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# 2017-2018 Student Handbook

## Revised August 2017

This Student Handbook supersedes all previous editions of the Bainbridge State College *Student Handbook*. This handbook is prepared for the convenience of students and is not to be construed as an official publication of the Board of Regents of the University System of Georgia. In case of any divergence from or conflict with the *Bylaws or Policies* of the Board of Regents, the official *Bylaws and Policies* of the Board of Regents shall prevail.

All students are responsible for knowing and adhering to the guidelines and regulations contained in this *Handbook*.

Bainbridge State College is accredited by the Southern Association of Colleges and Schools Commission on Colleges to award associate and baccalaureate degrees. Contact the Commission on Colleges at 1866 Southern Lane, Decatur, Georgia 30033-4097 or call 404-679-4500 for questions about the accreditation of Bainbridge State College. This information is published exclusively for accreditation-related purposes and not to inquire regarding admissions or general educational policies and practices of the college.

*The following individuals have been designated as the employees responsible for coordinating the College's implementation of Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and the College's implementation of Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA): Human Resources, Carolyn Funderburke, 229-243-6856.*

For further information, contact the Office for Civil Rights at 1-800-421-3481 or 202-245-6800 or file an OCR Electronic Complaint Form at <http://www2.ed.gov/about/offices/list/ocr/complaintintro.html>.

*The student handbook is not a contract. It is for informational purposes only and provides no rights to the reader.*

# General Information

## Affirmative Action/Equal Educational Opportunity Institution

Bainbridge State College is an Affirmative Action/Equal Educational Opportunity Institution and no person shall, on the basis of race, color, sex, religion, national origin, handicap, political affiliation or other ideology, be excluded from employment or participation, be denied the benefits of, or be otherwise subjected to discrimination by any educational program, activity, or facility of the College. Bainbridge State College is committed to complying with Title VI of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990. The affirmative action officer may be contacted at 229-243-3007.

## Section 504 and ADA Coordinator

The College is committed to a policy of eliminating any actual and/or potential discrimination against any student with a physical disability. Any student who has a complaint or grievance about a situation, activity, facility, and/or regulation should report it to the staff person or College official in direct charge of an activity and/or service of the College. If the grievance or complaint is not resolved satisfactorily on this level, the student should appeal his/her case to the Section 504 and ADA coordinator. The coordinator may be contacted at 229-243-3021.

## Family Educational Rights and Privacy Act

Bainbridge State College complies with the provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA). FERPA regulations apply to all students whether in traditional or distance learning courses. The student has the right to inspect and review his/her own educational records maintained by the institution and to challenge the content of such records on the grounds that they are inaccurate, misleading, or a violation of privacy and other rights. If the college is in violation of the FERPA, a student has the right to file a complaint with the U.S. department of Education.

However, directory information may be disclosed without a student's consent unless the student has advised the Registrar in writing that he/she wishes to restrict access to this information. "Directory Information" includes the student's name, address, telephone listing, e-mail address, major field of study, participation in officially recognized activities and sports, dates of attendance, degrees and awards received and the most recent previous educational agency or institution attended by the student.

When a student enrolls in a postsecondary institution such as Bainbridge State College, all rights afforded to a parent under FERPA transfer to the student. A parent who wishes to obtain information about a student's educational record should obtain the permission of the student. If this permission cannot be obtained, the parent will be allowed access to this information upon providing tax returns which confirm that the parent claims the student as a dependent for income-tax purposes. U.S. Office of Education guidelines concerning FERPA can be found at the following URL:

<http://familypolicy.ed.gov/ferpa-parents-students?src=fpco-pb>

## Free Speech on Campus

### **POLICY GOVERNING OUTDOOR SPEECHES, DEMONSTRATIONS, DISTRIBUTION OF WRITTEN MATERIALS AND MARCHES**

No rights are more highly regarded at Bainbridge State College than the First Amendment, which guarantees freedom of speech, freedom of expression and the right to assemble peaceably. Bainbridge State College remains

firmly committed to affording groups and individuals the opportunity to engage in peaceful and orderly protests and demonstrations. In order to achieve this objective, while at the same time insuring that the College fulfills its educational mission, the College has the responsibility to regulate the time, place and manner of expression. This regulation is structured to assure equal opportunity for all persons, preserve order within the campus community, protect and preserve College property and provide a secure environment to individuals exercising freedom of expression.

**The following provisions and regulations shall apply:**

A. **SPEECHES, MARCHES AND DEMONSTRATIONS:** The open areas designated for speeches, marches and demonstrations are inside the Quad and outside the Student Wellness Center. Student Life, acting on behalf of the Vice President for Student Affairs asks student organizations interested in use of these areas to register with that office so the college can provide necessary support for public and student safety. Individuals and non-BSC organizations are asked to register/reserve facilities with the Vice President of Business Affairs and Operations to ensure the college can provide the necessary support for public and student safety.

Organized marches in others areas must be coordinated with the College Police prior to the event. Failure to register or coordinate could result in removal from the college campus or facility if the College Chief of Police or the President, or his designee finds that the speech, march or demonstration:

- 1) creates significant hazards to the public;
- 2) includes language or conduct that is so severe, pervasive and objectively offensive that it denies or limits an individual's ability to work, or to participate in or benefit from an educational program or activity; or
- 3) unduly interrupts or interferes with the orderly and peaceful conduct of the college.

Conduct that does not otherwise violate college policy or the objectives in the preceding sentence, but which is intended to demonstrate solidarity with a cause (i.e., the wearing of a particular clothing or carrying items) may be expressed in areas other than the designated areas above. In the interest of allowing equal time for all points of view, the college may consider other limitations on the time, place and manner of speech. All structures, signs, and litter resulting from the activity must be removed from public areas by the end of the event. All sponsors of events may be subject to costs for cleanup or repair of college property resulting from the participants in the event.

B. **DISTRIBUTION OF WRITTEN MATERIAL:** Pamphlets, handbills, circulars, newspapers, magazines and other materials which are protected by the First Amendment may be distributed on a person to person basis on the Quad and outside the Student Wellness Center between the hours of 9:00 am - 9:00 pm, Monday - Friday. Handbills cannot be placed on cars.

Tables must be reserved forty-eight hours in advance with Plant Operations.

The College maintains a position of neutrality as to the content of any written material distributed on the campus under this policy.

C. **PROVISIONS:** In order that the persons exercising freedom of expression not interfere with the operation of the College or with the rights of others, the following shall apply without exception to any form of expression:

- 1) Events, which may obstruct vehicular, pedestrian or other traffic, must be approved at least forty-eight hours in advance by the Vice President for Student Affairs.
- 2) Use of sound amplification on campus is regulated and must be approved at least forty-eight hours in advance by the Vice President for Student Affairs.
- 3) There must be no obstruction of entrances or exits to buildings.
- 4) There must be no interference with educational activities inside or outside of buildings.
- 5) There must be no harassment of passersby or other disruptions of normal activities.

- 6) There must be no interference with scheduled College ceremonies or events.
- 7) Malicious or unwarranted damage to, or destruction of property owned or operated by the College or by students, faculty, staff, or visitors to the College, is prohibited. Persons or organizations causing such damage will be held financially and legally responsible. The group or individual may be required to provide proof of liability insurance depending on the nature of the activity.
- 8) There must be compliance with all applicable state and federal laws and college rules and regulations. Violators will be referred for appropriate legal or disciplinary action.
- 9) Exceptions to this policy may be appealed to the Vice President for Student Affairs.

Copies of this policy and registration forms are available in the Office of Student Life, Office of Student Affairs, Public Safety, and the Business Office.

## Sexual Misconduct Policy and Procedures

Bainbridge State College abides by the Standards of the *University System of Georgia's Board of Regent's Policy Manual, 4.1.7.*

### 4.1.7 Sexual Misconduct Policy - URL

<http://www.usg.edu/policymanual/section4/policy/C327/>

*(Last Modified on August 9, 2017)*

In accordance with Title IX of the Education Amendments of 1972 ("Title IX"), the University System of Georgia (USG) does not discriminate on the basis of sex in any of its education programs or activities or in employment. The USG is committed to ensuring a safe learning and working environment for all members of the USG community. To that end, this Policy prohibits sexual misconduct, as defined herein.

In order to reduce incidents of sexual misconduct, USG institutions are required to provide prevention tools and to conduct ongoing awareness and prevention programming and training for the campus community. Such programs will promote positive and healthy behaviors and educate the campus community on consent, sexual assault, alcohol use, dating violence, domestic violence, stalking, bystander intervention, and reporting.

When sexual misconduct does occur, all members of the USG community are strongly encouraged to report it promptly through the procedures outlined in this Policy. The purpose of this Policy is to ensure uniformity throughout the USG in reporting and addressing sexual misconduct.

### Reporting Structure

All Equal Opportunity directors and others having responsibility for coordination of Title IX ("Coordinators") at USG institutions shall have a direct reporting relationship to both the institution's President or the President's designee and the USG System Director for Equity and Investigations ("System Director"). The President of each institution shall determine the organizational and operating reporting relationships for the Coordinators at the institution and exercise oversight of institutional issues relating to sexual misconduct. However, the System Director shall have authority to direct the Coordinators' work at each institution as needed to address system-wide issues or directives. The President of each institution shall consult with the System Director on significant personnel actions involving Coordinators, to include but not be limited to, appointment, evaluation, discipline, change in reporting structure, and termination.

#### 4.1.7.1 Definitions and Prohibited Conduct

**Community:** Students, faculty, and staff, as well as contractors, vendors, visitors and guests.

**Complainant:** An individual lodging a complaint. The complainant may not always be the alleged victim.

**Consent:** Words or actions that show a knowing and voluntary willingness to engage in mutually agreed-upon sexual activity. Consent cannot be gained by force, intimidation or coercion; by ignoring or acting in spite of objections of another; or by taking advantage of the incapacitation of another where the respondent knows or reasonably should have known of such incapacitation. Minors under the age of 16 cannot legally consent under Georgia law.

Consent is also absent when the activity in question exceeds the scope of consent previously given. Past consent does not imply present or future consent. Silence or an absence of resistance does not imply consent.

Consent can be withdrawn at any time by either party by using clear words or actions.

**Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the alleged victim. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

**Domestic Violence:** Violence committed by a current or former spouse or intimate partner of the alleged victim; by a person with whom the alleged victim shares a child in common; by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner, or by a person similarly situated to a spouse of the alleged victim.

**Incapacitation:** The physical and/or mental inability to make informed, rational judgments. It can result from mental disability, sleep, involuntary physical restraint, status as a minor under the age of 16, or from intentional or unintentional taking of alcohol and/or other drugs. Whether someone is incapacitated is to be judged from the perspective of an objectively reasonable person.

**Nonconsensual Sexual Contact:** Any physical contact with another person of a sexual nature without the person's consent. It includes but is not limited to touching (or penetrating) of a person's intimate parts (such as genitalia, groin, breasts, or buttocks); touching (or penetrating) a person with one's own intimate parts; or forcing a person to touch his or her own or another person's intimate parts.

**Confidential Employees:** Institution employees who have been designated by the Institution's Coordinator to talk with an alleged victim in confidence. Confidential Employees must only report that the incident occurred and provide date, time, location, and name of alleged respondent (if known) without revealing any information that would personally identify the alleged victim. This minimal reporting must be submitted in compliance with Title IX and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act"). Confidential Employees may be required to fully disclose details of an incident in order to ensure campus safety.

**Privileged Employees:** Individuals employed by the institution to whom a complainant or alleged victim may talk in confidence, as provided by law. Disclosure to these employees will not automatically trigger an investigation against the complainant's or alleged victim's wishes. Privileged Employees include those

providing counseling, advocacy, health, mental health, or sexual-assault related services (e.g., sexual assault resource centers, campus health centers, pastoral counselors, and campus mental health centers) or as otherwise provided by applicable law. Exceptions to confidentiality exist where the conduct involves suspected abuse of a minor (in Georgia, under the age of 18) or otherwise provided by law, such as imminent threat of serious harm.

**Respondent:** Individual who is alleged to have engaged in conduct that violates this Policy.

**Responsible Employees:** Those employees who must promptly and fully report complaints of or information regarding sexual misconduct to the Coordinator. Responsible Employees include any administrator, supervisor, faculty member, or other person in a position of authority who is not a Confidential Employee or Privileged Employee. Student employees who serve in a supervisory, advisory, or managerial role are in a position of authority for purposes of this Policy (e.g., teaching assistants, residential assistants, student managers, orientation leaders).

**Sexual Exploitation:** Taking non-consensual or abusive sexual advantage of another for one's own advantage or benefit, or for the benefit or advantage of anyone other than the one being exploited.

Examples of sexual exploitation may include, but are not limited to, the following:

1. Invasion of sexual privacy;
2. Prostituting another individual;
3. Non-consensual photos, video, or audio of sexual activity;
4. Non-consensual distribution of photo, video, or audio of sexual activity, even if the sexual activity was consensual;
5. Intentional observation of nonconsenting individuals who are partially undressed, naked, or engaged in sexual acts;
6. Knowingly transmitting an STD or HIV to another individual through sexual activity;
7. Intentionally and inappropriately exposing one's breasts, buttocks, groin, or genitals in non-consensual circumstances; and/or
8. Sexually-based bullying.

**Sexual Harassment:** Unwelcome verbal, nonverbal, or physical conduct, based on sex or on gender stereotypes, that is implicitly or explicitly a term or condition of employment or status in a course, program, or activity; is a basis for employment or educational decisions; or is sufficiently severe, persistent, or pervasive to interfere with one's work or educational performance creating an intimidating, hostile, or offensive work or learning environment, or interfering with or limiting one's ability to participate in or to benefit from an institutional program or activity.

**Sexual Misconduct:** Includes, but is not limited to, such unwanted behavior as dating violence, domestic violence, nonconsensual sexual contact, sexual exploitation, sexual harassment and stalking.

**Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress. Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with person's property. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim. Substantial emotional

distress means significant mental suffering or anguish that may but does not necessarily, require medical or other professional treatment or counseling.

#### **4.1.7.2 Reporting Sexual Misconduct**

A complainant of sexual misconduct may, but need not, file a criminal complaint with law enforcement officials; file a misconduct report with a Responsible Employee or Coordinator; or file both. A report may be filed anonymously, although anonymous reports may make it difficult for the institution to address the complaint. Any individual who believes that he or she has been a victim of sexual misconduct is encouraged to report allegations of sexual misconduct promptly.

All reports of sexual misconduct alleged to have been committed by a student must be handled consistently with requirements set forth in Section 4.6.5, *Standards for Institutional Student Conduct Investigation and Disciplinary Proceedings*.

All reports of sexual misconduct alleged to have been committed by a non-student member of the institution community will be addressed and/or resolved through the institution's and the Board of Regents' applicable policies for discipline of non-students.

**4.1.7.2 (A) Institutional Reports** Complainants of sexual misconduct who wish to file a report with the institution should notify a Responsible Employee or the Coordinator. Responsible Employees informed about sexual misconduct allegations involving any student should not attempt to resolve the situation, but must notify and report all relevant information to the Coordinator as soon as practicable. Confidential Employees are not bound by this requirement but may be required to report limited information about incidents without revealing the identities of the individuals involved to the Title IX Coordinator, consistent with their ethical and legal obligations. All members of the University System of Georgia institutions' communities are encouraged to report incidents of sexual misconduct promptly.

The Coordinator's identity and contact information shall be published by each institution prominently on the institution's website, as well as in any relevant publication. Each institution may choose to have Deputy Title IX Coordinators to whom reports may be made, as well. Institutions should encourage complainants to report their complaints in writing, though oral complaints should also be accepted, taken seriously, and investigated, to the extent possible. While complaints should be made as quickly as possible following an alleged incident of sexual misconduct, all reports should be accepted regardless of when reported.

