursuant to this procedure, unless compliance would result in significant and unavoidable personal hardship or substantial interference with normal College activities.
- Defendants who fail to appear after proper notice will have their cases heard in absentia.

- Hearings will be open to the public.
- The presiding officer shall exercise control over the hearing to avoid needless consumption of time and to prevent the harassment or intimidation of witnesses. Any person, including the defendant, who disrupts a hearing or who fails to adhere to the rulings of the presiding officer, may be excluded from the proceedings.
- Hearings may be tape recorded. If a recording is not made, the decision of the hearing officer must include a summary of the testimony.
- Defendants and complainants shall be accorded an opportunity to question witnesses.
- Formal rules of evidence shall not be applicable in disciplinary proceedings. The presiding officer shall admit into evidence any information or testimony deemed relevant to the proceeding. Unduly repetitious or irrelevant evidence may be excluded. Disciplinary outcomes shall be based on a preponderance of all available evidence.
- Affidavits shall not be admitted into evidence unless signed by the affiant and witnessed by a College employee or by a person approved by the Vice President for Student Affairs or a designee.
- Hearing advisors are members of the Student Affairs staff appointed by the Vice President for Student Affairs. They may comment on questions of procedure and admissibility of evidence and will otherwise assist in the conduct of hearings. Advisors are responsible to the Vice President for Student Affairs.
- A determination of guilt shall call for further deliberation to arrive at a recommendation regarding sanctions to be imposed.
- Final decisions of all judicial panels shall be by majority vote and shall be accompanied by a brief, written opinion.

Sanctions

When it has been determined that a student or organization has violated a College conduct regulation, the hearing officer/panel will assign one or more sanctions. The findings of fact, any particular circumstances, and prior record of the student or organization will be factors considered by the hearing officer/panel when determining any appropriate sanctions.

Sanctions for Individuals

The following is a list of sanctions that may be imposed by the College of Coastal Georgia. This list is by no means exhaustive, and the college reserves the right to modify or enlarge the list at any given time.

Expulsion: Permanent severance of the students' relationship with the college.

Suspension: Temporary severance of students' relationship with the college for a specific period of time.

Disciplinary Probation: Notice to the student that any further major disciplinary violation may result in suspension. This action might also include one or more of the following: the setting of restrictions on social activities, the issuing of a reprimand, and restitution.

Reprimand/Warning: Oral or written statement of disapproval issued to the student.

Conviction of Felony Offenses (Controlled Substances or Other Illegal Drugs): Georgia law and policies of the Board of Regents of the University System of

Georgia specify that students convicted of felony offenses involving the manufacture, distribution, sale, possession, or use of marijuana, controlled substances, or other illegal or dangerous drugs shall forfeit academic credit and be suspended or permanently expelled from the College.

Repeated Violations: Repeated violations of published rules or regulations of the College which cumulatively indicate an unwillingness or inability to conform to the standards of the College or student life are prohibited.

Administrative Withdrawal Policy

A student may be administratively withdrawn from the College when in the judgment of the Vice President for Student Affairs, in consultation, when appropriate, with the student's parents, spouse or designee, the Chair of the Behavioral Intervention Team and team members, it is determined that the student suffers from a physical, mental, emotional or psychological health condition which: (a) poses a significant danger or threat of physical harm to the student or to the person or property of others or (b) causes the student to interfere with the rights of other members of the College community or with the exercise of any proper activities or functions of the College or its personnel or (c) causes the student to be unable to meet institutional requirements for admission and continued enrollment, as defined in the Student Conduct Code and other publications of the College.

Except in emergency situations, a student shall, upon request, be accorded an appropriate hearing prior to a final decision concerning continued enrollment at the college.

Sanctions for Student Organizations

The following sanctions may be imposed against a student organization for the violation of College conduct regulation. This list is neither exhaustive nor in order of severity and may be enlarged upon or modified to meet the particular circumstances of any given situation.

