

## *Undergraduate and Graduate Student Code of Conduct*

### INTRODUCTION

Clayton State University has established standards of conduct which are compatible with the academic mission of the institution. An educational approach to discipline is employed whenever possible.

Law, statutes and regulations at the national, state and local levels grant public institutions the authority to establish standards reasonably relevant to the lawful missions, processes, and functions of the institution. Such standards are not intended to prohibit the exercise of a right guaranteed by the Constitution or a law of the United States to a member of the university community.

Standards may apply to student behavior on and off the campus when relevant to any lawful mission, process, or function of the institution. The institution may prohibit any action or omission, which impairs, interferes with, or obstructs the missions, processes and functions of the institution.

Due to the evolving impact of the COVID-19 public health situation, the University has published requirements, guidance, and recommendations, which are subject to change, to protect the health and safety of the University community. Adherence to these protocols applies to all students, faculty, staff, and visitors. For the most up-to date information on any changes to University policy related to the COVID-19 pandemic, please see <https://clayton.edu/coronavirus>. In addition, the student conduct policies and procedures in this section are subject to change and will be communicated as applicable to students who liaise with the Office of Community Standards.

Institutional standards may require scholastic attainments higher than the average of the population and may require superior ethical and moral behavior. In establishing standards of behavior, institutions are not limited to the standards or the forms of criminal laws [“General Order on Judicial Standards of Procedure and Substance in Review of Student Discipline in Tax-Supported Institutions of Higher Education,” 45 F.R.D. 133/145 (W.D. Mo. 1968)].

*The acceptance of these rights and responsibilities is a prerequisite for enrollment at Clayton State University. It is the responsibility of each student to know and understand established rules of conduct. Lack of awareness is not recognized as a legitimate reason for failure to comply.*

Violators may be accountable to both civil and criminal authorities and to the University for acts of misconduct, which constitute violations of this Code. Disciplinary action at the University may proceed during the pendency of other proceedings at the discretion of University officials. Sanctions may be imposed for acts of misconduct, which occur on University property or at any University sponsored activity. **As further prescribed in these rules, off-campus conduct may also be subject to discipline.**

“Clayton State University [provides] each student with an e-mail address through the Clayton State University electronic post office. The student will be responsible for monitoring this address on a regular basis for official communications from Clayton State University faculty and administrators.” (*Clayton State University Academic Catalog*)

The University maintains the right to amend its rules and to make such amendments effective immediately upon appropriate public notification of students. The most current version of the Student Code of Conduct may be found on-line at <http://www.clayton.edu/community-standards>

## CONDUCT REGULATIONS<sup>1</sup>

Disciplinary action may be initiated by the University and sanctions imposed against any student or student organization found responsible for committing, attempting to commit, or intentionally assisting in the commission of any of the following prohibited forms of conduct:

### I. Academic Conduct Regulations

Academic integrity is of paramount importance at Clayton State University. An act of academic misconduct may seriously compromise the learning process for the violator and for other students if it occurs without appropriate disciplinary consequences. Academic misconduct is defined by the following regulations.

#### A. Disruption of the Learning Environment

Behavior which disrupts the teaching–learning process during class or class related activities will not be tolerated. This includes but is not limited to belligerent, abusive, profane, distracting and/or threatening behavior. More subtle forms of behavior may also negatively impact the teaching-learning process. Possible examples (as deemed appropriate by each individual instructor as they establish their own unique learning environments) are listed in Appendix A of this code and include but are not limited to: inappropriate attire, eating during class time, and unwillingness to participate in educational activities, in some cases, may significantly impact the instructor’s ability to conduct the class. A student who fails to respond to reasonable faculty direction regarding classroom behavior and/or behavior while participating in classroom activities may be dismissed from class.

A student who is dismissed is entitled to due process and will be afforded such rights (See *Procedures for Adjudicating Alleged Academic Conduct Infractions*) as soon as possible following dismissal. If found in violation, a student may be administratively withdrawn and may receive a grade of WF.