The Coordinator shall refer to the System Director any allegation(s) of sexual misconduct that could, standing alone as reported, lead to the suspension or expulsion of the respondent(s). The System Director will work with the institution to determine whether any interim measure(s) are necessary and to assign an investigator who will work under the direction of the System Director or designee, if directed by System Director. If an allegation is not initially identified as one that would lead to the suspension or expulsion of the respondent(s), but facts arise during the course of the investigation that would require transfer to the System Director, the Title IX Coordinator shall transfer oversight to the System Director or designee. The System Director shall have the discretion to retain oversight or transfer oversight to the institution.

#### **4.1.7.2 (B) Law Enforcement Reports**

Because sexual misconduct may constitute criminal activity, a complainant also has the option, should he or she so choose, of filing a report with campus or local police, for his or her own protection and that of the

surrounding community. The institution may assist the complainant in reporting the situation to law enforcement officials.

Complainants considering filing a report of sexual misconduct with law enforcement should preserve any evidence of sexual misconduct, including, but not limited to, the following:

1. Clothing worn during the incident including undergarments;
2. Sheets, bedding, and condoms, if used;
3. Lists of witnesses with contact information;
4. Text messages, call history, social media posts;
5. Pictures of injuries; and/or
6. Videos.

#### **4.1.7.2 (C) Anonymous Reports**

Each institution shall provide a mechanism by which individuals can report incidents of alleged sexual misconduct anonymously. Complainants should understand, however, that it will be more difficult for the institution to investigate and to take action upon anonymous reports.

#### **4.1.7.2 (D) Retaliation**

Anyone who, in good faith, reports what he or she believes to be misconduct under this Policy, or who participates or cooperates in, or is otherwise associated with any investigation, shall not be subjected to retaliation. Anyone who believes that he or she has been the target of retaliation for reporting, participating, cooperating in, or otherwise being associated with an investigation should immediately contact the Coordinator for the institution. Any person found to have engaged in retaliation in violation of this Policy shall be subject to disciplinary action.

#### **4.1.7.2 (E) False Complaints**

Individuals are prohibited from intentionally giving false statements to a system or institution official. Any person found to have intentionally submitted false complaints, accusations, or statements, including during a hearing, in violation of this Policy shall be subject to appropriate disciplinary action (up to and including suspension or expulsion) and adjudicated under the student conduct policy.

#### **4.1.7.2 (F) Amnesty**

Individuals should be encouraged to come forward and to report sexual misconduct notwithstanding their choice to consume alcohol or to use drugs. Information reported by an individual during an investigation concerning use of drugs or alcohol will not be used against the particular individual in a disciplinary proceeding or voluntarily reported to law enforcement; however, individuals may be provided with resources on drug and alcohol counseling and/or education, as appropriate.

### **4.1.7.3 Handling Reports of Sexual Misconduct**

#### **4.1.7.3 (A) Support Services**

Once a student or employee makes a complaint or receives notice that a complaint has been made against him or her, or the coordinator otherwise learns of a complaint of sexual misconduct. The complainant, respondent and alleged victim (where applicable) should receive written information about support services, such as counseling, advocacy, housing assistance, academic support, disability services, health and mental services, and legal assistance, available at the student's institution.

Information on support services will be provided regardless as to whether an individual elects to go forward with filing a formal complaint of sexual misconduct or with notifying law enforcement. Information on support services will also be provided to students and employees, regardless of where the alleged misconduct occurs.

Available support services should also be listed on the institution's Title IX website.

#### **4.1.7.3 (B) Interim Measures**

Interim measures may be undertaken at any point after the institution becomes aware of an allegation of sexual misconduct and should be designed to protect the alleged victim and the community.

Before an interim suspension is issued, the institution must make all reasonable efforts to give the respondent the opportunity to be heard, consistent with the provisions in Policy 4.6.5.

**4.1.7.3 (C) Jurisdiction** Each USG institution shall take necessary and appropriate action to protect the safety and well-being of its community. Sexual misconduct allegedly committed by a student are addressed by this Policy when the misconduct occurs on institution property, or at institution-sponsored or affiliated events, or off-campus, as defined by the institution's student conduct policies.

**4.1.7.3 (D) Advisors** Both the alleged victim and respondent, as parties to the matter, shall have the opportunity to use an advisor (who may or may not be an attorney) of the party's choosing at the party's own expense for the express purpose of providing advice and counsel, pursuant to the provisions of Policy 4.6.5.

**4.1.7.3 (E) Informal Resolutions** Allegations of sexual misconduct may be resolved informally, without a determination of misconduct, if all of the following are met:

- 1) When complainant(s) and respondent agree to an informal resolution;
- 2) When the initial allegation could not result in expulsion;
- 3) When the complainant(s) and respondent(s) agree to the terms of the informal resolution; and
- 4) When the investigator concludes that informal resolution is in the best interest of the parties and the institution's community.

The alleged victim(s) and respondent(s) have the option to end informal resolution discussions and request a formal process at any time before the terms of an informal resolution are reached. However, matters resolved informally shall not be appealable.

#### **4.1.7.3 (F) Timeframe**

Efforts will be made to complete the investigation within a reasonable timeframe, which will be determined based upon the allegations, availability of witnesses and/or evidence, etc. in a particular case. When the timeframe will extend past the reasonable timeframe, the parties will be informed of the delay and the reason for the delay. The investigator shall keep the parties informed of the status of the investigation.

#### **4.1.7.4 Investigations**

All sexual misconduct investigations involving a student respondent, whether overseen by the institution's Coordinator or the System Director, shall follow the investigation process set forth in Section 4.6.5, *Standards for Institutional Student Conduct Investigation and Disciplinary Proceedings*.

#### 4.1.7.5 Hearings, Possible Sanctions and Appeals

All sexual misconduct hearings, sanctions, and appeals involving a student respondent, whether overseen by the institution's Coordinator or the System Director, shall follow the investigation process set forth in Section 4.6.5, *Standards for Institutional Student Conduct Investigation and Disciplinary Proceedings*.

All sexual misconduct adjudication involving an employee respondent, shall be addressed utilizing the institution's employment policies and procedures.

## Harassment Policy

Bainbridge State College is committed to a work environment in which all individuals are treated with respect and dignity. No member of its community, including faculty, staff or students, should be subjected to any form of harassment or retaliation based on race, color, religion, sex, national origin, age, disability, political affiliation or other ideology. Each person has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits discriminatory practices, including sexual harassment. Therefore, Bainbridge State College will not condone harassment described above or the sexual exploitation of individuals in the workplace, and expects that all relationships within the community to be business-like and free of harassment.

### Definition

Examples of harassing conduct include, but are not limited to, the following:

1. Epithets, slurs, negative stereotyping, intimidating, or hostile acts that relate to race, color, religion, sex, national origin, age, or disability; and
2. Written or graphic material that denigrates or shows hostility or aversion toward an individual or group because of race, color, religion, sex, national origin, age, or disability that is placed on walls, bulletin boards, or elsewhere on College premises, or circulated on the campus.

Sexual harassment constitutes discrimination and is illegal under federal and state law, and Board of Regents' policy. For the purposes of this policy, sexual harassment is defined in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advancements, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example:

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
- b. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile or offensive working environment or academic environment.

Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include, but not limited to: unwanted sexual advances or requests for sexual favors; sexual jokes and innuendoes; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, whistling or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures; and other physical, verbal or visual conduct of a sexual nature.

### Retaliation Also Prohibited

Bainbridge State College encourages the reporting of all perceived incidents of harassment. It is the policy of Bainbridge State College to investigate such reports. Bainbridge College prohibits retaliation against any individual who reports harassment or participates in an investigation of such reports.

### **Individuals and Conduct Covered**

This policy applies to all faculty, staff and students whether related to conduct engaged in by fellow employees or someone not directly connected to Bainbridge State College (e.g., an outside vendor, consultant or customer). Conduct prohibited by this policy is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business-related social events.

### **Procedures-Submitting a Complaint**

1. Any faculty member, staff member, or student who believes that he or she is a victim of harassment should convey clearly his/her discomfort with the conduct to the alleged offender. (If the complainant has reason to fear reprisal from the alleged offender if step one is carried out, the complainant may move directly to the next step.)
2. If the conduct continues, the complainant should promptly report the matter to the appropriate College official designated to handle such complaints. The appropriate College official for the faculty and staff is their supervisor or department head, and for students, the vice president for student and public affairs. The appropriate Title IX coordinators and the Section 504 coordinator will be immediately notified that the process to address grievances has been started in order to insure appropriate fairness and a process which meets federal guidelines for handling grievances and complaints. Before any proposed resolution or decision has been communicated to any party to the grievance, the coordinators will review the process and issue a determination of compliance with federal requirements and guidelines.
3. The initial discussion between the complainant and the appropriate College official will be kept confidential to the greatest extent possible and dissemination of any information relating to the case will be limited, in order that the privacy of all individuals involved is safeguarded as fully as possible. The College will take steps to protect the complainant from retaliatory action based upon the filing of the complaint. The foregoing notwithstanding, the appropriate College official will inquire into all reports of alleged harassment brought to his or her attention.
4. During the initial meeting with the appropriate College official, a written summary of the complaint will be made and should be signed by the complainant.
5. The appropriate College official will inform the alleged offender (respondent) of the allegation and of the identity of the complainant, will provide him or her with a written summary of the complaint, and will proceed as set forth in the following section.
6. If the complainant has reason to be uncomfortable reporting as directed by this policy, the complainant should report the offensive behavior to any administrator (not a subordinate of the alleged offender) with whom the complainant feels comfortable. The administrator then has the responsibility of helping the complainant with the procedure.

### **Resolution of a Complaint**

1. When a complaint is submitted, the appropriate College official will discuss the matter with the parties promptly, will notify the appropriate vice president of the charge, and will initiate whatever steps he or she deems appropriate to affect an informal resolution of the complaint acceptable to both parties. If an informal resolution is reached, it will be documented in writing, approved by the appropriate College official, signed by the complainant and the respondent.
2. If an informal resolution satisfactory to the parties is not reached within 15 workdays after an incident is reported, or if, in the opinion of the appropriate College official, an informal resolution is not possible, a full investigation will be instituted. The investigation may include interviewing witnesses identified by the parties and such other inquiries, as the appropriate College official may deem necessary. Within thirty workdays of the initiated investigation, a report of the investigation results, along with a recommendation with regard to a resolution of the complaint and/or disciplinary action, will be made to the appropriate Title IX coordinators and the Section 504 coordinator. Title IX Contact (for non-students): Director of Human Resources, the Title IX

Contact (for students): Registrar, and the Section 504 Contact (students and non-students): (3) The Affirmative Action/Equal Opportunity Officer will review the results of the investigation to determine if harassment occurred; and, if so, take or recommend appropriate disciplinary and/or other action. Individuals subjected to disciplinary action may exercise their appeal rights pursuant to the procedures set forth in the *Faculty Handbook*, the *Employee Handbook* or the *Student Handbook* as appropriate.

## Student Equal Opportunity Grievance Procedures

All grievances concerning discrimination based on race, color, religion, sex or national origin, veteran status, or physical disability shall be directed to the Title IX Contact (for students), Registrar, Student Services, 229-243-3016. The Section 504 coordinator, Coordinator of Disability Services, Student Services, 229-243-3021, will be immediately notified that the process to address grievances has been started in order to insure appropriate fairness and a process which meets federal guidelines for handling grievances and complaints. Before any proposed resolution or decision has been communicated to any party to the grievance, the coordinators will review the process and issue a determination of compliance with federal requirements and guidelines.

Grievance procedures are designed to promote accessibility, simplicity, speed, and high standards of fairness that will encourage students to select an internal procedure route over an external route in seeking redress of perceived injustices.

Student matters relating to grades, matriculation, academic discipline, or other academic matters shall be subject to the procedures outlined in the *Student Handbook and/or General Catalog*. Grievances not involving rights provided for in this Plan shall be addressed to the vice president for student affairs for advice concerning procedures for students under applicable policies of the Board of Regents.

In the informal grievance process, the student should first discuss any problem of an academic nature with the faculty member involved. If the grievance is not resolved at this level, the student should discuss the problem with the appropriate academic division chair. Should circumstances be such that the above steps are not appropriate or if the matter is not resolved within five days, the student should discuss the problem with the vice president for academic affairs or his/her designee.

If the grievance is not of an academic nature, the student should first discuss the problem with the vice president for student affairs or designee. If appropriate, the vice president for student affairs may refer the matter to the affirmative action officer or other College official.

If the grievance involves a question of judgment or opinion not covered by College policies, the vice president for student affairs, the affirmative action officer, and other appropriate College official shall, after interviewing the student and all other parties involved, discuss the matter and make recommendations to the president to resolve the problem. There shall be no retaliatory action taken by any person against a student of the College as a result of the student seeking redress under any of these procedures or for participating in any investigation as a complainant or witness.

The purpose of a formal grievance hearing is to hear the complaint of a student who has exhausted all other normal channels, but who has not received satisfaction. The president will appoint a Grievance Committee of at least three persons, including a chair. The committee will meet within five working days after receiving the complaint to discuss the merits of the complaint and shall notify the parties concerned within ten working days of either its decision or of the time and place of a hearing if one is to be granted.

Formal grievance hearings shall be conducted during normal working hours and a tape recording shall be made of the proceedings. The Grievance Committee decision shall be made and reported in writing to the president and the student within ten business days. The student may appeal the decision of the Grievance Committee to the president. Such appeal shall be in writing and shall be made within ten business days. The decision of the president shall be communicated to the student in writing within ten business days of receipt of the appeal. The president's decision shall be final.

# STUDENT SERVICES

## Testing Center

The BSC testing center is responsible for administering tests to entering students for the purpose of admissions and placement. The testing center schedules and administers the ACCUPLACER, CLEP, Challenge Exam, the TEAS for Nursing majors, Pearson VUE (GED), Strong Interest Inventory, Proctored Exams, and Pest Control Exam. For detailed information about each of these tests, see the BSC website or contact our office.

The Testing Center is located in Student Services, Room 303. You may contact by telephone at 229-243-3026 or online at <http://www.bainbridge.edu/testing-services/>

## Counseling

The Counseling Office at Bainbridge State College provides a variety of services that reflect the college's desire to promote student growth and development. The office is staffed with a trained counselor offering individual counseling, outreach programs, and group counseling at no cost to the student. The counselor specializes and has unique skills in relating to college students and their day-to-day difficulties. Students may request counseling for themselves or may be referred by a faculty or staff member. Appointments may be made over the phone at (229) 243-3036 or by simply walking into the Student Wellness Center building and requesting to see Mr. Burke or by emailing at [ronnie.burke@bainbridge.edu](mailto:ronnie.burke@bainbridge.edu). Early County Students and Online students are welcome to utilize these services. Mr. Burke is willing to meet you off campus, if necessary. The Counseling Office offers an atmosphere in which individuals may discuss their problems with the assurance that all counseling information will remain private and confidential. The counselor is dedicated to a proactive role in promoting a campus environment which will enhance intellectual, emotional, and physical growth opportunities.

### **Services provided by the Counseling Office:**

**Individual Counseling** - is available for those students who wish to discuss and explore their thoughts, feelings, behaviors, and lifestyles. Issues such as anxiety, depression, relationship problems, loneliness, low self-esteem, low self-confidence, drug and alcohol issues, and communication problems may be explored during counseling.

**Outreach Programs** - are designed to respond to the variety of needs that students experience during the academic careers, including life planning, mid-life career changes, assertion training, stress management, depression, relationship building, overcoming test anxiety, test taking strategies, and academic motivation.

**Group Counseling** - provides an opportunity for individuals to grow in their communication, social, and interpersonal skills with others.

## Financial Aid

The primary purpose of the financial aid programs at Bainbridge State College is to provide financial assistance to students who, without such aid, would be unable to attend College. Financial aid includes grants, loans, part-time work, and scholarships. The established need of a student may be met through one or a combination of two or more of these sources.

