Policy Number: V.01
Policy Level: Operating Policy
Approval Date: February 13, 2013
Implementation Date: August 19, 2013
Revised: May 13, 2015
Revised: November 16, 2016
Revised: October 1, 2019
Reviewed: October 20, 2021
Revised: January 23, 2024
Revised: August 26, 2024
Revised: September 9, 2025
Revised: July 6, 2026
Policy Owner: Provost/VP Academic Affairs and Student Services
Policy Implementation: Provost/VP Academic Affairs and Student Services; Dean of Students
SACSCOC Standard: 12.3
12.4

Student Code of Conduct and Discipline

I. Policy Statement and Purpose

Athens State University ("University") is committed to maintaining an academic environment that supports student success, personal accountability, safety, and mutual respect. This Student Code of Conduct ("Code") establishes standards of behavior and outlines procedures for addressing alleged violations. Standards of acceptable behavior for students and student organizations are reflected in the Code and other University policies. The student conduct process and the associated conduct outcomes are designed to be educational, promoting a safe, supportive, and trustworthy campus while respecting the rights of all members of the University community.

II. Definitions

The terms defined in this section of the Code are only intended to apply to the Code.

A. **University -** Athens State University.
B. **Student** includes persons:
   - who are enrolled in courses at the University: on campus, off campus, and/or online
   - who are part-time, full-time, undergraduate, graduate, transient, non-degree seeking
   - who are not officially enrolled for a particular term but have a continuing relationship with the University (e.g., enrolled in the spring term, not in the summer, but registered for the fall term)
   - who have accepted their offer of admission to the University
   - who are conditionally admitted or taking continuing education courses
C. **Faculty Member** - any person hired by the University to conduct classroom or teaching activities or who is otherwise considered by the University to be a member of its faculty.
D. **University Official -** any person employed by the University who is performing assigned administrative or professional responsibilities or who is otherwise considered by the University to be an official.
E. **University community** - any person who is a student, faculty member, University official, or any other person employed by the University.

F. **Student Organization -** a recognized organization comprised mainly of students which is recognized by the University. Approval for recognition is granted by the Office of Student Activities and the Dean of Students per the applicable policies. See the University Student Clubs and Organizations Policy for more information about recognized student organizations.
G. **University property** - all land, buildings, facilities, and other property in the possession of, owned, leased, used, or controlled by the University.
H. **Complainant** - any person who submits a complaint alleging that a student or student organization violated the Code. It is not a requirement that the complainant be the person or persons who was or were the recipient of the behavior associated with the alleged violation.
I. C**harging party -** the person(s) who bring charges against a student/student organization. The complainant may assume the role of charging party upon the issuance of a charge letter.
J. **Charged Party -** a student or student organization that is accused of violating the Code who is issued charges by the Dean of Students. A designated student leader will represent their student organization in the student conduct process should the organization be charged.
K. **Advisor -** any person selected by a charged party or charging party to advise but not speak for the party during the student conduct process. An advisor may advise a student or student organization in preparation and presentation of the case. During student conduct proceedings, an advisor may only communicate with their advisee. An individual who is charged in the same fact pattern as the charged party may not serve as an advisor. An individual may not serve as an advisor and as a witness in the same case. The use of the term "advisor" in the context of the Code does not obligate but does allow a student organization to select its organization advisor to serve in this role.
L. **Witness -** a person who has knowledge of an event related to an alleged violation of the Code and provides information which is considered during student conduct proceedings. A "character witness" is an individual who may or may not have first-hand knowledge of an event, but who is able to attest to the character of a charged or charging party.
M. **Investigator -** a person who has been identified and trained to gather information in cases that involve alleged violations of the code. The investigator shall be a member of the University community. The individual cannot be under any conduct outcomes or be charged in the same fact pattern related to the complaint.