#### B. Giving or Receiving Unauthorized Assistance

No student will give or receive assistance when not authorized by the instructor in the preparation or completion of any assignment, essay, laboratory report, or examination to be submitted as a requirement for an academic course.

#### C. Unauthorized Materials or Equipment

1. No student will take or attempt to take, steal, solicit or otherwise procure in an unauthorized manner any material pertaining to the conduct of a class, including but not limited to tests, examinations, laboratory equipment and grade books.

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<sup>1</sup> *The Clayton State University Code of Student Conduct is adapted from The NCHERM Group Model Developmental Code of Student Conduct and is used here with permission. The NCHERM Group Model Code Project, 2013.*

2. No student will make use of any materials, aids, tools, or electronic devices not specifically condoned by the instructor in preparing academic assignments or while taking an examination.

#### **D. Furnishing Unauthorized Exam Information or Materials**

No student will sell, give, lend or otherwise furnish to anyone material which can be shown to contain the questions or answers to any examinations scheduled to be given at any subsequent date in any course of study offered by the University, without authorization from the instructor.

#### **E. Plagiarism and Misrepresentation of Work**

No student will represent the work of others as his or her own. Themes, essays, term papers, tests, presentations and other similar assignments must be the work of the student submitting them. When direct quotations are used, they must be indicated with quotation marks and when the ideas of another are incorporated, they must be appropriately cited.

1. No student will submit the same assignment for two courses without the prior consent of the instructor.

#### **F. Violating Testing Rules and Procedures**

No student will give or receive, or attempt to give or receive assistance; take, steal or otherwise procure any unauthorized materials; or otherwise commit an infraction of the established rules and procedures governing the administration of tests or exams, including for national or local testing programs.

#### **G. Falsification & Fabrication**

No student will provide unauthorized or false information, citation, or documentation in any academic exercise.

### **II. General Conduct Regulations**

#### **A. Damage to Property/Vandalism**

##### **Damage to Property**

1. Damage or destruction of property belonging to the University or to a member of, or visitors to, the University community is prohibited.

##### **Vandalism**

2. Intentional damage or destruction of property belonging to the University or to a member of, or visitors to, the University community is prohibited.

#### **B. Deception**

1. Misuse of any University records, identification cards, forms, or other documents through forgery, misrepresentation, unauthorized alteration, unauthorized reproduction, or other unauthorized means is prohibited.

2. Intentionally providing false information, either written or oral, to the University or to any administrative unit of the University, is prohibited.
3. Attempted or perpetrated fraud against the University or members of the University community is prohibited.
4. Withholding or omitting requested or required information from the University

### **C. Disorderly Assembly**

1. Students will not assemble on campus for the purpose of creating a riot or destruction, or disorderly diversion which interferes with the normal operation of the University. This should not be construed as denial of the right to peaceful, non-disruptive assembly.
2. Students will not obstruct the free movement of other persons about the campus, interfere with the use of University facilities, or physically interfere with the normal operation of the University.

### **D. Disorderly Conduct**

1. All lewd, obscene, indecent behavior, or other forms of disorderly conduct on University property or at any function sponsored or supervised by the University is prohibited. This includes belligerent, abusive, profane, and/or threatening behavior, and conduct which is patently offensive to the prevailing standards of a college community, but should not be interpreted as an infringement on the First Amendment rights of individuals.
2. The abuse or unauthorized use of sound amplification equipment indoors or outdoors during classroom hours is prohibited.
3. No student will threaten to, or purposefully, push, strike, or physically assault any member of the faculty, administration, staff, or student body, or any visitor to the campus.
4. Substantial disruption of University/College operations including obstruction of teaching, research, administration, other University/College activities, and/or other authorized non-University/College activities which occur on campus is prohibited.
5. No student will enter or attempt to enter any University-sponsored event without credentials for admission as established by the sponsors. At such University functions, students must present proper credentials to properly identified University officials upon request.