The primary responsibility for financing a College education lies with the student and the student's family. The family is expected to contribute a proportionate share of its resources for this purpose, and the student is also expected to contribute a share. Eligibility does not carry over from one year to the next, and new applications must be filed every year. Up-to-date information and accuracy are essential to the process. For additional information, please refer to the current *Bainbridge State College Catalog* or the college website; [www.bainbridge.edu](http://www.bainbridge.edu).

## Satisfactory Academic Progress (SAP) Policy

Federal regulations, HEA Sec. 484©, §668.16, 668.34, require all schools participating in Title IV federal financial aid programs to have a Satisfactory Academic Progress (SAP) policy that conforms to the following requirements. These requirements apply to all students who apply for financial aid. This policy is subject to change without warning.

Students are responsible for knowing and understanding the SAP policy. There is often a short amount of time between semesters for SAP review that does not allow the Office of Student Financial Aid to complete the review before the payment deadline. If you feel as though you may not be making SAP, it is your responsibility to pay for your classes by the payment deadline. If you pay for your classes and you are determined to be making SAP or if your appeal is approved, you will be reimbursed the amount for which you are eligible for the semester.

There are circumstances in which aid may be applied to your account before you are determined not to be making SAP. In this case, aid will be removed from your account and you are then responsible for payment of tuition and fees by the payment deadline. All correspondence regarding SAP will be sent to your BSC email. You must check your email daily in order to be aware of your status. If you fail to check your email, you may miss important correspondence that could affect your financial aid disbursement and class schedule.

### **Requirements:**

- Your SAP status is based on your entire academic record, at all schools attended, regardless of whether you received financial aid.
- SAP is calculated each semester after grades have been posted to academic history by the Office of the Registrar.
- If you are not making SAP after any term of attendance, you will be put on warning and allowed to receive financial aid for the following semester. The exception to this policy is timeframe violations. This circumstance will result in automatic SAP failure. Your academic performance will be evaluated again after the next semester's grades are posted to academic history.
- If your academic performance continues to be below the standard set by Bainbridge State College, you will be placed on SAP failure and you will not qualify for financial aid for the following term.

### **Quantitative and Qualitative Requirements:**

#### **1. Quantitative Requirement – This requirement has two parts:**

##### *Maximum Time Frame*

##### Bachelor's Degree Students:

- Maximum time frame (maximum attempted credit hours) – You must earn your degree before reaching 183 attempted credit hours, which includes credits attempted at any school prior to and while enrolled at Bainbridge State College. Students who are seeking a second bachelor's degree different from the first degree may be granted additional hours to complete the second degree requirements.
- Once you reach the maximum attempted credit hours, you are no longer eligible for financial aid. Federal regulations stipulate that the maximum time frame for an undergraduate student cannot exceed 150 % of the published length of the academic program.

##### Students Seeking Second Bachelor's Degree:

- If you wish to seek a second bachelor's degree, you can only be awarded aid up to 225 hours. Students who exceed 225 cumulative attempted hours will not be allowed to receive financial aid or appeal their status.
- For students who have already been awarded a bachelor's degree, the only financial aid available is student loans.

- It must be mathematically possible to earn the second degree before reaching the 225 attempted hour cap.

#### Associate Degree Students:

- Maximum time frame (maximum attempted credit hours) – You must earn your degree before reaching 134 (for AAS) or 96 (for AA) attempted credit hours, which includes transferable credits attempted at any school prior to and while enrolled at Bainbridge State College. Students who are seeking a second associate degree different from the first degree may be granted additional hours up to 175 to complete the second degree requirements.
- Once you reach the maximum attempted credit hours, you are no longer eligible for financial aid. Federal regulations stipulate that the maximum time frame for an undergraduate student cannot exceed 150% of the published length of the academic program (which may be less than 134 hours).

#### Students Seeking Second Associate Degree:

- If you wish to seek a second associate degree, you can only be awarded aid up to 175 cumulative attempted hours. Associate Degree students who exceed 175 cumulative attempted hours will not be allowed to receive financial aid or appeal their status.
- If you wish to seek a second degree or seeking a degree after earning a certificate, the cumulative hours for completion of the initial program completed will be added to the cumulative hours of the second program plus 50% of the total to establish the maximum timeframe for the second award.
- It must be mathematically possible to earn the second degree before reaching the 175 attempted hour cap.

#### Diploma Students:

- Maximum time frame (maximum attempted credit hours) – You must earn your certificate before reaching 105 attempted credit hours (except for Practical Nursing students who may attempt 120 credit hours), which includes transferable credits attempted at any school prior to and while enrolled at Bainbridge State College or 150% of the required number of hours for your program (whichever comes first). Students who are seeking a second certificate different from the first certificate may be granted additional hours to complete the second certificate requirements.
- Once you reach the maximum attempted credit hours, you are no longer eligible for financial aid. Federal regulations stipulate that the maximum time frame for an undergraduate student cannot exceed 150% of the published length of the academic program.

#### Students Seeking Diploma Certificate:

- If you wish to seek a second certificate, the cumulative hours for completion of the initial program completed will be added to the cumulative hours of the second certificate plus 50% of the total to establish the maximum time-frame for the second certificate.
- It must be mathematically possible to earn the second certificate before reaching the attempted hour cap.
- An exception will be made for Practical Nursing students who may attempt 175 credit hours.

#### Certificate Students:

- These programs will be evaluated on a case-by-case basis. To determine eligibility, multiply the number of credit hours required for your program of study by 150% to determine the number of attempted credit hours allowable.

NOTE: Students who already have a Bachelor's degree and are now seeking an Associate degree are bound by the 175 attempted hour cap for associate degrees. All hours attempted at Bainbridge State College and all other colleges attended count in the maximum time-frame calculation. The same is true for students who have already earned an Associate degree and are now seeking a Certificate. Those students are bound by the 120 attempted hour cap for a certificate. All hours attempted at Bainbridge State College and all other colleges attended count in the maximum time-frame calculation. The only exception is the Practical Nursing whose attempted hour cap is 175.

## ***Completion Ratio***

You must complete and pass at least 67% of all credit hours you attempt. Courses earned include grades of A, B, C, D, or S. Courses attempted include any course in which grades of A, B, C, D, F, W, WF, I, S, U, or IP are given.

## **2. Qualitative Requirement**

The qualitative requirement sets a minimum cumulative grade point average for all students. The minimum grade point average for financial aid recipients is governed by Bainbridge State College academic performance standards. In order to retain financial aid eligibility, the student must maintain the following cumulative GPAs based on Bainbridge State College GPA hours and hours taken at previous institutions.

1-12 GPA hours – 1.5 cumulative GPA  
 13-27 GPA hours – 1.8 cumulative GPA  
 28+ GPA hours – 2.0 cumulative GPA

## **Policy Details**

### When is SAP determined?

- Initial Review – SAP is reviewed after your first term at Bainbridge State College. All hours taken at previous colleges are taken into consideration in the review. It is possible that grades taken at previous institutions could cause you to be on SAP warning or failure during your first or first term after readmission at Bainbridge State College.
- End of Every Semester Review – Your SAP status is calculated at the end of each semester, after your grades are posted to your academic history by the Office of the Registrar. All hours taken at Bainbridge State College as well as from other colleges are included in the review.

### What happens when you do not meet the requirements?

- The first term you aren't meeting the standards, you will be placed on SAP Warning. Your eligibility for financial aid will continue during this semester.
- If you fall below the standard for SAP in the semester in which you are on warning, you will be considered to be in a SAP failure status. You are no longer eligible for financial aid – this includes work study, loans, grants, and scholarships.

In order to regain eligibility you must:

- Pay for your tuition until you are meeting standards; or
- Follow the appeals procedure outlined below. Please note that filing an appeal does not guarantee that you will be able to receive financial aid in the future. The appeal will be reviewed by a committee and a determination of eligibility will be based on the facts and supporting documentation in the appeal.

If you choose not to appeal or if your appeal is denied, you will be responsible for paying your tuition and fees by the payment deadline or your registration will be cancelled by the Business Office.

- If tuition and fees are due before a determination has been made on your SAP appeal, you will be required to pay tuition and fees out of pocket to avoid having your schedule deleted. If your appeal is approved, your financial aid will be disbursed to your account and put on your DS Onecard during the first refund period of the semester. There are NO exceptions to this policy.
- Students are encouraged to submit appeals as soon as they are notified of being on SAP failure. Notifications will be sent to your Bainbridge State College email account. Appeals received after the deadline date will not be reviewed until the next term. Maximum Time Frame (maximum attempted credit hours) – when you have attempted the maximum attempted credit hours, you are no longer eligible to receive financial aid.
- Graduation Plans - Students who wish to appeal their Maximum Time Frame violations must submit a Graduation Plan with their appeal packets. The Graduation Plan should consist of the classes and number of hours left to graduate as well as the signature of the student's advisor.
- Failure to submit this Graduation Plan with the appeal packet will result in an immediate denial. However, submitting a signed Graduation Plan does not guarantee an approved appeal. If the student's appeal is approved, the Graduation Plan will be reviewed at the end of each term. If a student's appeal for Maximum Time Frame is approved, he will only be approved for the number of hours indicated on the Graduation Plan. The student cannot exceed the attempted hour cap for his/her current program of study. It must be mathematically possible to achieve your degree(s) within the prescribed attempted hour caps. If it is not mathematically possible, your appeal cannot be approved.

#### How do you regain eligibility?

- SAP Appeal – if extenuating circumstances during a specific term (or terms) of enrollment prevented you from meeting the requirements, you may file a SAP Appeal. You must also complete the SAP Appeal Form. Appeal Requirements
- A typewritten explanation of extenuating circumstances associated with SAP Failure. Indicate how these circumstances have changed so that you can comply with regulations in the future. Attach supporting documents to corroborate extenuating circumstances mentioned in the letter.
- Please note that your appeal must cite unusual circumstances that were beyond your control, such as the death of a close relative, injury or illness of the student, or other special circumstances that are unique to your situation. Appeals that cannot demonstrate these criteria will be denied. “Immaturity” and “bad judgment” are not considered to be special circumstances.
- Attach at least one document of support from someone that can substantiate the extenuating circumstances mentioned in your appeal. This individual should not be a family member. Examples would include a medical doctor, clergy, professional contact, etc.
- The appeals form must be provided to the office of Student Financial Aid within the dates prescribed on the SAP Appeal Form. Failure to provide these within the prescribed dates will result in a delayed determination and will require the student to pay tuition and fees out of pocket to avoid having the class schedule deleted.
- A committee within the Office of Student Affairs will review the appeals. If the appeal is denied, you may ask that 2nd committee review the appeal (you must provide additional documentation that the first committee didn't have). This committee's decision is final and cannot be appealed further.
- If the appeal is granted, students are required to complete all their classes the following term with a grade of C or better and can't withdraw. Failure to meet these conditions will place you back on financial aid suspension.

- If you are placed on an Academic Plan as a condition of your appeal being granted and the conditions of this Academic Plan are not met, you will be eligible to request a financial aid appeal if the reasons for not meeting the conditions of the PLAN are mitigating and documentation is provided. Students not receiving financial aid are responsible for payment of tuition and fees by the published deadline dates.
- Appeal Denials or non-appeals – If you are denied an appeal or you decide not to appeal, you must complete at least six academic hours and earn grades of C or better to be eligible to appeal again. The completion of these six academic hours does not guarantee the approval of your next appeal.
- Once you have passed these 6 hours you can meet with your financial aid advisor to develop an academic plan to obtain satisfactory academic progress. You will submit this plan along with your appeal for review before the SAP committee. If this appeal is approved you will return on an academic plan. Failure to follow this plan will result in you being placed back on financial aid suspension. Academic Circumstances that Affect Your Status:
- Changes in major – may cause you to reach your maximum attempted hours and lose your eligibility before earning a degree.
- Incomplete grades, missing grades, failing grades, course withdrawals – all reduce your completion ratio because they are counted as attempted, but not earned credits. They also count against your maximum attempted hours.
- Repeated courses – count as attempted credit hours each time you register for them. They also count against the allowed maximum. This can reduce your completion ratio because repeated credits count as earned credits only once. NOTE: the U. S. Department of Education allows federal financial aid to pay for one repeat of a class you previously passed. Your GPA is calculated based on the highest grade from the attempts.
- Transfer credits – these credits count toward your maximum attempted credits and your completion ratio.
- Learning Support Courses – do count as attempted and earned credits in the Maximum Time-frame calculation.
- Late grades or grade changes – will require that you submit a written request to have your SAP recalculated after you have confirmed with the Office of the Registrar that the grade change has been posted to your academic record.
- Dismissal and return – students who are academically suspended or choose not to attend because of SAP Failure will NOT be automatically eligible for financial aid upon their return. Students must meet both qualitative and quantitative standards of SAP. If below standards, a student must appeal or use means other than financial aid for educational expenses. Absence does not restore eligibility for financial aid. It remains the responsibility of the student to be knowledgeable of the standards.
- Summer term courses – all hours attempted and completed in the summer terms are treated as any other semester hours in determining SAP status. SAP will be checked after every semester including summer.
- Audit courses – students are not eligible to receive financial aid for audit courses. Audited courses are not included in hours attempted or earned for SAP determination.
- Graduation Plan- Students who have exceeded the Maximum Time Frame (150%) MUST submit a Graduation Plan with their appeal packet. This Graduation Plan should consist of the classes and number of hours left to graduate as well as the signature of the student's advisor. Failure to submit this Graduation Plan with appeal packet may result in an immediate denial. However, submitting a signed Graduation Plan does not guarantee an approved appeal. If the student's appeal is approved, the Graduation Plan will be reviewed at the end of each term. If a student's appeal for Maximum Time Frame, or exceeding 150%, is approved, they will ONLY be approved for the number of hours indicated on their Graduation Plan.
- Warning Period- Students who do not meet the Course Completion Rate (CCR) rule of 67% or the Minimum GPA of 2.0 will be on a one semester warning period. After the warning period if the CCR is still below 67% or

the GPA is below 2.0, financial aid will be suspended. Determining Maximum Time-frame:

Maximum time frame determined by the following formula:

150% X the total number of credit hours required to complete your degree program.

For example, if a student is an Accounting major, the requirements listed in the catalog are 122 credit hours to complete this program. The total of 122 required for the degree is multiplied by 150% for a total of 183 hours allowed for the program.

Students who exceed 225 cumulative attempted hours WILL NOT BE ALLOWED to receive financial aid, OR appeal their status.

#### What does mathematically possible mean?

For example, the same accounting student has attempted 183 hours over his college career. His graduation plan indicates that he still needs 60 hours to complete his accounting degree. The 183 attempted hours + 60 additional hours = 243 total hours. It is not mathematically possible for him to earn his degree before the 225 attempted hour cap. Therefore, this student would not be eligible for any additional financial aid.

Academic Plan Violations:

If you are already on an approved appeal and you fail to make SAP progress again, you will no longer be eligible for financial aid until you meet SAP standards. You may request another appeal if you have mitigating circumstances and documentation or after you have paid for and passed 6 credit hours.

Number of Appeals:

Students are only allowed to appeal SAP failure three times at Bainbridge State College. A student who is granted a SAP appeal will be required to complete an Academic Plan. Violations of the Academic Plan are not appealable at any time.

Revised October 2, 2013

## Student ID Card

Bainbridge State College students are **required** to have their student IDs in their possession while on campus. When asked by a school official to show their ID, students must comply or risk being asked to leave campus. There is a \$20 replacement fee charged to replace any lost, stolen, or destroyed student ID.