N. S**tudent Judicial Committee** - the decision-making body designated and trained to conduct a hearing to determine if a student or student organization is responsible for a violation of the code and if so, to assign conduct outcomes.
O. C**omplaint** - a written report, statement, or allegation submitted to the Dean of Students that describes behavior or actions which may violate the code. A complaint does not necessarily result in charges. A complaint will be reviewed and/or investigated by the Dean of Students or designated investigator to determine merit and whether a case should proceed through the student conduct process.
P. **Investigation -** the informal or formal process of gathering and reviewing information pertinent to an alleged violation of the Code. The Dean of Students or investigator may continue to gather and review additional information during any phase of the student conduct process prior to the start of an investigation.
Q. **Charge -** a formal written notification of alleged code violation(s) issued to a student or student organization after the Dean of Students has determined sufficient information exists to continue with the student conduct procedures. Charges do not imply that a student has been found responsible for a violation of the code. A student or student organization may be charged with one or more violations of the code relating to a complaint.
R. **Sanction -** disciplinary actions imposed by the University when a charged party is found responsible for violating the code. Sanctions may be imposed individually or in combination and may include, but are not limited to, a written warning, disciplinary probation, educational assignments, restitution, loss of privileges, suspension, or expulsion. Additional conditions or requirements may be assigned to support student development and prevent future violations.
S. **Hearing -** the presentation of pertinent information, evaluation and assignment of credibility and weight of that information, and determination whether the preponderance of the information leads to a finding of responsibility. In cases in which a charged party is found responsible for violation(s) of the code, sanctions are assigned.
T. **Appeal -** a written request by a charged party or charging party to review the decision of the Dean of Students or Student Judicial Panel utilizing the appeal process as described in Section VII of this document.
U. P**reponderance of the Evidence** - means the standard by which a finding of responsibility for charge(s) of violation(s) of the code is ascertained. Determination shall be made on the basis of whether it is more likely than not that the charged party is responsible for a violation of the code.
V. **Business Day-**any day the University is officially open, regardless of whether classes are in session.

III. Authority and Jurisdiction

A. Institutional Authority

The University exercises conduct authority over:

- All currently enrolled students
- Applicants upon submission of application
- Students participating in University-sponsored programs
- Student organizations
- Students who withdraw while a conduct matter is pending

The University retains authority to resolve conduct matters regardless of withdrawal, leave of absence, or graduation if the conduct occurred while the student was subject to this Code.

B. Geographic and Contextual Jurisdiction

This Code applies to conduct occurring:

- On University-owned or controlled property
- At University-sponsored or affiliated events
- In online learning environments
- In off-campus conduct that:
    - Adversely affects the University community
    - Poses a threat to health or safety
    - Substantially disrupts University operations

IV. Standard of Evidence

All non-Title IX student conduct matters shall be resolved using the Preponderance of the Evidence Standard, meaning it is more likely than not that a violation occurred.
Title IX matters shall be resolved in accordance with the University's Title IX Grievance Policy.

V. Statement of Student Responsibilities under the Code

The University Code asserts that students at the University have certain rights and responsibilities as members of the University community.

Rights include but are not limited to:

- Learning in an environment free of harassment or discrimination and conducive to the open exchange of ideas
- Participating in Shared Governance of the University
- Interacting and communicating without fear of retribution
- Right to Know
- Financial Aid Rights and Responsibilities

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

VI. Prohibited Conduct

Prohibited 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.

Prohibited conduct includes but is not 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:
    i. Submitting a term paper, examination, or other work created by another person as one's own work.
    ii. Unauthorized use of artificial intelligence (AI) tools
    - Failure to give credit for ideas, statements of facts, or conclusions derived by another.
    - Failure to use quotation marks when quoting directly from another source, regardless of the length of the quoted portion.
    - Close and extended paraphrasing from another source.

    Self-plagiarism – the act of either presenting a previously submitted work or large chunks of a previously submitted work as completely brand new. Examples include but are not limited to: Handing in a paper previously submitted in another class, using the literature review from your bachelor thesis and building upon it in your master's thesis, using a data set you previously used for another study (published or not) without informing the reader of this.

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 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.