1. Recommendation for charter revocation: an official request to a national office that the local chapter's charter be revoked.
2. Revocation of College registration: permanent severance of the organization's relationship with the College.
3. Suspension of College registration: temporary severance of the organization's relationship with the College for a specific period of time. The period of time and any requirements, which must be satisfied prior to re-registration, must be satisfied prior to re-registration, must be specified in the decision of the hearing officer.
4. Probation: notice that further finding of responsibility for the violation of College conduct regulation(s) as specified in the decision of the hearing officer will likely result in the suspension or revocation of College registration. The period of probation will be specified in the decision of the hearing officer/panel.
5. Reprimand: state disapproval or warning issued to the student organization.
6. Restitution: reimbursement for a loss caused by the organization's actions.

7. Community Service: assignment to work a specific number of hours at a community service site determined by the hearing officer/panel.
8. Restrictions: restriction of some or all of the organization's activities or privileges, including the right to recruit new members.
9. Other educational sanctions: projects, assignments, programs with the effect of educating the organization's members.

Appeals Process

Any disciplinary determination may be appealed by the defendant to the President. Requests for appeals must be submitted in writing to the Office of the Vice President for Student Affairs within five (5) business days of the date of the notification of the defendant of the original decision. Failure to appeal within the allotted time will render the original decision final and conclusive.

Appeals must be based on substantive or procedural errors that are allegedly or believed to be prejudicial and were committed during the process or if new evidence not presented at the hearing is discovered. These errors should be addressed in the written appeal.

Written requests for appeals must be specific and detailed as to the nature and substance of the defendant's complaint and must clearly indicate what action is requested. In addition to the written appeal, the following information will be provided to the appropriate hearing officer: record of the hearing, documents and evidence presented at the hearing, written notice of the hearing, any other documents that pertain to the case, and the hearing officer's original decision. **Cases will not be reheard on appeal.** If the original decision in the case was not rendered by the Vice President for Student Affairs, the Vice President may consider the appeal and give a decision in lieu of the President. If the student is dissatisfied with the decision of the Vice President, the student may request in writing that the President consider the appeal, but such a request must be made within two business days or the Vice President's decision will be considered final and conclusive.

The President may appoint a committee or utilize the services of an existing committee to review the case and make a recommendation regarding the appeal. The President's decision shall be final so far as the College is concerned.

Should the student be dissatisfied with the President's decision, written application may be made to the Board of Regents for a review of the decision. Procedures for appeals to the Board of Regents are provided in the By-laws of the Board found at: <http://www.usg.edu/regents/bylaws/#appeals>. The decision of the Board shall be final and binding for all purposes.

Suspension Appeals: Except in cases where a student has opted for an informal hearing, whenever a student is expelled or suspended, such student shall have the right to appeal in accordance with the following procedures:

1. The person aggrieved shall appeal in writing to the president of the institution

within five (5) days after the action of which the person complains. The president of the institution within five (5) days appoints a committee composed of three members of the faculty of the institution or utilizes the services of an appropriate existing committee. This committee shall review all facts and circumstances connected with the case and shall within five (5) days make its findings and report thereon to the president. After consideration of the committee's report, the president shall within five (5) days make a decision which shall be final so far as the institution is concerned.

2. Should the aggrieved person be dissatisfied with said decision, application may be made to the Board of Regents, without prejudice, for a review of the decision. The application for review shall be submitted in writing to the Executive Secretary of the Board within a period of twenty (20) 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, a committee of the Board, or a Hearing Officer appointed by the Board shall investigate the matter thoroughly and report its findings and recommendations to the Board. The Board shall render its decision thereon within sixty (60) days from the filing date of the application for review or from the date of any hearing which may be held thereon. The decision of the Board shall be final and binding for all purposes.

VII. Parental Notification

The Family Educational Rights and Privacy Act (FERPA) has given colleges/universities the option to notify parents or guardians about specific types of information from a student's judicial record.

The Office of Student Life will notify parents or guardians the first time and every subsequent time a student **is found to have violated** Code of Conduct policies on the use or possession of alcohol or other drugs when he/she is under the age of 21.

PLEASE NOTE: The Office of Student Life only notifies parents when a student **is found to have violated** Code of Conduct policies on the use or possession of alcohol or other drugs through a formal hearing or informal resolution.

VIII. Records

Confidentiality of Records

A student may authorize the release of his/her disciplinary record to any party by making a written request. Any other party seeking access to a record of College conduct hearing must file a written request pursuant to the Georgia Open Records Act.