The student ID serves as a debit card if the student chooses to have his or her financial aid refund posted on the card. The student ID is also necessary to gain admittance to all student activity events and to the Student Wellness Center as well as to cash a personal check on campus (\$15 limit) or to check out a book from the Library. In addition, many local merchants will provide student discounts when the student ID is presented.

# STUDENT SUCCESS SERVICES

## Academic Advisement

The mission of academic advising at BSC is to enable students to become full participants in the learning environment of the university and to take charge of their individual education planning. Academic advisors provide individualized assistance that encourages student success, fulfillment of degree and transfer requirements, and timely graduation. When students are enrolled in the College, they are assigned to an Academic Counselor who will serve as their official advisor for their first year of study. Once the student has completed their first year they will be assigned a faculty advisor for the completion of their academic track. For more information please come by the Office of Student Success and Retention or call 229-243-3021.

## Peer Mentoring and Tutoring

As a Bainbridge State College student, you have access to face to face tutoring. Tutors are equipped to help you understand concepts and provide assistance with mastering the content of your courses. Online tutoring is also available. Please visit the Academic Resource Center or call 229-243-6930 for more information.

## Adult Learning & Veteran's Center (ALVC)

At the ALVC, you will find the resources that you need as a non-traditional student and Veterans to succeed during the transitional phase of returning to, or beginning your college career. From DVDs to resource books that are specifically for adult students, you have a wealth of information available to you on subjects such as test-anxiety, developing study skills, and time-management. The Center also features a computer lab and study area for adults to use as a quiet haven. The ALVC is home to the Adult Learning Student Organization (ALSO). Please visit the ALVC which is located upstairs in the Student Wellness Center.

## Disability Services

The Office of Disability Services is dedicated to helping students achieve success regardless of any physical, learning, psychological, sensory or other documented disability. Our office is committed to helping students with disabilities achieve their academic goals by providing reasonable academic accommodations under appropriate circumstances. The Office of Disability Services is located in the 300 Building. Please call 229- 248-3021 for more information.

## Career Development Center (CDC)

The purpose of the CDC is to guide students through the process of educational, career and personal discovery in preparing them for success in the global workforce. The CDC offers students a full range of employment services designed to assist students with the complete job search process, including job search tips, job application and interview tips, resume preparation, and job referrals. A wide range of materials and resources provides information on occupational, educational, and job training requirements for career-related subjects. Printed materials, books, videotapes, and computer-assisted programs also are available for individual and group use. In addition, the Center offers a variety of personality and interest inventories, including the Strong-Campbell Interest Inventory. The Center also offers a variety of workshops, such as values clarification, decision making, and study skills. Please call 229-243-3023 for more information.

## Transfer Services

OSSR supports student transfer by facilitating transfer events as well as the distribution of current transfer information about colleges and universities through student appointments, workshops, online and written materials. Please call 229-243-3022 for more information.

# STUDENT LIFE

The Mission of Student Life is to support academics, foster retention, and contribute to a positive learning environment for all students.

Student Life will assist students in embracing the ideals of life-long learning, academic excellence, ethical leadership and responsible global citizenship.

Student Life will meet our Mission by implementing quality activities and services that foster academic engagement, personal growth, character development, and health and wellness.

Student Life includes Student Wellness Center, Campus Activity Board, Student Government Association, Student Clubs and Organizations, and Intramural Sports.

Become friends on Facebook at “BSC Student-Life.”

## Student Wellness Center

At 78,000 square feet, the two-story Student Wellness Center includes a 2,500-seat capacity gymnasium, exercise equipment in the 4,000-square-foot fitness center with plasma screen televisions, a 120-seat dining room and serving area, the Barnes and Noble campus bookstore, a 2,000-square-foot game room, men’s and women’s locker rooms with showers, a second floor walking track that encircles the basketball court, a computer lab, classrooms, staff offices and a quiet lounge area overlooking the campus.

To use the fitness and recreational facilities in the Student Wellness Center, students must complete the application form at <http://swc.bainbridge.edu/index.php/swc/join>. Students will also need to read the online orientation on this website and then check the box indicating they understand and agree to the SWC policies and procedures. Students then must also print out two forms, the SWC Assumption of Risk and the SWC Wavier of Liability, from the links on this website, sign them, and then turn them into the Front Desk at the Student Wellness Center. These two forms are also available in the Student Wellness Center. Students must show their ID card to enter the fitness and recreational facilities.

## Campus Activity Board (CAB)/Student Activities

The Campus Activity Board is student run programming board that works with the Office of Student Life to provide engaging events for the student body. These events include music, movies, guest speakers, and special events. Please contact CAB at [cab@bainbridge.edu](mailto:cab@bainbridge.edu) if you are interested in starting an event or if you just want more information about upcoming events. Become friends on Facebook at “BSC Student-Life.”

CAB at Bainbridge State College provides students with a variety of out-of-class opportunities that complement the student's total educational experience. These opportunities are provided to meet the recreational, social, moral, cultural, educational, and entertainment interests of students.

Activities include, but are not limited to, the following: intramural and extramural athletics, game room tournaments, bowling events, special trips, student contests, live performances, lectures, art exhibits, and service projects. Some activities require students to pay a portion of the cost.

Student organizations include clubs and honor societies:

| <b>Club Name</b>      | <b>Advisor</b> | <b>Contact Email</b>   |
|-----------------------|----------------|--|
| Ally Outreach Council | John Vanzo     | <a href="mailto:jvanzo@bainbridge.edu">jvanzo@bainbridge.edu</a> |

|                                   |                   |                                  |
|-----------------------------------|-------------------|----------------------------------|
| Alpha Beta Gamma                  | Tatyana Pashnyack | tpashnya@bainbridge.edu          |
| ALSO (Adult Learning)             | Patricia Williams | patricia.williams@bainbridge.edu |
| Anime Club                        | Ben White         | ben.white@bainbridge.edu         |
| BSCEC Chorus                      | Frederick Shorter | frederick.shorter@bainbridge.edu |
| BSC Student Ambassadors           | Susanne Reynolds  | sreynolds@bainbridge.edu         |
| Chi Alpha Club/Ministry           | Tatyana Pashnyack | tpashnya@bainbridge.edu          |
| Computer Club                     | Ben White         | bwhite@bainbridge.edu            |
| Creative Writing                  | Carol Sinclair    | csinclair@bainbridge.edu         |
| Cross Country Club                | Juan Gomez        | juan.gomez@bainbridge.edu        |
| History Club                      | Dave Nelson       | david.nelson@bainbridge.edu      |
| Global Scholars                   | Dave Nelson       | david.nelson@bainbridge.edu      |
| LPN-Main Campus                   | Glenda Wolfe      | glenda.wolfe@bainbridge.edu      |
| Model UN                          | Dave Nelson       | david.nelson@bainbridge.edu      |
| Mu Alpha Theta                    | Wesley Whitehead  | wesley.whitehead@bainbridge.edu  |
| National Technical Honors Society | Shelia McClendon  | sheila.mcclendon@bainbridge.edu  |
| Political Science Guild           | John Vanzo        | jvanzo@bainbridge.edu            |
| Sigma Kappa Delta                 | Betty LaFace      | betty.laface@bainbridge.edu      |
| Social Science Club               | John Vanzo        | jvanzo@bainbridge.edu            |

## Student Code of Conduct

Board of Regents Policy 4.6.5 establishes minimum procedural standards for investigations and resolutions of alleged student conduct violations, which each institution must incorporate into its respective student conduct policies. These procedures apply to matters relating to student misconduct, except matters related to sexual misconduct which is covered under separate institution policies. As a part of orientation, institutions shall inform students of their procedures governing student misconduct complaints and investigations.

Bainbridge State College has established standards of conduct that are compatible with the academic mission of the institution. An educational approach to infractions of the student code of conduct is employed whenever possible.

Laws, 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 responsibilities is a prerequisite for enrollment at Bainbridge State College. It is the responsibility of each student to know and understand the expectations and the 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 College for acts of misconduct, which constitute violations of this Code. The Code is not intended to replace federal, state, or local legal activities. The College will decide whether to proceed with action before, during, after, or simultaneously with any legal proceedings. Determinations made or sanctions imposed under this Code shall not be subject to change because criminal charges arising out of the same facts giving rise to violation of College rules were dismissed, reduced, or resolved in favor of or against the criminal law defendant. An action involving the student in a legal proceeding does not free the student of responsibility from participation in a College proceeding. Sanctions may be imposed for acts of misconduct that occur on College property or at any College-sponsored activity. As further prescribed in these rules, off-campus conduct may be subject to student conduct adjudication. Any activity that occurs on social media (Facebook, Twitter, Instagram, Snapchat, YikYak, etc.) also falls within the jurisdiction of the Student Code of Conduct.

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

Bainbridge State College, an institution of the University System of Georgia (USG), expects students to adhere to USG policies and other Bainbridge State College policies as outlined in the Student Handbook. All Bainbridge State College regulations must be compliant with the policies of the Board of Regents.

The Student Code of Conduct consists of Part I: Definitions, Part II: Responsibilities and Part III: Student Conduct Procedures and Student Rights.

## **PART I: Definitions**

1. The term “institution” or “College” refers to “Bainbridge State College”.
2. The term “student” includes all persons taking courses at the College, either full-time or part-time, pursuing undergraduate, graduate, or professional studies. Persons who withdraw after allegedly violating the Student Code of Conduct, who are not officially enrolled for a particular term but who have a continuing relationship with the College or who have been notified of their acceptance for admission are considered “students.” This Student Code of Conduct does apply at all locations of the College.
3. The term “faculty member” means any person hired by the College to conduct classroom or teaching activities or who is otherwise considered by the College to be a member of its faculty.
4. The term “College official” includes any person employed by the College, performing assigned administrative or professional responsibilities.
5. The term “member of the College community” includes any person who is a student, faculty member, College official, or any other person employed by the College. A person’s status in a particular situation shall be determined by the Chief Student Conduct Officer.
6. The term “College premises” includes all land, buildings, facilities, and other property in the possession of or owned, used or controlled by the College (including adjacent streets and sidewalks).
7. The term “Recognized Student Organization” or “RSO” means any number of persons who have complied with the formal requirements for the College’s recognized student organizations process.
8. The term “Student Conduct Board” means any person or persons authorized by the College to determine whether a student has or has not violated the Student Code of Conduct and to recommend sanctions that may be imposed when a violation has been committed. Student Conduct Board panels shall be comprised of one faculty member, one staff member, and one student.
9. The term “Student Conduct Officer” means a College official authorized on a case-by-case basis by the President to impose sanctions upon any student(s) found to have violated the Student Code of Conduct. The President may authorize a Student Conduct Officer to serve simultaneously as a Student Conduct Officer and the sole member or one of the members of the Student Conduct Board. The President may authorize the same Student Conduct Officer to impose sanctions in all cases.
10. The term “Appeals Board” means any person or persons authorized by the College President to consider an appeal from a Student Conduct Board’s determination as to whether a student has violated the Student Code of Conduct or from the sanctions imposed by the Student Conduct Officer. Appeals Boards shall be comprised of one faculty member, one staff member, and one student member.
11. The term “shall” is used in the imperative sense.
12. The term “may” is used in the permissive sense.
13. The “Chief Student Conduct Officer” is that person designated by the College President to be responsible for the administration of the Student Code of Conduct.
14. The term “policy” means the written regulations of the College as found in, but not limited to, the Student Code of Conduct, Student handbook, the College web page and computer use policy, and Academic Catalog.
15. The term “cheating” includes but is not limited to: (1) use of any unauthorized assistance in taking quizzes, tests, or examinations; (2) use of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments; (3) the acquisition, without permission, of tests or other academic material belonging to a member of the College faculty or staff; (4) engaging in behavior specifically prohibited by a faculty member in the course syllabus or class discussion.

16. The term “plagiarism” includes, but is not limited to, the use, by paraphrase or direct quotation, of the published or unpublished work of another person without full and clear acknowledgement. It also includes the unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials.
17. The term “stalking” means persistent and unwelcomed contact, communication, and/or observation.
18. The term “Complainant” means any person who submits a charge alleging that a student violated this Student Code of Conduct. When a student believes that he/she has been a victim of another student’s misconduct, the student who believes he/she has been a victim will have the same rights under this Student Code of Conduct as are provided to the Complainant, even if another member of the College community submitted the charge itself.
19. The term “Accused Student” means any student accused of violating this Student Code of Conduct.
20. The term “Charged Student” means any student charged with violating this Student Code of Conduct.

## **Part II: Responsibilities**

**The primary expectations of all Bainbridge State College students are integrity and civility.** Each student should approach his/her academic endeavors, relationships and personal responsibilities with a strong commitment to personal integrity and interpersonal civility. These responsibilities apply collectively to members of recognized student organizations. These responsibilities are:

### **1. Individuals will fulfill their academic responsibilities in an honest and forthright manner.**

Examples of prohibited behavior include but are not limited to:

- a. plagiarizing another's work (as defined in Part I, number 16 of this Code);
- b. submitting course assignments that are not your own;
- c. submitting the same paper in different classes without prior approval from both instructors;
- d. cheating (as defined in Part I, number 15 of this Code);
- e. acquiring or using test materials without faculty knowledge;
- f. accessing any information, resource, and/or means of communication during an exam or assignment without specific authorization from the professor;
- g. failing to follow class policy;
- h. obtaining academic benefits through computer fraud or unauthorized access;
- i. engaging in academic fraud alone or with others;
- j. using Internet material without proper citation;
- k. illicitly attempting to influence grading;
- l. failing to abide by test-taking procedures.

### **2. Individuals will respect and foster the academic endeavors of other members of the College community.**

Examples of prohibited behavior include but are not limited to:

- a. harassing a member of the College’s faculty;
- b. disrupting teaching or research;
- c. creating excessive noise that disrupts classes, studying, or College activities;

d. other activities that seriously disrupt learning.

**3. Individuals will protect and support the personal safety of all members of the College community.**

Examples of prohibited behavior include but are not limited to:

- a. sexual assault,
- b. sexual contact without expressed permission;
- c. indecent exposure;
- d. stalking (as defined in Part I, number 17 of this Code);
- e. threatening with a weapon;
- f. fighting;
- g. battery;
- h. physical violence;
- i. unsolicited physical contact with another person;
- j. endangering the health or safety of another person;
- k. Actions taken with disregard for the harm that may ensue.

l. Bainbridge State College observes a strict policy with regard to acts of physical violence. Any person perpetrating an act of physical violence is automatically subject to the severest penalty provided in the “Student Conduct Sanctions” section of this Code.

**4. Individuals will respect other members of the College community.**

Examples of prohibited behavior include but are not limited to:

- a. disruptive noise;
- b. terroristic threats;
- c. sexual harassment;
- d. verbal or written intimidation;
- e. verbal or written harassment;
- f. e-mail or telephone harassment;
- g. harassment based on group membership;
- h. falsely accusing another;
- i. verbal abuse – beyond a reasonable statement of opinion -- that may cause humiliation or stress to another;
- j. hazing (defined as mandating undesirable activities, a pattern of banter, ridicule, and/or criticism and/or the use of humiliation, as a form of initiation);
- k. calumny (making false statements with the intent to harm another);
- l. slander;
- m. any unauthorized use of electronic or other devices to make an audio or video record of any person while on College premises without his or her prior knowledge, or without his or her effective consent when such a recording is likely to cause injury or distress. This includes, but is not limited to, surreptitiously taking pictures of another person in a gym, locker room, or restroom;

n. actions that unduly interfere with another student's right to learn and participate.