C. Disruptive, Dishonest, and Disorderly Conduct

1. 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.
2. Obstruction or disruption of the University's academic programs or operations, including the willful reporting of false threats or emergencies.
3. Failure to comply with directions of a University official acting in the performance of his/her duties.

D. Substance Violations

1. Possession of alcohol or being under the influence of alcoholic beverages on state-owned property.
2. Possession, use, or sale of illegal drugs or of drugs not prescribed by a licensed physician for the individual.

E. Property Misconduct

1. Malicious destruction, damage, or defacement of public or private property.
2. Theft or unauthorized possession of University property or the property of any member of the University community, or any visitor to the University.
3. Unauthorized entry into University buildings or closed areas.

F. Safety and Security Misconduct

1. Misuse of fire alarms or fire extinguishers, or the causing of false fire alarms.
2. 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.
3. Possession or use of fireworks (including caps, sparklers, etc.) or explosives on University property.
4. Any intentional or reckless physical contact or action that causes or has the potential to cause bodily harm, injury, or unwanted physical contact.
5. Verbal, written, electronic, or physical conduct that is intended to coerce, frighten, or place another individual in fear, even if no physical contact occurs.
6. Statements or actions that convey a serious expression of intent to harm a person or property, where a reasonable person would interpret the threat as genuine and potentially actionable.

G. Policy and Compliance Misconduct

1. Willful violation of University regulations or policies as specified in the University Catalog, Student Handbook, and other University publications or the University website.
2. Abuse of knowledge and/or skills gained from University instruction in a way that damages other persons or their property, including but not limited to the use of cybersecurity skills in a way that damages systems or data without consent.

H. Harassment and Discrimination Misconduct

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*.

VII. 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

A. Disciplinary Procedures for Academic Violations

Faculty-Level Resolution

When a faculty member believes that a student has committed an act of academic misconduct (e.g., plagiarism, cheating, or other violations related to a course or program requirement), the faculty member will make a reasonable effort to meet with the student to review the allegation.

During this meeting, the faculty member will:

- Describe the alleged violation
- Review relevant information
- Provide the student an opportunity to respond
- Discuss potential academic penalties, when appropriate

If the student does not contest the allegation and agrees to the proposed academic penalty, the student may waive the right to further review.

If either the faculty member or the student declines to meet, or if the matter cannot be resolved at this level, the case will be referred to the Division Head or College Assistant Dean.

Faculty-Imposed Academic Penalties may include:

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

- Resubmission of an assignment or retaking an examination.
- A reduced or failing grade on an assignment or examination.
- A reduced or failing grade for the course.
- Removal from the course, subject to the approval of the Provost/Vice President for Academic Affairs and Student Services.

If the student accepts responsibility and waives further review, the faculty member will document the resolution in a written report. The report must include:

- Date of report
- Date and time of incident
- Student name
- Faculty member name
- Course Number and Title
- Description of the violation
- Proposed academic Penalty
- Student's signed acceptance of the penalty

The faculty member will review the report with the student. If the student agrees with its contents, both parties will sign the document. The report and any supporting documentation must be submitted within ten (10) business days of the initial consultation with the student to the appropriate Division Head, College Assistant Dean, and the Provost/Vice President for Academic Affairs and Student Services. The documentation will be maintained as part of the official academic conduct record.

Administrative Review by Division Head or College Assistant Dean.

A faculty or staff member will refer an alleged academic violation to the appropriate Division Head or College Assistant Dean, in that order, via a written memorandum when:

- the student contests the allegation,
- either party declines to participate in a faculty-level meeting,
- The matter is not appropriate for resolution at the faculty level
- The alleged violation involves multiple students or is of a more serious nature

If the reporting faculty member serves as the Division Head, the matter will be referred directly to the College Assistant Dean.

The Division or College Assistant Dean will conduct a review of the alleged violation, which may include separate meetings with the complainant and the respondent. Each party will be provided an opportunity to share relevant information.

Following this review:

- If the respondent does not contest the allegation and agrees to the proposed sanctions, the respondent may waive the right to further review.
- If the respondent accepts responsibility, the College Assistant Dean will document the outcome in a written report.

