

# *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 academic 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.

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://adminservices.clayton.edu/studentconduct/>.

## **Board of Regents' Policy on Disruptive Behavior**

The Board of Regents reaffirms its policies to fully support freedom of expression by each member of the academic community and to preserve and protect the rights and freedom of its faculty and students to engage in debate, discussion, peaceful and non-disruptive protest and dissent. The following statement relates specifically to the problem described below. It does not change or in any way infringe upon the Board's existing policies and practices in support of freedom of expression and action. Rather it is considered necessary to combat the ultimate effect or irresponsible disruptive and obstructive actions by students and faculty intended to destroy academic freedom and the institutional structures around which it operates.

In past years a new and serious problem has appeared on many college and university campuses in the nation. Students, faculty, and others have on occasion conducted demonstrations, sit-ins and other activities that have clearly and deliberately interfered with the regular and orderly operation of the institution concerned. Typically, this action has been the physical occupation of a building or campus area for a protracted period of time or the use or display of verbal or written obscenities involving indecent or disorderly conduct.

These actions have gone beyond all heretofore recognized bounds of meetings for discussion, persuasion, or even protest, in that: (1) acquiescence to demands of the demonstrators is the condition for dispersal, and (2) the reasonable and written directions of institutional officials to disperse have been ignored. Such activity thus has become clearly recognizable as an action of force, operating outside all established channels on the campus, including that of intellectual debate and persuasion which is at the very heart of education.

The Board of Regents is deeply concerned by this problem. Under the Constitution of the State of Georgia, under all applicable court rulings, and under the tradition of higher education in the United States, the Board is ultimately responsible for the orderly operation of the several institutions of the University System and the preservation of academic freedom in these institutions. The Board cannot and will not divest itself of this responsibility.

Of equal or even greater importance, such action of force as is referred to above, destroys the very essence of higher education. This essence is found in the unhampered freedom to study, investigate, write, speak and debate on any aspect or issue of life. This freedom, which reaches its full flowering on college and university campuses, is an essential part of American democracy, comparable to the jury system or the electoral process.

For these reasons and in order to respond directly and specifically to this new problem, the Board of Regents stipulates that any student, faculty member, administrator, or employee, acting individually or in concert with others, who clearly obstructs or disrupts, or attempts to obstruct or disrupt any teaching, research, administrative, disciplinary or public service activity, or any other activity authorized to be discharged or held on any campus of the University System of Georgia is considered by the Board to have committed an act of gross irresponsibility and shall be subject to disciplinary procedures, possibly resulting in dismissal or termination of employment.

The Board reaffirms its belief that all segments of the academic community are under a strong obligation and have a mutual responsibility to protect the campus community from disorderly, disruptive or obstructive actions which interfere with academic pursuits of teaching, learning, and campus activities.

## **STUDENT CONDUCT REGULATIONS**

Disciplinary action may be initiated by the University and sanctions imposed against any student or student organization found guilty of 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 activities will not be tolerated. This includes belligerent, abusive, profane, and/or threatening behavior. 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 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 not authorized by the instructor in the preparation 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 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 roll books.
2. No student will make use of any materials, aids, tools, or 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 and when the ideas of another are incorporated, they must be appropriately acknowledged.

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

No student will 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.

## **II. General Conduct Regulations**

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

Malicious 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. 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.

### **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 materially 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 actually, push, strike, or physically assault any member of the faculty, administration, staff, or student body, or any visitor to the campus.
4. Conduct on University property, or at functions sponsored or supervised by the University which interferes with the normal operation of the University or the requirements of appropriate discipline, 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 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, 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. Upon appropriate notice by University Officials, authorization of the use of University facilities/equipment may be withdrawn or otherwise restricted.

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

1. No student may use the 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 Use Policy in the Policies and Procedures section of this publication.)
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**

Use of all tobacco products is prohibited inside all campus buildings including bathrooms and stairwells.

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

1. **Possession** of alcoholic beverages on the Clayton State University campus is prohibited.
2. **Consumption** of alcoholic beverages on the Clayton State University campus is prohibited.
3. **Furnishing** of alcoholic beverages on the Clayton State University campus is prohibited.
4. **Possession** of illegal drugs (without a valid medical prescription) controlled by federal or Georgia law is prohibited.
5. **Use** of illegal drugs (without a valid medical prescription) controlled by federal or Georgia law is prohibited.
6. The **manufacture** or attempt to manufacture, **sale** or intent to sell or **deliver** any illegal substance controlled by federal or Georgia law is prohibited.
7. **Public** intoxication is prohibited.
8. **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 the 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 will 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 will 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 will continue through the end of the term, quarter, semester, or other similar period; and the educational institution will 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. Possession of firearms or any other lethal or potentially destructive weapon is prohibited on the University campus. This includes bows and arrows, BB guns, air guns, hunting slingshots, martial arts weapons, darts, tasers, as well as poisonous, corrosive, or volatile substances. If such items are required for academic course work, they must be stored in facilities designated for storing such substances.
2. No student will possess, sell, furnish or use any incendiary device without proper authorization on campus.

#### **L. Fire Safety**

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, or smoke detector without proper authorization.
4. No student will intentionally set or cause to be set any unauthorized fire.

#### **M. Harassment and Stalking**

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.

#### **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 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 is prohibited.
5. Failure to comply with any established University policy is prohibited.

#### **O. Sexual Misconduct**

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

1. 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.
2. Interferes with an individual's ability to perform at the University academically or socially.

#### **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.