

# Procedure: 6.7.2p2. (V. D. II.)

## Model Student Conduct Codes

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**Last Reviewed:** October 14, 2016

**Adopted:** June 3, 2010



### I. PURPOSE:

Academic institutions exist for the transmission of knowledge, the pursuit of truth, the development of students, and the well-being of society. Free inquiry and free expression are indispensable to the attainment of these goals. As members of this academic community, students are encouraged to develop the capacity for critical judgment and to engage in a sustained and independent search for knowledge.

Freedom to teach and freedom to learn are inseparable facets of academic conditions in the classroom, on the campus, other college sites, and in the community. Students are expected to exercise their freedom with responsibility. As members of the academic community, students are subject to the obligations which accrue to them by virtue of this membership. As members of the larger community of which the college is a part, students are entitled to all rights and protection accorded them by the laws of the community. Nothing in this Code of Conduct shall be interpreted to interfere with any person's right to free speech as provided by the First Amendment to the Constitution of the United States of America.

By the same token, students are also subject to all laws, the enforcement of which is the responsibility of duly constituted authorities. When students violate laws, they may incur penalties prescribed by legal authorities. In such instances, college discipline will be initiated if the presence of the student on campus is considered a possible threat to persons or property, or if that person's presence may disrupt the educational process of the college. However, when a student's violation of the law also adversely affects the college's recognized educational objectives, or violates the college's Student Code of Conduct, the college will enforce its own regulations. When students violate college regulations, they are subject to disciplinary action by the college whether or not their conduct violates the law.

It is the policy of the Technical College System of Georgia (TCSG) to provide technical and adult education programs for the people of Georgia. TCSG's technical colleges must provide opportunities for intellectual, emotional, social, and physical growth. Technical college students assume an obligation to act in a manner compatible with the fulfillment of the mission. The technical college community recognizes its responsibility to provide an atmosphere conducive to growth. With these principles in mind, the TCSG establishes this Student Code of Conduct.

Generally, technical college jurisdiction and discipline shall be limited to conduct which occurs on technical college Premises, off-campus classes, activities or functions sponsored by the technical college, an examination or any other written or oral work submitted for evaluation

and/or a grade, or which otherwise adversely affects members of the technical college community and/or the pursuit of the technical college's objectives.

## **II. RELATED AUTHORITY:**

TCSG Procedure: 6.7.2p1. Student Disciplinary Procedure

TCSG Procedure: 6.1.1p. Unlawful Harassment and Discrimination of Students

## **III. APPLICABILITY:**

All technical colleges associated with the Technical College System of Georgia.

## **IV. DEFINITIONS:**

1) **Faculty Member:** any person hired by a TCSG technical college to conduct teaching, service, or research activities.

2) **Hearing Body:** as defined in the Student Disciplinary Procedure.

3) **Member of the technical college community:** any person who is a student, faculty member, contractor, technical college official or any other person/s involved with the technical college, involved in the community or employed by the technical college.

4) **Policy:** the written regulations of the technical college as found in, but not limited to, the Student Code of Conduct, Student Handbook(s), Residence Hall Handbook(s), technical college Catalog(s), the technical college Policy Manual, and the Policy Manual approved by the State Board for the Technical College System of Georgia.

5) **Student:** all persons taking courses at the technical college, including full-time, part-time, dual enrollment, joint enrollment, non-credit, and credit. Persons who are not officially enrolled for a particular term but who have a continuing relationship with the technical college are also considered "students".

6) **System:** the Technical College System of Georgia or TCSG.

7) **Technical college official:** any person employed by the technical college performing assigned responsibilities on a part-time, full-time or adjunct basis.

8) **Premises:** all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the technical college (including adjacent streets and sidewalks).

## **V. ATTACHMENTS: NONE**

## **VI. PROCEDURE:**

### **PRESCRIBED CONDUCT**

Any student found to have committed any of the following types of misconduct is subject to the disciplinary sanctions outlined in the Student Disciplinary Policy and Procedure.

## **A. ACADEMIC**

### Academic Misconduct Definitions

Academic Misconduct includes, but is not limited to, the following:

**1. Aiding and Abetting Academic Misconduct:** Knowingly helping, procuring, encouraging or otherwise assisting another person to engage in academic misconduct.