The College Assistant Dean will meet with the respondent within ten (10) business days of the initial consultation to review the report. If the respondent agrees with its contents, both parties will sign the document. The report and all supporting documentation will be submitted to and maintained in the Office of Academic Affairs As part of the official conduct record.

Referral to Formal Hearing

If the respondent contests the Allegation following administrative review, the case may be referred to the Student Judicial Committee for a formal hearing, in accordance with procedures outlined 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 Dean of Students or designee. The report must include:

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

The Dean of Students (or investigator) will conduct an investigation which includes meeting with the complainant and the charged party to review and discuss the charge(s). Meetings with each party will be conducted separately upon request. If either party is permitted to have an advisor present at the meeting, the same opportunity will be extended to the other party.
This investigation process involves an initial inquiry into the relevant facts surrounding the charge(s). If it is determined that a violation has occurred and the charged party does not contest the charge and agrees to the proposed sanctions, the charged party may waive the right to further review, including a formal hearing.

If the charged party accepts responsibility and waives further review, the Dean of Students (or designee) will document the acceptance and proposed sanctions in a written report. The Dean of

Students (or designee) will meet with the respondent within ten (10) business days of the initial consultation to review the report including proposed sanctions. If the charged party agrees with its contents, both the charged party and the Dean of Students will sign the document. The report and all supporting documentation will be submitted to the Provost/Vice President for Academic Affairs and Student Services and maintained as part of the official student conduct record.
If the respondent does not accept the proposed sanctions, the sanctions will not take effect unless and until the appeal process is completed. However, the University may impose interim measures if the charged party's continued presence poses a disruption to University operations or a potential threat to the safety of the University community.

If the charged party contests the alleged violation, the case may be referred to the Student Judicial Committee for a formal hearing, in accordance with the procedures outlined in Section V of this policy.

If the student or group of students does not accept the sanctions and chooses not to appeal them, the sanctions will nonetheless become final and take effect.

VIII. The Student Judicial Committee

In cases where a respondent contests an alleged violation of the Student Code of Conduct, the respondent may request resolution through a formal hearing before the Student Judicial Committee.

Requests for a hearing must be submitted in writing to the Office of the Dean of Students within ten (10) business days following the final administrative consultation.

A. Composition of the Student Judicial Committee

The Student Judicial Committee is composed of:

- Three (3) faculty members appointed by the President, in consultation with the Provost, for staggered two-year terms
- Two (2) staff members, appointed by the President, in consultation with the Provost, for two-year terms

- Three (3) student members appointed by the President, in consultation with the Dean of Students, for one- or two-year terms for one or two year terms
- One (1) chairperson, who is a faculty or staff member appointed, for a two-year term, by the President in consultation with the Dean of Students.

The Chairperson is responsible for facilitating hearings and ensuring procedural consistency.

In the event of a vacancy, the President, in consultation with the Dean of Students, will appoint a replacement member to serve the remainder of the term.

Conflict of Interest

Any member with a conflict of interest, bias, or prior involvement in the matter must recuse themselves. Replacement members will be appointed as needed, by the appropriate University Administrator to ensure a full and impartial panel.

B. Notice of Hearing and Committee Membership

The respondent will receive written notice of:

- The date, time, and location (or format) of the hearing
- The names of Committee members

This notice will be provided at least ten (10) business days prior to the hearing.

The respondent may challenge the participation of any Committee member based on a demonstrated conflict of interest or bias. Such challenges must be submitted in writing within three (3) business days of receiving notice and must include a clear rationale. The Dean of Students (or designee) will determine whether a replacement is warranted.

C. Hearing Procedures

Hearings are conducted in a fair, impartial, and educational manner. Hearings will not be open to the public and are not formal court proceedings.