### **E. Gambling**

The unauthorized playing of cards or other games for money or other items of value is prohibited on campus.

### **F. Theft**

No student will take, attempt to take, or keep in his or her possession items not legally possessed by him or her including but not exclusively, items of University property, or items belonging to students, faculty, staff, student groups or visitors to the campus, without proper authorization.

### **G. Unauthorized Entry or Use of University Facilities/Equipment**

1. No student will make unauthorized entry into any University building, office, grounds or other facility nor will any person remain without authorization in any building after normal closing hours.
2. No student will make unauthorized use of any University facility or equipment. Authorization of the use of University facilities/equipment may be withdrawn or otherwise restricted at any time.

#### **H. Misuse of Computer Equipment**

1. No student may use University-owned computer equipment unless authorized to do so. All users must abide by the regulations regarding authorization, priority of use, computer access and the basic rules of courtesy. (See [Computer & Network Use Policy](#) for more information) Users agree to not take any action considered inappropriate behavior including, but not limited to the following:
  - a. Intentionally infecting network servers or other computers with a virus
  - b. Connecting networking equipment including, but not limited to servers, routers, hubs and switches, and wireless access points to the campus network without written authorization from the Office of Information Technology and Services
  - c. Sending harassing messages to other computer users either at CSU or through external networks
  - d. Using inappropriate, offensive, or abusive language to other users within the CSU network, or through external networks
  - e. Tampering with or modifying accessed equipment
  - f. Causing intentional damage to computer systems
  - g. Obtaining additional resources not authorized to the individual user
  - h. Depriving other users of authorized resources
  - i. Acquiring access to unauthorized systems
  - j. Utilizing another user's account and password
  - k. Broadcasting non-business related email to CSU faculty, staff and students (including but not limited to "For Rent/Sale" and personal notes to the campus)
  - l. Broadcasting unsolicited email and e-mail that is in violation of the [CAN-SPAM act of 2003](#)
2. No student may in any way abuse or misuse computer files or gain access to unauthorized computer files. Georgia Code 89-9903 on "Stealing, altering, etc. of public documents," states that "No person shall steal...alter...or void any record." The Code defines record to include "audiovisual material in any format, magnetic or other tapes, electronic data processing records." Violation of this law is considered a felony and punishable by incarceration of two to ten years.

#### **I. Tobacco**

1. Use of all forms of tobacco products on all property owned, leased or rented by the University is prohibited. "Tobacco Products" is defined as cigarettes, cigars, pipes, all forms of smokeless tobacco, clove cigarettes and any other smoking devices that use tobacco such as hookahs or simulate the use of tobacco such as electronic cigarettes. For more information see [Board of Regents Policy Manual Section 9.1.7](#)

#### **J. Misuse of Alcohol and Other Drugs**

Clayton State University generally prohibits the possession or consumption of Alcoholic beverages on the Clayton State University Campus or any area affiliated with Clayton State University. Exceptions to the policy of prohibited alcohol on campus may from time to time be permitted at the discretion of the University President, and limited exceptions to this policy within the Laker Village Apartments by those over the age of 21(see Student Conduct Code Appendix B).

1. **Possession and/or consumption of** alcoholic beverages where prohibited on the Clayton State University campus or other areas affiliated with Clayton State University is prohibited.
2. **Furnishing** of alcoholic beverages on the Clayton State University campus or any area affiliated with Clayton State University is prohibited.
3. **Possession and/or use** of illegal drugs (without a valid medical prescription) controlled by federal or Georgia law is prohibited.
4. **Possession** of drug related paraphernalia on the Clayton State University campus or any area affiliated with Clayton State University is prohibited.
5. The **manufacture** or attempt to manufacture, **sale** or intent to sell or **deliver** any illegal substance controlled by federal or Georgia law is prohibited.
6. **Public intoxication** is prohibited.
7. **Driving under the influence** of alcohol or illegal drugs is prohibited.