**5. Individuals will show regard for the property of the College, its community members, and visitors to the campus.**

Examples of prohibited behavior include but are not limited to:

- a. vandalism;
- b. destruction of property;
- c. theft, and/or acting fraudulently to obtain goods, services, or funds from College departments, student organizations, or individuals;
- d. using one's leadership position for personal gain;
- e. misuse and/or wrongful use of College facilities, equipment;
- f. failure to comply with policies regarding timely return of materials or equipment checked out or on loan to the student;
- g. wrongful sale or use of another's property;
- h. knowingly possessing or using stolen property;
- i. failure to report knowledge of an infraction;
- j. unauthorized possession or duplication of a College key(s) or key card(s);
- k. trespassing, or entering a room, office, building or other College property or premises, without expressed or written permission by a College official.
- l. providing a key or key card to another person without proper authorization;
- m. not reporting a crime committed on campus.

**6. Individuals will respect the integrity of the College's academic and administrative records.**

Examples of prohibited behavior include but are not limited to acting alone or with others to:

- a. misrepresent academic status, performance, awards, or graduation material;
- b. omit material from or manipulate records;
- c. falsify a signature;
- d. falsify, alter, steal, or destroy College documents;
- e. alter, forge, or misuse College academic records;
- f. obtain grades, course access, awards, or endorsements dishonestly;
- g. commit computer fraud.

**7. Individuals will contribute to a safe environment within the College community.**

Examples of prohibited behavior include but are not limited to:

- a. possession of weapons, incendiary devices, or explosives;
- b. possession of articles or substances that are used as weapons or simulated weapons unless prior authorization is received from the Chief of Public Safety;
- c. misuse of College keys or keycards;
- d. willful failure to identify or false identification of oneself or one's guest(s);

- e. failure to assume responsibility for the actions of one's guest(s);
- f. misuse or damage of firefighting, safety, or other emergency equipment;
- g. interference in the provision of emergency services;
- h. failure to comply with appropriate requests from Campus Public Safety or College staff members;
- i. intoxication that disrupts other individuals or the College's activities/administrative responsibilities;
- j. failure to comply with restriction from areas on campus.
- k. Students may not participate in any activity that could cause harm to themselves or others.

**8. Individuals will adhere to federal, state, local, and College law/regulations that govern individual actions and relationships among community members.**

Examples of prohibited behavior include but are not limited to:

- a. physical assault;
- b. unauthorized possession of alcohol;
- c. possession, sale, or distribution of illegal substances;
- d. violation of College, school or department regulations, i.e. Drug-Free Campus policy; parking regulations;
- e. violation of College e-mail or computer usage policy;
- f. violation of any College or Board of Regents' policy;
- g. violations of laws.

**9. Individuals will assist the College in fulfilling its administrative responsibilities.**

Examples of prohibited behavior include but are not limited to:

- a. retaliation towards an individual for involvement in a College activity;
- b. disruption of programmatic, administrative, or public service activities of the College;
- c. harassment of College staff (including student staff);
- d. submission of a false or purposely incomplete statement/report;
- e. misuse, alteration, or transference to another person of the Student Identification Card;
- f. failure to appear, in response to a proper summons, when requested to do so by a College official;
- g. disruption of student conduct procedures and investigations;
- h. dishonesty as part of a College hearing;
- i. misuse of one's position within the College;
- j. failure to comply with sanctions from a student conduct adjudication and/or hearing.

**PART III: Student Conduct Procedures and Student Rights**

The purpose of this policy is to establish student conduct procedures to guide the fair and uniform enforcement of the Responsibilities listed in Part II. These procedures are applicable to any student or student organization when charged with a violation of the Responsibilities. These procedures allow for fact finding and decision making in the context of an educational community and encourage students to accept responsibility for their own actions. The intent is to provide adequate procedural safeguards to protect the rights of the individual student and the legitimate interests of the College.

### *Jurisdiction*

All students are members of the College community. The College reserves the right to take necessary and appropriate action to protect the safety and wellbeing of the campus community and will address all violations of the Student Code of Conduct that occur on College premises. Students, faculty, staff and individuals not associated with the College may submit complaints regarding alleged violations that may have occurred on campus or off campus for review and action by the College. All complaints of alleged violation of the Student Code of Conduct shall be made in writing to the Student Conduct Officer.

The term “student” includes all persons taking courses at the College, either full-time or part-time. Persons who withdraw after allegedly violating the Student Code, who are not officially enrolled for a particular term, but who have a continuing relationship with the College, or who have been notified of their acceptance for admission, are considered “students.” This Student Code applies at all locations of the College.

The term “College premises” includes all land, buildings, facilities, and other property in the possession of or owned, used, managed or controlled by the College (including adjacent streets and sidewalks).

The College may initiate judicial proceedings for off-campus incidents when:

1. Hazing is involved. Hazing is defined as an act which endangers the mental or physical health or safety of a person, subjects a person to public humiliation or ridicule, or which destroys or removes public or private property for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership; or
2. The violation is committed while participating in a College-sanctioned or sponsored activity; or
3. The victim of the violation is a member of the College community; or
4. The violation constitutes a felony under state or federal law; or
5. The violation adversely affects the educational, research, or service function of the College.

The Student Conduct Officer is the person(s) authorized by the College President to be responsible for the administration of the Student Code of Conduct. The Student Conduct Officer shall decide whether the Student Code shall be applied to conduct occurring off campus, on a case-by-case basis, in his or her sole discretion. The President may appoint a designee to fulfill student conduct responsibilities when necessary. The Vice President for Academic Affairs designates an individual responsible for administering the Special Procedures for Adjudication of Academic Integrity violations.

The Student Conduct Board means any person or persons authorized by the College President to determine whether a student has violated the Student Code of Conduct.

Vice President for Student Affairs, or his/her designee, is also authorized by the College President to determine whether a student has committed a non-academic violation of the Student Code and to impose sanctions upon any student(s) found to have committed a non-academic violation of the Student Code.

The Vice President for Academic Affairs, or his/her designee, is also authorized by the College President to determine whether a student has committed an academic violation of the Student Code and to impose sanctions upon any student(s) found to have committed an academic violation of the Student Code.

### *Failure to Comply*

Failure to comply/respond as directed by the Student Conduct Board, a Student Conduct Officer, or the Associate Dean of Student Affairs on any matter including, but not limited to, a request to meet concerning an issue or a notice concerning or alleging a violation of the Student Code of Conduct may result in the immediate placement of a hold on the involved student’s records.

Further, sanctions up to and including suspension or expulsion may be imposed in the student's absence should the student fail or refuse to comply/respond. Failure to comply with sanctions imposed by the Student Conduct Board, a Student Conduct Officer, or the Associate Dean of Student Affairs will be a further violation of the Student Code of Conduct.

### *Conflict Resolution and Mediation (CR)*

The purpose of Bainbridge State College's Conflict Resolution (CR) process is to assist in the resolution of disputes at their lowest level whenever possible. Conflict in an academic environment is a natural phenomenon, but constructive (i.e. less adversarial, more collaborative) methods of conflict resolution are sometimes difficult.

#### Campus Mediation Process

If you believe that you have a dispute which remains unresolved after your own attempts to resolve the matter, you might consider contacting the Office of Student Affairs. The Associate Dean for Student Affairs or designee will screen your issue to determine if mediation is the proper course of action.

If mediation might help remedy the situation, then the Office of Student Affairs will refer the conflicting parties to a trained mediator on campus.

The mediator will meet with the conflicting parties to discuss the dispute and facilitate the discussion. A trained mediator helps people examine their situation in terms of personal needs and interests. Disputants reach their own resolution (a fair, equitable, and workable agreement that satisfies everyone); it is not one mandated by the mediator. Should the mediation fail to reach an acceptable resolution, either party may next proceed to utilize one of the existing complaint, grievance, or legal procedures for redress.

Campus Mediation is not appropriate for grade disputes.

### *Initiation of Complaint of Alleged Violations*

1. Complaint of alleged violations shall be submitted in writing to the Office of Student Affairs and should include as much of the following information as possible:
  - a. Type of alleged violation
  - b. Name and ID number of the person alleged with the violation
  - c. Date(s), Time(s), and Location(s) of the alleged violation
  - d. Name(s) and contact information of any individual(s) with knowledge of the incident
  - e. Whether any supporting evidence or documentation of the violation has been preserved
  - f. Whether a criminal complaint has been made in relation to the incident.
2. Complaints must be submitted within fifteen (15) College business days after detection of an alleged violation unless special conditions for delay can be documented.
3. In instances where the charges are disputed, the Student Conduct Officer or Student Conduct Investigator will make an initial determination as to whether there is sufficient basis to believe that a violation of the Code of Conduct may have occurred. The Student Conduct Officer or Investigator will interview the complainant and/or witnesses or to request additional information from the complainant.
  - a. The need to issue a broader warning to the community in compliance with the Clery Act shall be assessed, in conjunction with appropriate College offices, in compliance with federal law.
4. Where the complaint is related to academic misconduct, Procedures for Adjudication of Academic Misconduct will be followed.

5. Where the alleged misconduct is related to discrimination or harassment, the Student Conduct Officer will consult with the Affirmative Action Officer to determine whether an affirmative action investigation is warranted.
6. In cases of non-academic infractions and when it is determined that sufficient evidence exists to warrant charges of a violation, the Student Conduct Officer will arrange a meeting (preliminary conference) with the student charged with an alleged violation.
  - a. At this preliminary conference, the student will be provided with the following:
    - i. A written explanation of the charges;
    - ii. Review of the evidence on which charges are based and names of all witnesses;
    - iii. A review of all due process rights and student conduct procedures;
    - iiii. An opportunity to review charges, evidence and proposed sanction, to respond to the charges and to select from Adjudication Options.
  - b. A request for a Student Conduct Board hearing will be scheduled within ten (10) College business days of the request.
    - i. In cases where the potential sanction may involve a suspension or expulsion (even if such sanctions are to be held “in abeyance” (temporary halt or inactivity), the College shall follow the guidelines for “Procedures for Alleged Violations Involving Suspension or Expulsion” as noted below.
  - c. The student charged with the alleged violation shall advise the Student Conduct Officer within one (1) College business day (Monday-Friday) of the preliminary conference of his/her plea and choice of adjudication options, if applicable.
7. Confidentiality – Where a complainant or alleged victim requests that his or her identity be withheld or the allegation(s) not be investigated, the Student Conduct Officer (in coordination with other institutional offices) will consider whether or not such a request can be honored while still providing a safe and nondiscriminatory institutional environment. The College generally cannot guarantee confidentiality. Further, by honoring a request for confidentiality, both the College’s ability to respond fully to the complaint and the College’s ability to appropriately adjudicate the charged student, may be limited.
8. Retaliation - Anyone who, in good faith, reports what he or she believes to be a violation of the Code of Conduct, or who participates or cooperates in, or is otherwise associated with any student conduct investigation, shall not be subjected to retaliation. Anyone who believes he or she has been the target of retaliation for reporting, participating or cooperating in, or otherwise being associated with a student conduct investigation should immediately contact the Vice President of Student Affairs. Any person found to be engaged in retaliation in violation of the student conduct policy shall be subject to student conduct action.
9. False Complaints - Individuals who intentionally give false statements to a College official, or who submit false complaints or accusations, including during a hearing, shall be subject to student conduct action.
10. Amnesty – Individuals are encouraged to come forward and to report student misconduct and/or alleged violations of the Code of Conduct, notwithstanding their choice to consume alcohol or to use drugs. Information reported in good faith by an individual during an investigation concerning use of drugs or alcohol will not be used against that individual in a student conduct proceeding and will not be voluntarily reported to law enforcement; however, individuals may be provided with resources on drug and alcohol counseling and/or education, as appropriate.
11. Not all matters covered under this policy will necessarily involve alleged victims; however, where they are involved, it should be noted that a complainant will not always be the alleged victim but instead may be a third-party witness. The College may respond to issues raised by third-party complainants (such as referrals by

police) or discovered by staff or through its own investigation.

### *Procedures for Adjudicating Cases Involving Recognized Student Organizations (RSO)*

Should a complaint be filed against an RSO, a Student Conduct Officer will conduct an investigation, a hearing, if necessary, and the Vice President of Student Affairs, may impose the following sanctions, if necessary:

1. Cancellation of recognized status,
2. Imposition of monetary fines, withholding or withdrawal of allocated COA funds and or Dues Account funds,
3. Imposition of restitution for damages,
4. Removal of any of the RSO's officers or members from the RSO or its activities,
5. Restriction of any of the privileges or rights enjoyed by the RSO.

An RSO may appeal any finding and/or sanction imposed provided relevant grounds for appeal are cited. See Appeal Procedures, 2b. Written notification of the decision to appeal and the grounds for appeal must be received by the Student Conduct Officer within two (2) College business days after the original decision is communicated to the RSO. The Student Conduct Officer will convene an Appeals Board not involved with the original hearing. Appeal proceedings will begin within five College business days of the receipt of the written notification from the student. The Student Conduct Officer will be responsible for notifying the RSO of the outcome of the appeal within two (2) College business days of the conclusion of the appeal proceedings. This is the final appeal at the institutional level.

The right of provisional organizations to operate may be revoked upon an adverse finding by the Student Conduct Officer, in conjunction with the Director of Student Life. In cases of revocation of provisional status, there is no institutional appeal of the decision.

### *Procedures for Alleged Violations Involving Suspension or Expulsion*

Where the potential sanctions for the alleged misconduct may involve a suspension or expulsion (even if such sanctions were to be held "in abeyance", such as probationary suspension or expulsion) the institution's investigation and resolution procedures must provide these additional, minimum safeguards:

1. The accused student shall be provided with written initial notice of the complaint/allegations, pending investigation, possible charges, possible sanctions, and available support services. The notice shall also include the identity of any investigator(s) involved. Written notice shall be provided via College email to the student email account in Banner. Where applicable, a copy shall also be provided to any and all alleged victims via the same means.
2. Upon receipt of the written notice, the accused student shall have three (3) College business days to respond in writing. Receipt of written notice is when the electronic mail notice is sent to the student email account in Banner. In that response, the accused student shall have the right to admit or deny the allegations, and to set forth a defense with facts, witnesses, and documents – either written or electronic – in support. A non-response will be considered a general denial of the alleged misconduct.
3. Based on this response, the investigation shall consist of interviews of the accused student, any alleged victims (where applicable) and witnesses, and the collection and review of documents or other physical or electronic information, as well as other steps as appropriate. The investigator should retain written notes and/or obtain written or recorded statements from each interview. The investigator shall also keep a record of any proffered witnesses not interviewed, along with a brief, written explanation.
4. The investigation shall be summarized in writing in an initial investigation report and provided to the accused student and any alleged victims (where applicable) in person or via email. This summary should clearly indicate

any resulting charges (or alternatively, a determination of no charges), as well as the facts and evidence in support thereof, witness statements, and possible sanctions.

5. To the extent the student is ultimately charged with any violation, he or she shall also have the opportunity to respond in writing. The charged student's written response to the charge(s) shall be due within three (3) College business days from the date of the initial investigation report was received. The charged student's written response should outline his or her acceptance or denial in response to the charge(s), and where applicable, his or her defense(s), and the facts, witnesses, and documents – whether written or electronic – in support. A nonresponse to the charge(s) by the charged student will be interpreted as a denial of the charge(s).
6. The investigator shall conduct further investigation and update the investigative report as warranted by the charged student's response.
7. A copy of the final investigative report, including possible sanctions, that concludes there is sufficient evidence to suggest violation of the Code of Conduct will be provided to charged student and any alleged victims (where applicable) before any hearing. The final investigative report will be provided to the Student Conduct Board panel or hearing officer during the hearing. The investigator may testify as a witness regarding the investigation and findings, but shall otherwise have no part in the hearing process and shall not attempt to otherwise influence the proceedings outside of providing testimony during the hearing.
8. The Hearing Process/Resolution procedures will be followed to adjudicate cases of alleged violations involving suspension or expulsion from the institution.