### **2. Cheating:**

a. Use and/or possession of unauthorized material or technology during an examination, or any other written or oral work submitted for evaluation and/or a grade, such as tape cassettes, notes, tests, calculators, computer programs, cell phones and/or smart phones, or other electronic devices.

b. Obtaining assistance with or answers to an examination or any other written or oral work submitted for evaluation and/or a grade from another person with or without that person's knowledge.

c. Furnishing assistance with or answers to an examination or any other written or oral work submitted for evaluation and/or a grade to another person.

d. Possessing, using, distributing or selling unauthorized copies of an examination, computer program, or any other written or oral work submitted for evaluation and/or a grade.

e. Representing as one's own an examination or any other written or oral work submitted for evaluation and/or a grade created by another person.

f. Taking an examination or any other written or oral work submitted for evaluation and/or a grade in place of another person.

g. Obtaining unauthorized access to the computer files of another person or agency and/or altering or destroying those files.

h. Obtaining teacher edition text books, test banks, or other instructional materials that are only intended to be accessed by technical college officials, college administrator or faculty member.

### **3. Fabrication**

The falsification of any information or citation in an examination or any other written or oral work submitted for evaluation and/or a grade.

### **4. Plagiarism**

- a. Submitting another's published or unpublished work in whole, in part or in paraphrase, as one's own without fully and properly crediting the author with footnotes, quotation marks, citations, or bibliographical reference.
- b. Submitting as one's own original work, material obtained from an individual or agency without reference to the person or agency as the source of the material.
- c. Submitting as one's own original work material that has been produced through unacknowledged collaboration with others without release in writing from collaborators.

## **B. NON-ACADEMIC MISCONDUCT**

Non-Academic Misconduct includes, but is not limited to, the following:

### **1. Behavior**

- a. Indecent Conduct: lewd or indecent conduct ; or distribution of obscene or libelous written or electronic material.
- b. Violence: physical abuse of any person (including dating violence, domestic violence or sexual violence) on technical college Premises or at technical college-sponsored or technical college-supervised functions, including physical actions which threaten or endanger the health or safety of any such persons. This includes fighting and/or other disruptive behavior, which includes any action or threat of violence which endangers the peace, safety, or orderly function of the technical college, its facilities, or persons engaged in the business of the technical college. Note: certain physical abuse may also be considered unlawful harassment.
- c. Harassment: The technical college prohibits unlawful conduct based on race, color, creed, national or ethnic origin, gender, religion, disability, age, genetic information, political affiliation or belief, disabled veteran, veteran of the Vietnam Era or citizenship status addressed directly to any individual or group that has the purpose or effect of unreasonably and objectively interfering with that individual or group's: (1) performance, (2) work or educational environment or (3) ability to participate in an educational program or activity. The technical college also prohibits stalking, or other behavior which objectively and unreasonably interferes with another's legal rights or creates an objectively intimidating, hostile, or offensive environment. (This also includes the display of or navigation to pornography and other inappropriate websites and materials and inappropriate behavior on social media and/or networking applications.) Impermissible harassment may include verbal, non-verbal and/or physical conduct.
- d. Disruption: prohibits activities not otherwise protected by law including the First Amendment to the Constitution of the United States of America, which intentionally obstructs or interrupts teaching, research, administration, disciplinary proceedings or other technical college activities, including public service functions and other duly authorized activities on technical college Premises or at technical college-sponsored activity sites.
- e. Failure to Comply: Failure to comply with lawful directions of technical college officials and/or failure to identify oneself to these persons when requested to do so.

## **2. Professionalism**

### **a. Personal Appearance:**

Refer to \_\_\_\_\_ Technical College Dress Code Policy.