**Note:** Students found to be in violation of the drug policy will be subject to the Drug-Free Post-Secondary Education Act of 1990. **Title 20-1 of the Official Code of Georgia Annotated states that any student of a public educational institution who is convicted, under the laws of this state, the United States, or any other state, of any felony offense involving the manufacture, distribution, sale, possession, or use of marijuana, a controlled substance, or a dangerous drug shall as of the date of conviction be suspended from the public educational institution in which such person is enrolled.** Except for cases in which the institution has previously taken disciplinary action against a student for the same offense, such suspension shall be effective as of the date of conviction, even though the educational institution may not complete all administrative actions necessary to implement such suspension until a later date. Except for cases in which the institution has already imposed disciplinary sanctions for the same offense, such suspension shall continue through the end of the term, quarter, semester, or other similar period for which the student was enrolled as of the date of conviction. The student shall forfeit any right to any academic credit otherwise earned or earnable for such term, quarter, semester, or other similar period; and the educational institution shall subsequently revoke any such academic credit which is granted prior to the completion of administrative actions necessary to implement such suspension.

#### **K. Weapons, Firearms, and Explosives**

1. No student may carry or possess any weapon or any other lethal or potentially destructive device or weapon on the University campus and/or property owned by the University, except as expressly permitted in O.C.G.A. 16-11-127.1. This includes, but is not limited to, bows and arrows, BB guns, air guns, hunting slingshots, martial arts weapons, knives and darts.

*Note: The only persons exempted from this policy are those specifically identified in*

either O.C.G.A. Section 16-11-127.1(c) or in O.C.G.A. Section 16-11-130. For more information, please see <http://www.clayton.edu/public-safety/Safety-Security/Weapons>

2. No student will possess, sell, furnish or use any incendiary device or poisonous, corrosive, or volatile substances, without proper authorization on campus. If such items are required for academic course work, they must be stored in facilities designated for storing such substances.

#### **L. Fire Safety/Emergency**

1. No student will fail to evacuate a building or refuse to respond immediately to a fire alarm.
2. No student will make a false report or trigger any device for the purpose of creating a false fire alarm.
3. No student will operate, tamper with, discharge or remove any fire extinguishing equipment, exit sign, smoke detector, AED, evacuation or medical equipment without proper authorization.
4. No student will intentionally set or cause to be set any unauthorized fire.

#### **M. Harassment, Stalking & Sexual Misconduct**

Sexual Misconduct is a violation of University policy and Federal law and may also result in criminal prosecution. Sexual Misconduct can occur between strangers or acquaintances, and even people involved in intimate or sexual relationships. Sexual Misconduct can be committed by men or women, and it can occur between people of the same or different gender. Additionally, examples of actions and situations that constitute Sexual Misconduct may include, but are not limited to, the following defined below and definitions remain the same regardless of who engages in the behavior-university employees, students, or non-students. For more information, see the Clayton State University Title IX Policy.

1. **Harassment** is prohibited and includes, but is not limited to, the following:
  - a. any act of intimidation, physical violence, or threat of physical violence directed to another person in any manner, including any terroristic threats;
  - b. intentionally and/or repeatedly following or contacting another person in a manner that intimidates, harasses, or places another in fear of their personal safety or that of their property;
  - c. any behavior that is threatening or intimidating on the basis of age, ethnicity, gender, disability, national origin, race, religion, sexual orientation, veteran status.
2. **Stalking** is prohibited and is defined as repeatedly contacting another person when:
  - a. The contacting person knows or should know that the contact is unwanted by the other person; and
  - b. The contact causes the other person reasonable apprehension of imminent physical harm or the contacting person knows or should know that the contact causes substantial impairment of the other person's ability to perform the activities of daily life. As used in

this subsection, “contacting” includes but is not limited to communicating with or remaining in the physical presence of the other person.

3. **Sexual Misconduct** is prohibited. This is defined as behavior directed toward an individual which:

- a. Constitutes conduct of a sexual nature that threatens physical harm, endangers the health and safety of any person, or that which a reasonable person would know was unwanted and would cause emotional distress, and/or,
- b. Interferes with an individual’s ability to perform at the University academically or socially.