#### *Procedures for Adjudicating Cases of Academic Misconduct*

Academic misconduct strikes at the heart of the educational process. Faculty members have the right and responsibility to demand honesty in all academic pursuits and to report all cases of academic misconduct to the Student Conduct Officer. This process protects the academic integrity of the institution and guarantees that the due process rights of all students are protected. Students accused of academic misconduct have the right to have their case heard in a fair and impartial manner with all the safeguards available within the documented and approved student conduct processes. The following procedures are designed to adjudicate situations involving alleged academic misconduct, recognizing the interest of each of the parties involved:

1. When an instructor suspects that a case for academic misconduct might be made, he or she should immediately contact the Office of Student Affairs, who will advise the instructor of the appropriate next course of action.
2. If there is evidence sufficient to warrant a charge, the following steps will occur:
  - a. The instructor will be the first to attempt to adjudicate the case by presenting the evidence (Student Infraction Form and all supporting documents) to the student. When presented with charges by the instructor, the student will:
    - i. accept responsibility for the charge(s) and allow the instructor to levy a sanction (consistent with the course syllabus), or
    - ii. deny the charge(s) and request a meeting with the Student Conduct Officer, who will discuss options related to a formal investigation and hearing, as explained later in this section.
  - b. After the above steps have been completed, the instructor will forward all materials to the Office of Student Affairs for further adjudication of the case. Student conduct proceedings in accordance with the Hearing Process as defined later in this section will apply, if the student denies the charges and requests a formal hearing.
  - c. In cases adjudicated by an instructor when the student admits responsibility, all materials will be forwarded to the Office of Student Affairs for inclusion in the student's conduct file and the student conduct database.
3. Upon a finding or acceptance of responsibility, the following sanction will be imposed:

- a. If the instructor has published a minimum academic sanction for academic dishonesty in the course or in a written syllabus or other document distributed to members of the class, this minimum sanction will be followed.
  - b. In the absence of a published minimum sanction, the student will receive, at a minimum, a grade of zero for the work involved.
4. In addition to the sanction of the instructor or hearing body, for a first offense, a period of “Student Conduct Probation” (see Sanctions) may be imposed by the Student Conduct Officer.
5. If a student is found responsible for academic misconduct as a second offense, the minimum sanction will be:
- a. A minimum grade of “F” in the course
  - b. Student Conduct Probation for a defined period of time, by the Student Conduct Officer.
6. If a student is found responsible for academic misconduct after a second offense, the minimum sanction will be:
- a. A minimum grade of “F” in the course
  - b. Suspension from the College for a defined period of time, not to exceed two (2) full academic semesters, may be added at the discretion of the Student Conduct Officer and/or the hearing body.
  - c. Other sanctions greater than those listed may be recommended to the Vice President of Academic Affairs, or his/her designee, for further actions.
7. If a student is found not responsible of academic misconduct, the hearing body will refer the paper, assignment, or test to the appropriate department head/school dean who will facilitate a resolution concerning a fair grade for the work in question.

### *Due Process and Student Rights*

When a student is charged with violating the rules and regulations of the College, disposition of the case will be according to the Constitutional requirements of due process. These rights include entitlement to:

- 1. A written copy of the charge(s).
- 2. A fair and impartial hearing.
- 3. Know the nature of the evidence against them and names of witnesses scheduled to appear.
- 4. Present evidence and witnesses in their behalf. Statements from character witnesses will be accepted only in instances in which the individual(s) providing the information was present during the event(s) in question and/or has direct knowledge of the event(s) in question.
- 5. Be accompanied during the investigative process and at a hearing by an advisor. The accused student shall have the right to use an advisor (including an attorney) of his or her choosing, and at his or her own expense, for the express purpose of providing advice and counsel. The advisor may be present during meetings and proceedings during the investigatory and/or resolution process at which his or her advisee is present. The advisor may advise his or her advisee in any manner, including providing questions, suggestions, or guidance on responses to any questions of the advisee, but the advisor shall not participate directly. The advisor cannot actively participate in the hearing or ask questions of the witnesses or the hearing body. The advisor's role is to advise the student and observe the proceedings.

In addition to an advisor, the accused student may request the presence of up to two (2) family members during the investigatory and/or resolution process. Family members shall be expected to behave in the same manner as the advisor, as noted above.

Similarly, the alleged victim may also be accompanied by an advisor, who shall also be expected to behave in the manner outlined above.

6. Be present at the hearing during the presentation of any evidence or material on which a decision will be made. If the student fails to attend the hearing, the hearing will be held in the student's absence.
7. Remain silent and refrain from answering questions without inference of guilt.
8. Submit questions for witnesses to the Student Conduct Officer, who, in cases involving adjudication by the Student Conduct Board hearing panel serves as Chairperson of the panel. The Chairperson will determine if the charged student's questions are appropriate and if the charged student's questions will be posed verbally or in writing. The Chairperson will note in writing his/her reason for determining why a student's question(s) was not appropriate to ask during the hearing. In any event, the Chairperson shall err on the side of asking all submitted questions, and must document the reason for not asking any particular question(s).
9. An audio recording of the hearing will be made by the Chairperson of the hearing panel. The deliberation/sanctioning phase of the proceeding will not be taped. The charged student will be provided, upon request, a copy of the hearing recording. Written transcripts of the hearing will not be available.
10. A decision based solely on the evidence presented.
11. A written notice of the results of the hearing and an explanation of the decision and sanction assessment. If a student is found not to be in violation of the charge(s), all related documents and records will be destroyed.
12. Appeal the finding and/or sanction.

### *Adjudication Options*

The Student Conduct Officer will present the student charged with violation(s) of the Student Code of Conduct with a written document describing the charges filed against him/her. The student will respond in one of the following ways to each charge:

1. Admission of responsibility for the violation(s) and waive the right to a hearing and an appeal. The Student Conduct Officer will determine appropriate sanction(s).
2. Denial of responsibility for the charge(s) and request a hearing.

### *Methods of Adjudication*

#### **1. Student Conduct Board panel hearing.**

- a. Members of the Board will serve as a panel for resolving alleged Student Code of Conduct infractions involving students. Each Student Conduct Board panel will be composed of three (3) voting members: one (1) faculty member, one (1) staff member, and one (1) student member.
- b. The Student Conduct Officer serves as non-voting Chairperson of the hearing panel. It is the responsibility of the Student Conduct Officer to provide orientation and support for the hearing body.
  - i. Per BOR Policy 4.6.5.2, the individual(s) tasked with investigating allegations of student misconduct shall not be directly responsible for training student conduct panel/board members of appellate body members. Training shall follow BOR recommendations and be conducted with an approved trainer from outside the College community.

#### **2. Administrative Hearing.**

- a. Academic Misconduct - The Vice President of Student Affairs, and two designees from the Office of Academic Affairs shall serve as the hearing body for all academic misconduct cases in which there is a recommendation for sanctions or expulsions that exceed two (2) full academic semesters and those cases in which suspension or expulsion are involved when the accused student has not requested a hearing by a panel in a timely manner.

b. Behavioral Misconduct – The Vice President of Student Affairs will serve as the hearing body for all behavioral misconduct cases involving suspension or expulsion when the charged student does not request a hearing by a panel of the Student Conduct Board in a timely manner.

i. Prior to imposition of any sanction involving a student grade, the Vice President of Student Affairs, or his/her duly appointed designee, shall consult with the Vice President of Academic Affairs or his/her duly appointed designee.

#### *Absence of Accused or Lack of Cooperation*

If the student is absent from the College community while a student conduct case is pending or if a student declines to participate in the student conduct process, the student is not absolved of responsibility.

Students who have been properly notified of a scheduled hearing, and who fail to appear at the hearing after proper notice has been given, will have their cases adjudicated in absentia at the scheduled hearing time and will be bound by the findings.

#### *Notification*

In all cases relative to written notification of students, such notification will be considered complete once a message has been sent to the student's College e-mail address contained in the Banner Student Information System. Notification may be sent to the student's mailing address, upon request.

#### *The Hearing Process/Resolution*

In no case shall a hearing to resolve charge(s) of student misconduct take place before the investigative report has been finalized or before the charged student has had an opportunity to respond in writing, unless the charged student has chosen to go through an informal process or otherwise provided a written waiver of rights to these procedures. Further, unrelated charges and/or cases shall be heard separately unless the charged student voluntarily consents to the charges/cases being heard jointly.

Where the charged student indicates that he or she contests the charges, and once the investigative report has been finalized and copies provided to the charged student and any alleged victim (where applicable), the case shall be set for hearing; however, the alleged victim (where applicable) and charged student may have the option of selecting mediation as a possible resolution in certain student conduct cases where they mutually agree, except where deemed inappropriate by the Vice President of Student Affairs, or his/her designee.

The focus of the Hearing Process in student conduct proceedings shall be determining the responsibility of those accused of violating the Student Code of Conduct. Hearings are not open to observers. Decisions shall be based upon the preponderance of all available evidence in each case. This means the evidence does not have to be enough to free the mind from a reasonable doubt but must be sufficient to incline a reasonable and impartial mind to one side of the issue rather than to the other. However, any decision to suspend or expel a student must also be supported by substantial evidence during the hearing. Student Conduct Board hearings are not legalistic proceedings and formal rules of evidence do not apply to the investigatory or hearing/resolution process.

Additionally, the following standards will apply to any such hearing:

1. If an accused student denies responsibility for alleged violation(s), and where a case is not or cannot be resolved through mediation, the charged student shall have the option of having the charge(s) heard either by an administrator (hearing officer) or a student conduct panel. The hearing will be scheduled within ten (10) business days after the accused student requests it and a written notice of the date, time, and location of the hearing, shall be provided to the charged student and any alleged victim (where applicable) at least five (5) business days prior to the hearing. Notice of the hearing shall be provided via institutional email, and/or alternative method, as necessary. Hearings will be held during normal business hours on the Bainbridge campus or Early County site. The charged student may request, in

writing, a continuance from the Student Conduct Officer if circumstances are such that a delay is warranted. The charged student will be notified, in writing, of the date, time, and location of the rescheduled hearing.

The Student Conduct Officer will serve as nonvoting Chairperson of the Student Conduct Board hearing panels and members of the Student Conduct Board hearing panel will be selected based on availability. All procedural questions are subject to the final decision of the Student Conduct Officer.

2. The Complainant or alleged victim(s) has the right to be informed of these hearing procedures and the right to be present throughout the presentation of witnesses and evidence. The Student Conduct Officer will inform the Complainant of these rights prior to the hearing.

The records of the student conduct process and of the sanctions imposed, if any, shall be considered to be the education records of both the Complainant and the accused student(s) because the educational career and chances of success in the academic community of each may be impacted.

3. The accused student will enter a plea to the charge(s) before the hearing body.

4. The Student Conduct Officer will remind the accused student and each witness present of the importance of providing truthful and accurate information during the hearing process. If a witness fails to tell the truth during student conduct proceedings, additional student conduct action may result.

5. At the hearing, the Student Conduct Officer will present the evidence and facts of the case to the hearing body. The Student Conduct Officer will present witnesses in support of the case against the accused student.

6. The hearing body may question all witnesses or ask for clarification from the Student Conduct Officer or any witness.

7. The accused student may submit questions for witnesses to the Student Conduct Officer. The Student Conduct Officer will direct appropriate questions to the witnesses. The Student Conduct Officer will determine if the accused student's questions are appropriate and if the accused student's questions will be posed verbally or in writing.

The charged student shall have the right to present witnesses and evidence to the hearing officer or panel, as well as to ask questions of any witnesses. At the determination of the hearing officer or panel, this questioning may take place through the submission of written questions to the hearing officer or panel for consideration; however, the parties' advisors may still actively advise and assist in drafting those questions. The hearing officer or panel shall ask the questions as written, and will limit questions only if they are unrelated to determining the veracity of the charge leveled against the charged student. In any event, the hearing officer or panel shall err on the side of asking all submitted questions, and must document the reason for not asking any particular question(s).

Statements from character witnesses will be accepted only in instances in which the individual(s) providing the information was present during the event(s) in question and/or has direct knowledge of the event(s) in question.

8. When the case against the accused student has been presented, opportunity will be given for the accused student to make a statement regarding the alleged violations. The hearing body or the Student Conduct Officer may question the accused student if he or she chooses to make a statement.

9. Where the hearing officer or panel determines that a party or witness is unavailable and unable to be present due to extenuating circumstances, the hearing officer or panel may establish special procedures for providing testimony from a separate location. In doing so, the hearing officer or panel must determine there is a valid basis for the unavailability, ensure proper sequestration in a manner that ensures testimony has not been tainted, and make a determination that such an arrangement will not unfairly disadvantage any party. Should it be reasonably believed that a party or witness who is not physically present has presented tainted testimony, the hearing officer or panel will disregard or discount said testimony.

10. The accused student will have an opportunity to make a statement at the conclusion of the hearing process. This closing statement by the accused student will precede the closing statement of the Student Conduct Officer.

11. The hearing body may recall any witness after testimony, if clarification is needed.
12. At the conclusion of the hearing, the Student Conduct Officer will call for adjournment.
13. Concerns for the personal safety, well-being, and/or fears of confrontation of the Complainant, the accused student, and/or other witness during the hearing may be accommodated by providing separate facilities, by using a visual screen, and/or by permitting participation by telephone, videophone, closed circuit television, video conferencing, videotape, audio tape, written statement, or other means, where and as determined in the sole judgment of Student Conduct Officer to be appropriate.
14. Following a hearing, both the charged student and alleged victim(s) (where applicable) shall be provided a written decision via institution email of the outcome and any resulting sanctions. The decision will include details on how to appeal, and will summarize the evidence in support of the sanction.

### *Findings of the Hearing Body*

After hearing both sides of the case, the hearing body will, in a closed session, deliberate and reach a decision regarding the responsibility of the accused student for violation of the Student Code of Conduct.

In cases heard by a Student Conduct Board panel, a majority vote is necessary to reach a decision regardless of the quorum.

### **ACADEMIC MISCONDUCT**

1. Upon finding a student responsible for an academic violation of the Student Code of Conduct, the following sanction shall be imposed:
  - a. If the instructor has published a minimum sanction for academic dishonesty in the course or in a written syllabus or other document distributed to members of the class, this minimum sanction shall be followed.
  - b. In the absence of a published minimum sanction, the student shall receive, at a minimum, a grade of zero for the work involved.
  - c. A higher sanction, not limited to the grade of “F” for the course, may be entered at the discretion of the hearing body.
  - d. In addition to the sanction of the instructor or hearing body, the additional sanction of Student Conduct Probation may also be imposed.
2. If a student is found responsible for academic misconduct as a second offense, the minimum sanction will be:
  - a. A minimum grade of “F” in the course
  - b. Student Conduct Probation for a defined period of time, by the Student Conduct Officer.
3. If a student is found responsible for academic misconduct after a second offense, the minimum sanction will be:
  - a. A minimum grade of “F” in the course
  - b. Suspension from the College for a defined period of time, not to exceed two (2) full academic semesters, may be added at the discretion of the Student Conduct Officer and/or the hearing body.
  - c. Other sanctions greater than those listed may be recommended to the Vice President of Academic Affairs, or his/her designee, for further actions.
4. If the hearing body finds the charged student responsible for the violation, the Student Conduct Officer will read the finding and the sanctions into the audio recording and will forward the finding to the instructor and his/her Dean.
5. Additionally, the Student Conduct Officer will communicate the finding to the adjudicated student in writing within two College business days (Monday-Friday) of the conclusion of the hearing.

6. Information related to the student and the case will be kept on file in the Office of Student Affairs and/or in a secure Student Conduct Database.

7. If a student is found not responsible for a violation of academic misconduct, the hearing body shall refer the paper, assignment, or test to the appropriate Dean. In consultation with the instructor, the Dean shall facilitate a resolution concerning a fair grade for the work in question. In such cases, no record of academic misconduct will remain on file.

### **BEHAVIORAL MISCONDUCT**

1. If the hearing body finds the charged student responsible for the violation, the Student Conduct Officer will read the finding and the sanctions into the audio recording and will forward the finding to the complainant.