## **3. Use of Technical College Property**

a. Theft and Damage: prohibits theft of, misuse of, or harm to technical college property, or theft of or damage to property of a member of the technical college community or a campus visitor on technical college Premises or at a technical college function.

b. Occupation or Seizure: illegal occupation or seizure in any manner of technical college property, a technical college Premises, or any portion thereof for a use inconsistent with prescribed, customary, or authorized use.

c. Presence on technical college Premises: prohibits unauthorized entry upon technical college Premises; unauthorized entry into technical college Premises or a portion thereof which has been restricted in use; unauthorized presence in technical college Premises after closing hours; or furnishing false information to gain entry upon technical college Premises.

d. Assembly: prohibits participation in or conducting an unauthorized gathering that objectively threatens or causes injury to person or property or that interferes with free access to technical college facilities or that is unprotected by the First Amendment to the Constitution of the United States of America and objectively harmful, obstructive, or disruptive to the educational process or functions of the technical college.

e. Fire Alarms: prohibits setting off a fire alarm or using or tampering with any fire safety equipment on technical college Premises or at technical college-sponsored activity sites, except with reasonable belief in the need for such alarm or equipment. In the event of a fire alarm sounding, students must evacuate the building unless otherwise directed by a technical college official.

f. Obstruction: prohibits obstruction of the free flow of pedestrian or vehicular traffic on technical college Premises or at technical college sponsored or supervised functions. Refer to \_\_\_\_\_ Technical College Parking Policy and Regulations.

## **4. Drugs, Alcohol and Other Substances**

Substances referred to under this policy include all illegal drugs, alcoholic beverages, and misused legal drugs (both prescription and over-the-counter).

a) Alcohol: Students must comply with all state and federal laws regulating alcohol as well as TCSG Policy II.C.6, Alcohol on Campus. Alcoholic beverages may not be served or sold at any student sponsored function. Students being in a state of intoxication on technical college Premises or at technical college-sponsored or supervised functions (including off-campus functions), internships, externships, practicum, clinical sites, co-operative or academic sponsored programs or activities or in a technical college-owned vehicle is prohibited.

b) Controlled substances, illegal drugs and drug paraphernalia: The technical college prohibits possession, use, sale, or distribution of any controlled substance, illegal drugs, or drug paraphernalia except as expressly permitted by law. Any influence which may be attributed to

the use of drugs or of alcoholic beverages shall not in any way limit the responsibility of the individual for the conduct or consequences of his/her actions.

c) Food: The technical college prohibits eating and/or drinking in classrooms, shops, and labs or other unauthorized areas on technical college Premises, unless otherwise permitted by technical college officials.

d) Smoking/Tobacco: The technical college prohibits smoking, or using other forms of electronic, alternative smoking devices or other forms of tobacco products in classrooms, shops, and labs or other unauthorized areas on technical college Premises. Refer to the \_\_\_\_\_ Technical College Tobacco Policy.

## **5. Use of Technology**

a. Damage and Destruction: Destruction of or harm to equipment, software, or data belonging to the technical college or to others is considered unacceptable usage. This may include altering, downloading, or installing software on technical college computers, tampering with computer hardware or software configuration, improper access to the technical college's network, and disconnection of technical college computers or devices.

b. Electronic Devices: Unless otherwise permitted by technical college officials, the technical college prohibits use of electronic devices in classrooms, labs, and other instructional, event, or affiliated facilities on technical college Premises. Such devices include, but are not limited to cell phones, beepers, walkie talkies, cameras, gaming devices, and other electronic devices, which may cause unnecessary disruption to the teaching/learning process on campus. The technical college also prohibits attaching personal electronic devices to college computers under any circumstances.

c. Harassment: The technical college prohibits the use of computer technology to objectively interfere with another's legal right to be free from harassment based on that individual's race, color, creed, genetic information, national or ethnic origin, gender, religion, disability, age, political affirmation or belief, disabled veteran, veteran of the Vietnam Era or citizenship status.

d. Unacceptable Use: Use of computing facilities to interfere with the work of another student, faculty member or technical college official. This includes the unauthorized use of another individual's identification and password.

\_\_\_\_\_ Technical College prohibits any additional violation to the Department's Acceptable Computer and Internet Use Policy.