1. Purpose of the Hearing. The purpose of the hearing is to:

- Review the alleged violation (s)
- Evaluate relevant information and evidence
- Provide the respondent an opportunity to respond
- Determine responsibility based on the preponderance of evidence
- Recommend appropriate sanctions, if applicable

2. Participation and Witnesses.

- The respondent may present relevant information, documentation, and witnesses
- Witnesses may provide information but will not be placed under oath
- Witnesses may not be present during the testimony of other witnesses, except for the parties involved
- Knowingly providing false information may result in separate disciplinary action

3. Evidence.

The Committee may consider relevant records, statements, and other information at the discretion of the chairperson. Information that is protected by law (including FERPA and/or other privacy protections) will not be disclosed.

4. Advisors.

The respondent may be accompanied by one (1) advisor of their choice, which may include a faculty member, staff member, or other individual.

- Advisors may not speak, present arguments, question witnesses, or otherwise participate directly in the hearing
- Advisors may provide quiet guidance to the respondent

- The respondent must notify the chairperson of the advisor's participation at least 24 hours prior to the hearing

Attorneys or legal counsel retained by the respondent may not participate in or attend the hearing. The University will not have legal counsel present during the hearing.

5. Hearing Record.

Hearings will be recorded using an appropriate recording method. The recording and all submitted materials constitute the official hearing record. Committee deliberations will not be recorded.

6. Order of Proceedings.

The chairperson will guide the hearing process, which generally includes:

- Review of procedures
- Presentation of alleged violations
- Presentation of information by the University
- Presentation of information by the respondent
- Questioning by the Committee
- Closing statements
- Closed deliberation (not recorded)

If the respondent fails to appear, the Committee may proceed in their absence, provided that proper notice was given.

7. Determination and Outcome.

The Committee will determine responsibility using the **preponderance of the evidence** standard.

The respondent will be found either:

- **Responsible**, or
- **Not Responsible**

If the respondent is found responsible, the Committee will recommend appropriate sanctions.

If the Committee is unable to reach a determination within ten (10) business days following the hearing, the charges may be dismissed.

Within five (5) business days of deliberation, the chairperson will provide a written report to:

- The respondent
- The Dean of Students
- The Provost/Vice President for Academic Affairs and Student Services

The report will include findings, rationale, and recommended sanctions. Sanction recommendations will be reviewed by the Dean of Students and Provost before the implementation of any sanctions or disciplinary actions.

8. Sanctions.

If a respondent is found responsible, one or more of the following sanctions may be imposed:

a. Written Warning
b. Conduct Probation
c. Restitution
d. Community or University Service
e. Academic Penalties (as determined in coordination with faculty
f. Educational Sanctions (e.g., workshops, reflection assignments)
g. Loss of privileges, including participation in activities
h. Suspension (Temporary separation from the University)
I. Expulsion (permanent separation)

Sanctions are determined based on the severity of the violation, prior conduct history, and impact on the University community.

Violations of law may also be referred to appropriate external authorities.

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.

9. Appeals

The respondent may appeal the decision of the Student Judicial Committee to by submitting a written appeal to the Provost/Vice President for Academic Affairs and Student Services within ten (10) business days of receiving the decision.

Appeals will be considered only on the following grounds:

- Procedural error that materially affected the outcome
- New information not reasonably available at the time of the hearing
- Disproportionate sanction

Failure to submit an appeal within the designated timeframe constitutes a waiver of the right to appeal.

If an appeal is accepted for review, the Provost (or designee) will review the record and issue a decision within twenty (20) business days from the receipt of the notice of appeal. The Provost may:

- Affirm the decision
- Reverse the decision
- Modify the findings and/or sanctions

The decision on appeal is final.

10. Records

All records related to the hearing and appeal will be maintained by the University in accordance with applicable record retention policies and federal privacy laws.

11. Retaliation

Retaliation against any individual involved in a conduct process is strictly prohibited. Any act of retaliation will be treated as a separate violation of the Student Code of Conduct.

IX. 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 and Student Services 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 by the Policy Owner. Revisions will be reviewed/affirmed by the Cabinet and approved by the University President. This policy will be updated/published in the University's Policy Library.

Responsibility for Policy Implementation

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