2. Copies of the finding and sanction may also be forwarded to other relevant offices (i.e. Campus Public Safety, and Bursar's Office).

3. The Student Conduct Officer will read the sanction into the audio recording and will be responsible for notifying the adjudicated student of the finding and the sanction in writing within two (2) College business days (Monday-Friday) of the conclusion of the hearing.

4. Information related to the student and the case will be kept on file in the Office of Student Affairs and/or in a secure Student Conduct Database.

5. If a student is found not responsible for a violation of behavioral misconduct, the hearing is adjourned and no official records will be kept in the Office of Student Affairs. Notations of the charge and outcome may be kept in a Student Conduct Database for reference purposes only.

Following a hearing, both the charged student and the complainant/alleged victim (where applicable) shall be provided a written decision via institution email of the outcome and any resulting sanctions. The decision should include details as to how to appeal (as noted below). Additionally, the written decision must summarize the evidence in support of the sanction. The same form will be completed, regardless of whether the student opts for a student conduct panel or an administrative hearing.

At the request of the adjudicated student, the Student Conduct Officer will meet with the student and provide clarification of the finding and sanction. At this time and at the student's request, information on and assistance with the appeal procedures as outlined in the Student Handbook will be provided. Adjudicated students are advised not to contact or communicate with members of the panel about the hearing or its outcome.

The finding and sanctions are considered final unless appealed by the adjudicated student.

In cases where no decision can be reached, the Student Conduct Officer may appoint another hearing panel or drop the charges.

### ***Sanctions***

In determining the severity of sanctions or corrective actions the following should be considered: the frequency, severity, and/or nature of the offense, history of past conduct, an offender's willingness to accept responsibility, previous institutional response to similar conduct, and the institution's interests. The student conduct panel or hearing officer will determine sanctions and issue notice of the same, as outlined above.

The following are student conduct sanctions that may be imposed upon the student. This list is not exhaustive and the College reserves the right to modify or enlarge the list at any time depending on the nature of the violation(s).

Upon imposition of a sanction, the student is notified by email to his/her student email account (and by postal mail to the address listed in the Banner Student Identification System, upon request). In cases of suspension or expulsion, the student (and his or her parents, if the student is a minor) will be notified by certified mail.

## **1. Student Conduct Warning**

A Student Conduct Warning is an official written reprimand.

## **2. Student Conduct Probation**

a. Student Conduct Probation is a period of time during which further violations of the rules and regulations of the College may result in suspension or expulsion. Probation may be imposed for a period of time ranging from the remainder of the semester in which the violation occurred to the remainder of the student's matriculation at the College. Restrictions may be imposed in conjunction with probation and may include:

- i. Community Service Hours – Students may be required to complete work at a designated location for a specified number of hours and provide documentation of completed hours.
- ii. Educational Programs – Students may be required to attend programs on special topics related to the offense. This does not include academic courses for credit.
- iii. Restricted presence on campus – Students may be restricted on campus except to attend classes or complete coursework.
- iv. Special Projects – Students may be required to write papers and/or present programs on topics related to the offense.
- v. Substance Abuse Assessment – Students may be required to submit to an assessment for substance abuse. Periodic drug testing, not to exceed two random tests per semester for a minimum of three semesters, may be required.
- vi. Restitution – Students may be required to reimburse the College or other persons, groups, or organizations for damages incurred as a result of a violation of the Student Code of Conduct.
- vii. Confiscation – The College reserves the right to confiscate goods used or possessed in violation of the Student Code of Conduct. Items confiscated by Campus Police will not be returned as those items may be used as evidence in any criminal proceedings.
- viii. Fines – Students may be required to pay a Student Conduct fine in relation to violations of alcohol and other drugs, or damage to property.
- ix. Delays in obtaining administrative services and benefits from the institution – The College may place administrative holds on student records which may prevent release of transcripts, delay registration, prevent graduation and/or receipt of diploma.

## **3. Loss of Student Office/Leadership Position**

Students in elected/appointed positions may lose the position as a result of a violation of the Student Code of Conduct.

## **4. Institutional Initiated Withdrawal**

Students may be withdrawn from the academic course(s) within which the violation of the Student Code of Conduct occurred or from the institution as a whole without receiving academic credit for course(s), fees, or refund.

## **5. Change of Grade**

Students found in violation of the Student Code of Conduct may receive a change in grade for the course, test, paper, or work in which an academic irregularity occurred.

## **6. Temporary or Permanent separation of the Parties**

Students may receive a change in classes, no contact orders (issued either by the court system or by the Student Conduct Officer), limiting geography of where parties can go on campus. If a student is temporarily suspended from

a particular course not to exceed two (2) class meetings, the student is still responsible for any material covered during the temporary suspension.

## **7. Interim Suspension**

Interim suspensions – that is, suspensions while the investigation and adjudication process are proceeding – should only occur where necessary to maintain safety, and should be limited to those situations where the charged student poses a serious and immediate danger or threat to persons or property. In making such an assessment, the institution should consider the existence of a significant risk to the health or safety of the campus community; the nature, duration, and severity of the risk; the probability of potential injury; and whether less restrictive means can be used to significantly mitigate the risk.

Before an interim suspension is issued, the institution must make all reasonable efforts to give the charged student the opportunity to be heard on whether his or her presence on campus poses a danger. If an interim suspension is issued, the terms of the suspension shall take effect immediately. When requested by the charged student, a hearing to determine whether the immediate suspension should continue will be held within three (3) business days of the request.

Where the potential sanctions for the alleged misconduct may involve a suspension or expulsion (even if such sanctions were to be held “in abeyance”, such as probationary suspension or expulsion) the institution’s investigation and resolution procedures must provide these additional, minimum safeguards:

- a. The charged student shall be provided with written notice of the complaint/allegations, pending investigation, possible charges, possible sanctions, and available support services. The notice shall also include the identity of any investigator(s) involved. Notice shall be provided via College email. Where applicable, a copy shall also be provided to any and all alleged victims via the same means.
- b. Upon receipt of the written notice, the charged student shall have three (3) College business days to respond in writing. In that response, the charged student shall have the right to admit or deny the allegations, and to set forth a defense with facts, witnesses, and documents – either written or electronic – in support. A non-response will be considered a general denial of the alleged misconduct.
- c. Based on this response, the investigation shall consist of interviews of the charged student, any alleged victims (where applicable) and witnesses, and the collection and review of documents or other physical or electronic information, as well as other steps as appropriate. The investigator should retain written notes and/or obtain written or recorded statements from each interview. The investigator shall also keep a record of any proffered witnesses not interviewed, along with a brief, written explanation.
- d. The investigation shall be summarized in writing in an initial investigation report and provided to the charged student and any alleged victims (where applicable) in person or via email. This summary should clearly indicate any resulting charges (or alternatively, a determination of no charges), as well as the facts and evidence in support thereof, witness statements, and possible sanctions.
- e. To the extent the student is ultimately charged with any violation, he or she shall also have the opportunity to respond in writing. The charged student’s written response to the charge(s) shall be due within three (3) College business days from the date of the initial investigation report. The charged student’s written response should outline his or her acceptance or denial in response to the charge(s), and where applicable, his or her defense(s), and the facts, witnesses, and documents – whether written or electronic – in support. A nonresponse to the charge(s) by the charged student will be interpreted as a denial of the charge(s).
- f. The investigator shall conduct further investigation and update the investigative report as warranted by the charged student’s response.
- g. A copy of the final investigative report will be provided to charged student and any alleged victims before any hearing. The final investigative report will be provided to the Student Conduct Board panel or hearing officer during the hearing. The investigator may testify as a witness regarding the investigation and findings, but shall otherwise

have no part in the hearing process and shall not attempt to otherwise influence the proceedings outside of providing testimony during the hearing.

### **8. Suspension**

A decision of suspension terminates the student's status as an enrolled student for a specific period of time and prohibits the student from attending classes. A suspended student may not participate in College sponsored activities or be present on campus without specific authorization from the Student Conduct Officer. The Student Conduct Officer may further impose a summary suspension in cases where a suspended student chooses to violate the terms of his/her suspension. Suspended students may not receive academic credit of any kind from another institution if earned during their period of suspension from the College. Students may not receive a refund of fees.

### **9. Expulsion**

A decision of expulsion constitutes a permanent severance of the student's relationship with the College. An expelled student may not enter any part of the campus without specific authorization from the Student Conduct Officer and/or Campus Public Safety. Students shall not receive a refund of fees. Students shall receive the grade of "F" in any classes that he or she is enrolled.

### **10. Revocation of Admission and/or Degree**

Admission to or a degree awarded by the College may be revoked for fraud, misrepresentation, or other violation of College standards in obtaining the degree, or for other serious violations committed by a student prior to graduation.

### **11. Withholding Degree**

The College may withhold awarding a degree otherwise earned until the completion of the process set forth in this Student Code, including the completion of all sanctions imposed, if any.

A student responsible for any type of violation of the Student Code of Conduct will not be permitted to avoid sanction by withdrawing from a class or the College. An administrative hold may be placed on any student who does not respond to requests to adjudicate alleged violations. Students who withdraw from a class before adjudication occurs may be added back to the class and the appropriate sanction applied.

Other than expulsion or revocation or withholding of a degree, sanctions shall not be made part of the student's permanent academic record, but shall become part of the student's conduct record.

Students expelled or suspended for any behavioral reason will be entered into the University System of Georgia's Student Disciplinary Actions Reporting System (SDARS) and are subject to review by other institutions within the University System.

Students who are suspended or expelled from the College for any period of time should be aware of the impact this action may have on the following:

1. Tuition and fees (suspension does not forgive financial obligations)
2. Student financial aid including HOPE scholarship and institutional scholarships
3. Use of College resources and access to College facilities/campuses
4. Immigration status for international students
5. Veterans and dependents of veterans
6. Internships, co-ops, and study abroad opportunities
7. Class withdrawal

This is not an exhaustive list.

### *Administrative Withdrawal*

Students may be administratively withdrawn from classes and/or the College, after consultation with appropriate College personnel, when it is determined that because of physical, mental, emotional, or psychological health conditions, the student:

- a. poses a significant danger or threat of physical harm to the student or to the person or property of others, or
- b. the student interferes 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. the student is unable to meet institutional requirements for continued enrollment as defined in this Student Code of Conduct or other publications of the College.

Students may make a request in writing for an appropriate hearing prior to the final decision concerning continued enrollment.

### *Appeals*

Students adjudicated under the Student Code of Conduct have the right to appeal decisions of the Student Conduct Officer and Student Conduct Board panel, and the Vice President of Student Affairs provided specific relevant grounds for appeal are cited.

### *Appeal Procedures*

Where the sanction imposed includes a suspension or expulsion (even for one held in abeyance), the following appellate procedures will be provided to the charged student. The charged student shall have the right to appeal the outcome on any of the following grounds:

1. To consider new information, sufficient to alter the decision, or other relevant facts not brought out in the original hearing, because such information was not known or knowable to the person appealing during the time of the original hearing;
2. To allege a procedural error within the hearing process that may have substantially impacted the fairness of the hearing, including, but not limited to, whether any hearing questions were improperly excluded, whether the decision was tainted by bias, or whether there was a violation of the student's due process;
3. To allege that the finding was inconsistent with the weight of the information.

Appeals may be made by the charged student for the above reasons in any case where sanctions are issued by a hearing panel or administrative officer – even those in which such sanctions are held “in abeyance,” such as probationary suspension or expulsion.

The appeal must be made in writing, and must set forth one or more of the bases outlined above, and must be submitted within five (5) College business days of the date of the final written decision.

The appeal should be made to the Chief Student Conduct Officer, as designated by the Vice President of Student Affairs. The appeal shall be a review of the record only, and no new meeting with the charged student or any alleged victim(s) will be held.

The Chief Student Conduct Officer will convene an Appeals Panel comprised of three members (one faculty, one staff, and one student) of the Student Conduct Board, who were not involved in the original hearing. Appeal proceedings will be held within five (5) College business days of the receipt of the written notification from the charged student.

The Appeals Panel will make one of the following decisions:

1. Affirm the original finding and sanction;

2. Affirm the original finding but issue a new sanction of lesser severity;
3. Remand the case back to the original decision-maker to correct a procedural or factual defect;
4. Reverse or dismiss the case if there was a procedural or factual defect that cannot be remedied by remand.

The Chief Student Conduct Officer shall then issue a decision in writing to the charged student and any alleged victim(s) within five (5) College business days of the Appeal Panel's decision.

The Appeal Panel's decision may be appealed in writing within five (5) College business days (as determined by the date of the decision letter) to the President of the institution solely on the grounds set forth above.

The President will make one of the following decisions:

1. Affirm the original finding and sanction;
2. Affirm the original finding but issue a new sanction of greater or lesser severity;
3. Remand the case back to the original decision-maker to correct a procedural or factual defect;
4. Reverse or dismiss the case if there was a procedural or factual defect that cannot be remedied by remand.

The President's decision shall be issued in writing to the charged student and any alleged victim(s) within (5) College business days. The President's decision shall be the final decision of the institution.

Should the charged student wish to appeal the President's decision, he or she may appeal to the Board of Regents in accordance with the Board of Regents Policy 8.6, which can be found at <http://www.usg.edu/policymanual/section8/C2363>.

### *Sexual Misconduct Policy and Procedures*

Bainbridge State College will abide by the Standards of the *University System of Georgia's Board of Regent's Policy Manual, 4.1.7*. This policy can be found in the "General Information" section of the Bainbridge State College Student Handbook.

### *Recusal/Challenge for Bias*

Any party may challenge the participation of any institution official, employee, or student panel member in the process on the grounds of personal bias by submitting a written statement to the Vice President of Student Affairs, the institution's designee setting forth the basis for the challenge, as the Vice President of Student Affairs is not responsible for the investigation or adjudication of any alleged violation. The written challenge should be submitted within a reasonable time after the individual reasonably should have known of the existence of the bias. The Vice President of Student Affairs will determine whether to sustain or deny the challenge, and if sustained, appoint a replacement.

### *Records Management*

Student conduct records (including, but not limited to written findings of fact, transcripts, audio recordings, and/or video recordings), except those pertaining to suspension or expulsion, will be maintained for a minimum of five (5) years after the student's date of graduation or last date of attendance. Records involving suspension or expulsion will be retained permanently.

### *Interpretation and Revision*

Any question of interpretation or application of the Student Code shall be referred to the Student Conduct Officer or his or her designee for final determination, unless otherwise determined by the President.

The Student Code shall be reviewed at least every three (3) years under the direction of the Vice President of Student Affairs. Any revisions shall be subject to the approval of the President.

*This Student Code of Conduct was adapted with the permission of Edward N. Stoner II and John Wesley Lowery from "A Twenty First Century Model Student Conduct Code."*

*Revised April 2016*

The Student Code of Conduct is subject to change without notice. The latest version of the Code is available online

## Academic Dishonesty Policies and Procedures

### Academic Integrity and Dishonesty Defined

#### Academic Integrity

Bainbridge State College is an institution committed to academic integrity, honesty, ethical behavior, and responsibility, regardless of circumstances. We believe in building a community of trust and fairness, where students are rewarded for their efforts and talents. A commitment to academic integrity is primary in the fostering of such an environment.

#### Academic Dishonesty

Bainbridge State College defines academic dishonesty as an instance in which a student breaks any of the following regulations:

1. **Receiving unauthorized assistance.** No student shall receive assistance not authorized by the instructor in the preparation of any assignment, report, or examination in an academic course.
2. **Providing unauthorized assistance.** No student shall provide assistance not authorized by the instructor in the preparation of any assignment, report, or examination in an academic course.
3. **Procuring unauthorized course material.** No student shall take or attempt to take, steal, buy, or otherwise procure in an unauthorized manner any material pertaining to any assignment, report, or examination in an academic course.
4. **Providing unauthorized course material.** No student shall sell, give, lend, or in any way provide to an unauthorized person any material pertaining to any assignment, report, or examination in an academic course.
5. **Unauthorized reuse of one's own work.** No student shall reuse any work he or she has produced for another course, unless authorized in advance by the instructor.
6. **Plagiarism.** Plagiarism is prohibited. Themes, essays, term papers, tests, 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 in the paper, they must be appropriately acknowledged according to academic standards.