## **6. Weapons**

The Technical College System of Georgia is committed to providing all employees, students, volunteers, visitors, vendors and contractors a safe and secure workplace and/or academic setting. The possession, carrying, or transportation of a firearm, weapon, or explosive compound/material in or on college building or property shall be governed by Georgia state law. All individuals are expected to comply with the related laws. Failure to follow laws pertaining to weapons is considered a violation of the Student Code of Conduct. Relevant Georgia laws to be aware of and compliant with include but may not be limited to:

O.C.G.A. § 16-8-12(a)(6)(A)(iii)  
O.C.G.A. § 16-7-80  
O.C.G.A. § 16-7-81  
O.C.G.A. § 16-7-85  
O.C.G.A. § 16-11-121  
O.C.G.A. § 16-11-125.1  
O.C.G.A. § 16-11-126  
O.C.G.A. § 16-11-127  
O.C.G.A. § 16-11-127.1  
O.C.G.A. § 16-11-129  
O.C.G.A. § 16-11-130  
O.C.G.A. § 16-11-133  
O.C.G.A. § 16-11-135  
O.C.G.A. § 16-11-137  
O.C.G.A. § 43-38-10

## **7. Gambling**

The Technical College System of Georgia prohibits the violation of federal, state or local gambling laws on technical college premises or at technical college sponsored or supervised activities.

## **8. Parking**

The technical college prohibits violation of \_\_\_\_\_ Technical College regulations regarding the operation and parking of motor vehicles on or around \_\_\_\_\_ Technical College Premises.

## **9. Financial Irresponsibility**

The technical college prohibits the theft or misappropriation of any technical college, student organization or other assets.

## **10. Violation of Technical College Policy**

Violation of System or Technical College Policies, rules or regulations including, but not limited to, rules imposed upon students who enroll in a particular class or program, internships, externships, practicum, clinical sites, co-operative, or any academic sponsored programs or activities, student organizations or students who reside in on-campus housing.

## **11. Aiding and Abetting**

Aiding, abetting, or procuring another person to do an activity which otherwise violates this Code of Conduct is prohibited.

## **12. Falsification of Documentation**

Disciplinary proceedings may be instituted against a student who falsifies any documentation related to the technical college either to the technical college or to others in the community, including, but not limited to falsification of: technical college transcripts; transcripts or other

documentation from other institutions to obtain credit from or admission to the technical college; technical college report cards or other grade reports; documentation related to a student's citizenship status; tests, homework, attendance records; signature of any technical college employee in his or her official capacity; signatures of any employee of a clinical or internship site where the student is participating in an educational program associated with the technical college or records related to any clinical, internship or other academic activity associated with the technical college.

### **13. Violation of Law**

a. If a Student is convicted or pleads Nolo Contendere to an on-campus or off-campus violation of federal, state, or local law, but not has not been charged with any other violation of the Student Code of Conduct, disciplinary action may nevertheless be taken and sanctions imposed if the violation of federal, state or local law is detrimental to the technical college's vital interests and stated mission and purpose.

b. Disciplinary proceedings may be instituted against a student charged with violation of a law that is also a violation of the Student Code of Conduct if both violations result from the same factual situation, without regard to criminal arrest and/or prosecution. Proceedings under this Student Code of Conduct may be carried out prior to, simultaneously with, or following criminal proceedings.

c. When a student is charged by federal, state, or local authorities with a violation of law, the technical college will not request or agree to special consideration for that individual because of his/her status as a student. The technical college will cooperate fully with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators. Individual students, acting in their personal capacities, remain free to interact with governmental representatives as they deem appropriate.

### **14. Abuse of the Student Judicial Process, including but not limited to**

- a. Failure to obey the notification of the Vice President for Student Affairs or the technical college president's designee, Hearing Body, Appellate Board or Technical College Official.
- b. Falsification, distortion, or misrepresentation of information in a judicial proceeding.
- c. Disruption or interference with the orderly conduct of a disciplinary proceeding.
- d. Initiating a disciplinary proceeding knowingly without cause.
- e. Attempting to discourage an individual's proper participation in, or use of, the disciplinary process.
- f. Attempting to influence the impartiality of a member of a Hearing Body, or Appellate Board prior to, and/or during the course of, the disciplinary proceeding.
- g. Harassment (verbal or physical) and/or intimidation of a member of a Hearing Body, or Appellate Board prior to, during, and/or after a disciplinary proceeding.
- h. Failure to comply with the sanction(s) imposed under the Student Code.

## **VII. RECORD RETENTION:**

Documents shall be held for no less than three (3) years after the graduation of the student or the date of the student's last attendance.