#### **N. Failure to Comply**

1. Failure to comply with the directions of University or public officials acting in the performance of their duties on University-owned or controlled property or at University-sponsored or supervised activities when such conduct constitutes a danger to personal/public safety or property is prohibited.
2. No student will fail to report for a conference, meeting or appointment with any University official.
3. No student will fail to appear as a witness in a judicial case when properly notified.
4. Failure to comply with the terms of any disciplinary sanction imposed in accordance with the Student Conduct Code or a University Hearing Authority is prohibited.
5. Failure to comply with any established University policy is prohibited.

#### **O. Hazing**

1. Any situation, circumstance, or environment created by a student or organization that is purposefully instigated to illicit mental or physical discomfort, embarrassment, harassment or ridicule to aspiring members on or off university premises.

**Note: Georgia Code: O.C.G.A. § 16-5-61 (2009):** It shall be unlawful for any person to haze any student in connection with or as a condition or precondition of gaining acceptance, membership, office, or other status in a school organization. Any person who violates this Code section shall be guilty of a misdemeanor of a high and aggravated nature.

#### **P. Littering**

1. Disposing of any form of litter on University premises or at university-sponsored activities other than in designated receptacles is prohibited.

**Note:** Violators of any of these regulations may be prosecuted under Federal or State Criminal Code and statutes.



## **Appendix A: Possible Examples of Disruptive Behavior and Faculty Responsibilities**

### **Possible Examples of Disruptive Behavior**

Disruptive behavior includes, but is not limited to, the possible examples listed below. The examples are deemed appropriate by each individual instructor as they establish their unique learning environment.

#### **a. Non-Permitted Communication during Classroom Instruction**

- Talking while the instructor is talking
- Talking before being recognized by the instructor (i.e. blurting out information)
- Talking without permission during classroom instruction (i.e. side conversations with an individual or in a group)

#### **b. Excessive Communication during Classroom Instruction**

- Monopolizing classroom discussions
- Failing to respect the rights of other students to express their viewpoints
- Constant questions or interruptions which interfere with instructor's presentation
- Inordinate or inappropriate demands for time or attention

#### **c. Overt Inattentiveness**

- Sleeping in class
- Preventing others from concentrating on classroom instruction
- Working on tasks not associated with the current class, i.e., reading a newspaper, doing homework from another class, etc.

#### **d. Personal Attacks**

- Engaging in abusive or mean spirited criticism of another student or an instructor
- Questioning an instructor's authority in front of the class
- Continuing to insist on speaking with an instructor during classroom instruction

#### **e. Threatening Behaviors**

- Verbally abusing an instructor or student (i.e. cursing, taunting, badgering, intimidation or extremely loud talking directed at a particular person)
- Threatening to physically harm an instructor, student, or self through verbal or body gestures
- Intimidating through body gestures and/or posture
- Refusal to comply with faculty direction
- Harassment of instructor or other students
- Intoxication (perceived)
- Use of profanity or pejorative language
- Physical violence

#### **f. Other Distracting Behaviors**

- Using cellular phones, pagers, text messaging iPods, MP3 players, laptops, etc while class is in session when asked not to
- Arriving late to class, especially on test dates
- Creating excessive noise from packing up before class has ended
- Dressing inappropriately as to cause other students or instructors to be distracted (i.e. wearing pajamas, indecent exposure, or offensive words on clothing)
- Bringing children to class
- Eating in class

## **Faculty Responsibilities**

Faculty are to establish expectations for student course behavior. Faculty should set the tone for expected course behavior at the beginning of each term. This is best achieved by directly addressing policies regarding attendance, tardiness, decorum, student misconduct, withdrawal policies, and by referring the student to the CSU Student Code of Conduct. Faculty should remind students that any disruption of a positive learning environment in the classroom or actions which impede the ability of other students to learn or the ability of the professor to teach is a violation of the student conduct code.