### Academic Dishonesty in a Learning Community

Academic dishonesty undermines and devalues the educational process. A consistent and unified response to any situation involving academic dishonesty is key to an institution, as it affects the entire academic community—the instructors, administration, and students.

**The Instructor:** The instructor has both the right and responsibility to demand academic honesty if a student is to remain in good standing in the course and be evaluated fairly by the instructor. The grade certifies both student performance and a standard of academic integrity. Therefore, the instructor retains the right, within the parameters set by the institution, to determine the academic penalty for dishonesty in a course. Both the institution-wide definition of academic dishonesty and its penalties should be clearly stated on the syllabus.

**The Institution:** While it is the right and duty of the instructor to set penalties, within the parameters set by the institution, for dishonesty in a particular course, the College is responsible for the standards of academic integrity and achievement on which degrees are based. It is the College that permits students to remain members of the

academic community and certifies that students have attained sufficient academic credit and exhibited acceptable standards of conduct that entitle them to receive a degree. Incidents of academic dishonesty, especially when they recur and become patterns of dishonest behavior, require that the College take more severe disciplinary measures than those available to the instructor, including severance of the student from the College. It is, therefore, imperative that individual instances of academic dishonesty, accompanied by details concerning penalties, become a part of the student's central disciplinary record.

**The Students:** Academic dishonesty disrupts an instructor's ability to maintain a fair academic standard. Thus, students who do not cheat have a personal and direct interest in preventing their colleagues from unfairly obtaining grades which might detract from or distort the assessment and comparison of their own performance.

### Consequences of Academic Dishonesty

Any instance of academic dishonesty will result in failure of the assignment and, depending upon the importance of the assignment and the egregiousness of the instance, may result in failure of the course and the assignment of an "FX" (failure due to academic dishonesty) to the student's record. The particular consequences for academic dishonesty will depend upon the distinction between *unintentional* and *intentional* academic dishonesty, as defined below, as well as the number of infractions committed by the student. The instructor will determine the nature of the infraction; however, the student has the right to appeal any infraction affecting his/her standing in the course through the appeals process, described below.

**Unintentional Academic Dishonesty:** If an instructor determines that an instance of academic dishonesty was *unintentional* — stemming from the student's lack of knowledge or misunderstanding of correct policies or procedures—that instructor might allow for the resubmission of the corrected assignment. This decision is left to the instructor's discretion. Unintentional cheating should *not* be grounds for an FX.

**Intentional Academic Dishonesty:** Submitted work involving *intentional* academic dishonesty will receive a zero and cannot, under any circumstance, be resubmitted or replaced. A single case of intentional academic dishonesty may be grounds for an FX if the instructor determines the instance to be particularly egregious or detrimental to the student's academic standing in the course.

**Two-Strike Clause:** Two (2) cases of *intentional* academic dishonesty in a single course automatically result in an FX for the course. (Note: This is the case only if the student has been clearly notified of the first infraction *before* cheating a second time.)

**Retroactive FX:** If a student is found to have engaged in academic dishonesty after a final grade has already been assigned, the institution retains the right to retroactively apply a grade of FX to the student's record. This applies to any student who might sell, loan, lend, or otherwise provide another student in a later term work obtained or produced previously for a course.

**An FX in the Student's Record:** Students who fail a course due to academic dishonesty will receive an FX, which will remain on their record while active at Bainbridge State College and for two years following the last semester of enrollment.

**FX Suspension:** Students who receive two (2) FX grades for any two (2) courses will not be allowed to continue with the college, unless they follow the requirements and procedures required by the administration. (See procedure below.) TO BE ADDED...

**Removal from Class for Academic Dishonesty:** The instructor can order the temporary removal or exclusion from the classroom of any student engaged in academic dishonesty. Extended or permanent exclusion from the classroom or further disciplinary action can be effected only through appropriate procedures of the institution.

## Academic Dishonesty Referral Form

For any and all cases of academic dishonesty, the faculty member must submit the Academic Dishonesty Referral Form to the dean of your school or site, the chair of your program (if applicable), and to the Office of Student Affairs. The instructor should retain a third copy of the form for his or her own records. Among other things, this form asks for a description of the infraction, the method used to recognize or verify the infraction, prior incidents involving the student, academic consequences implemented by the instructor, and the instructor's recommended administrative action.

## Student Appeals Process

If a student believes that he/she may have been erroneously accused of academic dishonesty, and if an academic penalty has been assessed as a result, that student may initiate the appeals process:

**Grade Appeals Involving Alleged Academic Dishonesty:** A student has the right to appeal a grade that he/she deems unearned. The appeal process begins with the instructor of the course. The student should discuss the grade with the appropriate instructor. If the grade conflict is not reconciled between the student and the instructor, the student should set up an appointment with the Vice President for Student Affairs and the Student Judiciary.

**Student Judiciary:** For all cases involving alleged academic dishonesty, the Vice President for Student Affairs will preside over a panel of student judges. This panel will deliberate upon and recommend the action for all student FX appeals as well as other assessed academic penalties

**Vice President for Student Affairs:** The ultimate determination of the consequences for student academic dishonesty or for grade appeals involving alleged academic dishonesty is decided by the Vice President for Student Affairs, with the recommendation of the Student Judiciary playing a key role in this determination.

## Academic Dishonesty Policies and Procedures

All cases of academic dishonesty are handled according to the procedures outlined in your Student Handbook under "Academic Integrity - Policies and Procedures." See that section for the full explanation of the following policies.

Bainbridge State College defines academic dishonesty in the following way:

1. Receiving or providing unauthorized assistance for an academic course.
2. Procuring or providing unauthorized material for an academic course.
3. Reusing one's own work produced for another course.
4. Plagiarizing.

Any instance of academic dishonesty will result in failure of the assignment and, depending upon the importance of the assignment and the egregiousness of the instance, may result in failure of the course and the assignment of an "FX" (failure due to academic dishonesty) to the student's record. The instructor will determine the nature of the infraction; however, the student has the right to appeal any infraction affecting his/her standing in the course through the appeals process, described in the Student Handbook.

- **Unintentional Academic Dishonesty:** In a case of *unintentional* dishonesty—stemming from the student's lack of knowledge or misunderstanding of correct policies or procedures—a zero will be given for the assignment; however, the instructor may allow for the resubmission of the corrected assignment.
- **Intentional Academic Dishonesty:** Submitted work involving *intentional* academic dishonesty will receive a zero and cannot, under any circumstance, be resubmitted or replaced. An FX may result if the instructor determines the instance to be particularly egregious or detrimental to the student's academic standing in the course.

- **Two-Strike Clause:** After having been notified of a first infraction, if the student cheats a second time, he or she will receive an FX for the course.
- **Retroactive FX:** If a student is found to have engaged in academic dishonesty after a final grade has already been assigned, the institution retains the right to retroactively apply a grade of FX to the student's record.
- **Removal from Class for Academic Dishonesty:** The instructor has the right to order the temporary removal or exclusion from the classroom of any student engaged in academic dishonesty.

## Alcohol and Drug-Free Campus Policy

### Bainbridge State College Alcohol & Drug-Free Campus Policy (Omnibus Anti-Drug Abuse Act of 1988) Criminal and Administrative Penalties for Violation of Federal and State Drug Laws

The Drug Free Schools and Communities Act of 1989 (PL 101226), Section 22, requires "the annual distribution to each student and employee" of several items of information, including "a description of the applicable legal sanctions under the local, state, and federal law for the unlawful possession or distribution of illicit drugs and alcohol."

Other requirements of Section 22 have been complied with by the distribution of the Bainbridge State College policy on a Drug-Free Workplace and a Drug-Free Campus for employees and students. These policies meet the "Standards of Conduct" section that prohibits drug violations and makes "a clear statement that the institution will impose sanctions... up to and including expulsion and termination of employment and referral for prosecution" for violations of the standards.

### Anti-Drug Provisions of the Georgia Penal Code

1. **"Controlled Substances."** This broad category of illegal substance is defined in Official Code of Georgia Annotated (O.C.G.A.), Sections 16-13-25 to 16-13-29 in Drug Schedules I - V, which includes a long list of chemical compounds, opiates, hallucinogens, derivatives, isomers, and other materials. The State Board of Pharmacy may add new material to the list as required.
2. **"Dangerous Drugs."** This is an even broader category of illegal substance, and is defined in O.C.G.A. 16-13-71 describing hundreds of chemicals and other compounds. The Georgia General Assembly may add drugs to the list as required.
3. **Criminal Punishment**
  - a. "First Offender" treatment for mere possession of minor amounts of a controlled substance or dangerous drug. A person never before convicted of possession of a small amount of the above material may, in the judge's sole discretion, be afforded first offender treatment, resulting in no entry of a plea of guilty and no record of any conviction, if the defendant successfully completes a court-monitored comprehensive rehabilitative program (O.C.G.A. 16-13-2(a)).
  - b. Possession of one ounce or less of marijuana. Imprisonment for 12 months or less and/or a fine not to exceed \$1,000, or "public works" (community service) not to exceed 12 months (O.C.G.A. 16-13-2(b)).
  - c. Possession of one ounce or more of marijuana. Felony; confinement for not less than one year nor more than ten years (O.C.G.A. 16-13-30J(2)).
  - d. Trafficking in Marijuana. Felony. Depending upon the amount, confinement ranges from five to fifteen years, with fines from \$100,000 to one million dollars (O.C.G.A. 16-13-31(c)).
  - e. The penalty for the sale, distribution, or possession of dangerous drugs is as for a misdemeanor (O.C.G.A. 16-13-78.1).

- f. The penalties for violation of the "controlled substance" provision are numerous and they vary, depending upon the drug schedule under which the substance is listed, whether the act charged includes trafficking, and how much of the substance is involved. Penalties range from two to thirty years, and include life imprisonment for a second conviction of transferring narcotics (O.C.G.A. 16-13-30(d)).

### **Georgia Civil Forfeiture Statute O.C.G.A. 16-13-49**

The following property is subject to seizure by the state under public civil condemnation action, if such property was used in a criminal drug violation:

1. All contraband drugs.
2. All products used in drug manufacture and processing.
3. Any property used as a container for drugs.
4. Aircraft, vehicles, vessels, and other conveyances used or intended for use in the transportation or storage of illegal substances.
5. Books, records, formulas, and other data.
6. Cash, negotiable instruments, securities, or anything of value used in exchange for illegal substances.

### **Federal Criminal and Civil Sanctions for Drug Offenders**

Title 21, United States Code, Sections 841-858, describe prohibited acts, criminal penalties and civil and criminal forfeiture provisions established by Congress.

Title 21, U.S.C. 812, contains five schedules of "controlled substances." Schedule I describes certain opiates; Schedule II contains opium, cocaine, and other addictive substances; Schedule III lists amphetamine, phencyclidine (PCP), and other like matter; Schedule IV involves barbiturates; Section V concerns codeine and atropine sulfate, among other preparations. The Attorney General of the United States is authorized to add items to the several schedules.

The manufacture or distribution of various controlled substances, depending upon their Schedule sequence and the amount of substance involved, is punishable by confinement ranging from not less than five nor more than 40 years and fines from \$2,000,000 to \$10,000,000 (Section 841 of Title 21).

The penalties for "simple possession" of illegal drugs ranges from not more than one year to twenty years, depending on the substance schedule, amount possessed, and number of convictions (Title 21, 844).

Section 845a, Distribution or manufacturing in or near schools and Colleges. The distribution, manufacture, or possession with intent to distribute a controlled substance is punishable by twice the sanction provided in 841 (b) (not less than 10 nor more than 80 years, depending upon schedule and amount), where such offense was performed on or within one thousand feet of a College or university.

Section 853a denies certain "federal benefits" to "drug traffickers and possessors," such as federal grants, contracts, loans, and professional licenses.

Section 853 provides for the forfeiture of possession and title to the federal government of any property used in drug offenses, including realty (land, growing crops and timber), and any tangible personalty, including, but not limited to aircraft, vessels, vehicles, as well as rights, privileges, interests, claims, and securities.

### **Suspension from Public Institution for Convicted Drug Offenders (O.C.G.A. 20-1-23)**

Georgia law (see O.C.G.A. 20-1-23) mandates that any student of a public educational institution who is convicted 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 institution in which

such person is enrolled. The suspension shall be effective as of the date of conviction for the remainder of the semester. A convicted student would forfeit any right to any academic credit otherwise earned or earnable for such semester. The only exception allowed is in cases where the institution has taken disciplinary action for the same offense prior to conviction.

### **Health Risks Associated with Drug or Alcohol Use**

**Alcohol.** Alcohol consumption causes a number of changes in behavior and physiology. Even low doses significantly impair judgment, coordination, and abstract mental functioning. Statistics show that alcohol use is involved in a majority of violent behaviors on college campuses, including acquaintance rape, vandalism, fights, and incidents of drinking and driving. Continued abuse may lead to dependency, which often causes permanent damage to vital organs and deterioration of a healthy lifestyle.

**Cannabis (Marijuana, Hashish).** The use of marijuana may impair or reduce short-term memory and comprehension, alter sense of time, and reduce coordination and energy level. Users often have a lowered immune system and an increased risk of lung cancer. The active ingredient in marijuana, THC, is stored in the fatty tissues of the brain and reproductive system for a minimum of 28 to 30 days.

**Hallucinogens.** Lysergic acid (LSD), mescaline, and psilocybin cause illusions and hallucinations. The user may experience panic, confusion, suspicion, anxiety, and loss of control. Delayed effects, or flashbacks, can occur even when use has ceased. Phencyclidine (PCP) affects the section of the brain that controls the intellect and keeps instincts in check. Because the drug blocks pain receptors, violent PCP episodes may result in self-inflicted injuries.

**Cocaine/Crack.** Cocaine users often have a stuffy, runny nose and may have a perforated nasal septum. The immediate effects of cocaine use include dilated pupils and elevated blood pressure, heart rate, respiratory rate, and body temperature, followed by depression. Crack, or freebase rock cocaine, is extremely addictive and can cause delirium, hallucinations, blurred vision, severe chest pain, muscle spasms, convulsions, and even death.

**Amphetamines.** Amphetamines can cause a rapid or irregular heartbeat, tremors, loss of coordination, collapse, and death. Heavy users are prone to irrational acts.

**Heroin.** Heroin is an opiate drug that causes the body to have diminished pain reactions. The use of heroin can result in coma or death due to a reduction in heart rate.

### **Alcohol /Drug Counseling**

Counseling is available to students and employees through the MGC Counseling Office (478-934-3092). Persons interested in counseling or rehabilitation services should contact the MGC Counseling Office or the MGC Human Resources Office (478-934-3082).

### **Eligibility for Federal Financial Aid**

#### **Higher Education Act Amendments**

**(October 1998)**

#### **Section 484**

Section 484, *Student Eligibility*, is amended to authorize the suspension of a student's federal loan eligibility if he or she has been convicted of a drug-related offense. The section states that a student who has been convicted of any offense under any federal or state law involving the possession or sale of a controlled substance shall not be eligible to receive any grant, loan, or work assistance under this title during the period beginning on the date of such conviction and ending after the interval specified in the following table:

Student Ineligibility for Grants, Loans, or Work Assistance For possession of a controlled substance, ineligibility period is: First Conviction 1 year

For sale of a controlled substance, ineligibility period is: First Conviction 2 years