Faculty should state in writing CSU's Disruptive Student Policy and any other course policies in their syllabi. Faculty should clarify the definition of student misconduct, citing specific examples of misconduct that would result in disciplinary action. Disruptive behavior includes but is not limited to intoxication, belligerent, abusive (physically or verbally), profane, distracting, and/or threatening behavior. More subtle forms of behavior may also negatively impact the teaching-learning process. Some examples include: inappropriate attire, eating during class time, and unwillingness to participate in educational activities, in some cases, may significantly impact the instructor's ability to conduct the class. A more comprehensive list of specific suggested example behaviors can be found in the Student Code of Conduct Appendix A. any statement beyond the above regarding disruptive behavior should be clarified in course documents including the syllabus.

Faculty should also provide students with an opportunity to clarify course policies and issues.

Faculty has the authority and responsibility to maintain a positive learning environment in the classroom. Faculty should remember that discussion and expression of all views relevant to the subject matter are permitted in the classroom, subject only to the responsibility of the instructor to maintain order. However, student behavior that disrupts the ability of other students to learn or impedes the ability of the professor to teach is a violation of the student code conduct and should be addressed. To maintain classroom order, the faculty member has the right and responsibility to take the steps he or she deems necessary and reasonable, including private or public requests that the student(s) refrain from disruptive behavior.

Faculty members also have the responsibility to respond to students in a calm and objective manner. Even in the face of inappropriate behavior, it is imperative for faculty to maintain a professional and controlled demeanor with students in order to facilitate constructive interactions.

A student who fails to respond to reasonable faculty direction regarding classroom behavior and/or behavior while participating in classroom activities may be dismissed from a course for the remainder of the semester. A student is entitled to due process (see "Conduct Process") and will be afforded such rights as soon as possible by the processes described below. If found in violation of the Student Code of Conduct, a student may, in addition to other outcomes, be administratively withdrawn from the course and may receive a grade of WF.

## Appendix B- Laker Village Alcohol Policy

Clayton State University insists that students residing in Laker Village who choose to consume alcohol do so in a responsible and legal manner. Students are expected to observe all applicable Georgia State laws as well as local ordinances related to purchasing, possession and consumption of alcoholic beverages. Violations of applicable laws or university policies pertaining to alcohol may subject students to University disciplinary action and potential legal penalties.

A student's or guest's consumption of alcohol shall not infringe upon the privacy, peace or enjoyment of other students or guests. Nor should it infringe upon the educational mission of the University.

### Laker Village Alcohol-use Requirements

1. Alcohol may not be possessed or consumed in an apartment suite where all residents are under the age 21.
2. For alcohol to be present in the shared areas of an apartment unit (kitchen, living room, hallways), all residents must be 21. If all residents are not 21 or older, the alcohol must be stored and consumed with in the resident's room.
3. All alcoholic beverages must be in single serving containers. Students are limited to two (2) 6 packs of beers (total 12 beers) OR 1 liter of hard alcohol OR 1.5 liter of wine per resident in the apartment unit or suite. Common alcohol containers including, but not limited to, kegs, beer balls, hunch-punch, trash cans and ice luges are prohibited. Prohibited items will be confiscated at the owner's expense.
4. Alcohol may not be possessed or consumed in public or residential facility common areas. Public areas include outdoor areas, patio, balconies, breezeways, stairways and hallways. Common areas of an apartment suite include the kitchen, living room and hallways. Alcohol must be consumed within apartments with the apartment door closed (i.e. the door should not be propped). When an apartment door is open, it is considered a public area.
5. Drinking games and any items designed for or manipulated to promote the rapid consumption of alcohol are prohibited. This includes, but is not limited to, beer pong, funnels, quarters, and altered board games.
6. Alcohol beverage containers, whether empty or full, are not to be displayed in areas of the campus including apartment suites, individual rooms, public areas and windows.
7. Students influenced by alcohol are fully responsible for their actions and that of their guest(s).