

## **CAMPUS LIFE**

**Campus Life**  
**Student Services**  
**Student Rights and Responsibilities**

## **COLLEGE LIFE AND STUDENT SERVICES**

South Georgia State College is committed to promoting a supportive campus environment that educates the whole person and meets the needs of students, faculty, staff, and citizens of the region. Student services are designed to facilitate a well-balanced college experience by strengthening the teaching/learning environment and promoting the ideals of an open, democratic, and global society.

Student services that support the college's core academic function are academic advising, athletics, campus recreational activities, counseling and disability services, first-year experience course, Honors Day programs, new student orientations, residence life and housing, student activities and cultural experiences, student clubs and organizations, student conduct, Student Government Association, and tutoring. Other services include food services, online bookstore, SGSC libraries, and the SGSC Police Department.

### **ACADEMIC ADVISING**

Academic advisement provides an appropriate support service for students in their respective academic pathways. Each student is assigned an advisor who will act as an advocate to help the student graduate in his/her chosen degree in a timely and efficient manner. Advisors serve students during times of registration to help plot their programs of study and take the necessary prerequisites/requirements for graduation. Advisors also assist students with transfer information and academic goal planning.

### **ATHLETICS**

The athletic programs at SGSC are members of the Georgia Collegiate Athletic Association (GCAA) and the National Junior College Athletic Association (NJCAA). SGSC supports eight intercollegiate athletic programs: baseball, women's soccer, softball, men's swimming, women's swimming, men's basketball, and men's and women's cross country. The ultimate goal is to make SGSC's intercollegiate athletic program the best among comparable institutions by recruiting quality student-athletes who will excel in the classroom as well as in sports. Developing the student athlete as a successful individual is one of the main objectives of the program.

### **CAMPUS RECREATIONAL ACTIVITIES AND INTRAMURAL SPORTS**

The College's campus recreational activities and intramural sports program are designed specifically for students and include activities such as volleyball, football, basketball, and softball. In addition, both the College's swimming pool and community golf course on the Douglas campus are available to enrolled students for recreational use. The strength of these programs is drawn from the high levels of student leadership and participation. The Coordinator of Student Engagement for Student Success is responsible for the oversight of the intramural sports program.

### **CAREER SERVICES**

Career Services at SGSC provides resources to help students research potential pathways, programs, and college transfer options. Student Success staff assist students and alumni with individual career counseling at all campus locations. Students have access to career assessments and information about degree programs and career fields. Career Services partners with businesses in the community to offer internship opportunities that are designed to incorporate academic coursework with work experience. Through these experiences, students may earn credit(s) toward their degree while working in positions related to their academic and career goals. Additionally, Career Services provides workshops on skills such as networking, writing resumés and cover letters, and interviewing. Career Services sponsors career fairs, information sessions, and programming to help students transition into the workforce.

## **COUNSELING AND DISABILITY SERVICES**

StayWell@SGSC is designed to help students achieve their academic goals by providing short-term counseling services for personal problems, stress, depression, time management, and adjustment to college. Students have 24/7 access to the support line for:

- in the moment support for mental health issues
- connections to next steps
- no-cost telehealth sessions provided by a network of licensed clinicians.

The Support Line number is (833) 855-0079.

All students at SGSC with a documented disability or students who suspect that they have a disability are strongly encouraged to register with the Disability Services Office at the time of making application. Students must self-identify in order to pursue academic accommodations. System accommodations require approval from the Regents Center for Learning Disorders (RCLD). Upon approval, students are responsible for requesting the Disability Services Coordinator's assistance in working with the faculty to devise reasonable classroom accommodations based on the recommendations from RCLD.

## **FIRST-YEAR EXPERIENCE COURSE**

Because many of the students entering into SGSC have never been in a college learning environment, they do not understand how this milieu differs from their previous classroom experiences. The College has implemented this course to provide students with the tools needed to be successful not only at SGSC but also at other institutions should the student desire to continue his or her education elsewhere. The course provides students with much needed skills to be successful in their daily lives and chosen careers.

First-time full-time students are required to take the course. The course is designed to equip each student with the necessary tools to achieve academic success, provide each student with the means to develop a personal strategy for achieving that success, make each student aware of the specific challenges that every college student faces, and help each student feel comfortable and energized as a member of an intellectual community.

## **HONORS DAY PROGRAMS**

For students who have accomplished notable academic achievement, the College holds an annual Honors Day Program on each campus. This program recognizes students who have excelled in areas of academics, athletics, or other co-curricular activities. By recognizing these students and their achievements, the College supports their academic success and helps further their college careers.

## **NEW STUDENT ORIENTATIONS**

Before each academic term, there is a highly-concentrated college-wide program, Student Orientation, Advisement, and Registration (SOAR), designed to introduce new students to SGSC. Students are provided information on academic and student support services. Workshop topics include Campus Resources, Information and Instructional Technology, Financial Aid, Advising and Registration, and more.

## **RESIDENCE LIFE AND HOUSING**

The Office of Residence Life and Housing exists to advance the educational mission of the College through its diverse programs and services. The Office of Residence Life and Housing seeks to provide a well-maintained and well-managed living and learning environment. The Douglas campus is a residential campus and currently operates two residence halls: Tiger Village I and Tiger Village II. The on-campus residential life options offer contemporary suites with all the amenities of home. SGSC's residence halls feature private furnished bedrooms, computer labs with high-speed Internet access, group study rooms, multipurpose entertainment spaces, laundry/vending, security, and Resident Assistants on each floor. In addition, Tiger Village I & II

are adjacent to the Clower Student Center. Each residence hall has individual ADA-accessible rooms on each wing and each floor.

The College policies for residential living are described in the *Residence Hall Handbook*. The central goal of the residence hall staff and the residence hall programming board is to create and maintain a safe, pleasant, and successful living/learning environment. Further information is available through the Residence Life & Housing Office.

Housing is also available at the SGSC Entry Program at Valdosta State University in Valdosta. For more information, email [sgscep.vsu@sgsc.edu](mailto:sgscep.vsu@sgsc.edu) or phone 912.260.4660.

### *Freshman Residency Requirements*

Any student requesting exemption from the Douglas Campus Freshman Residency Requirement must complete the online form found in the Residence Life & Housing subsection of the Becoming a Hawk section of the College website.

If a student wishes to reside off-campus, then one of the following criteria must be met:

- 21 years of age by the 1st day of the fall semester
- Married (must provide a copy of the marriage license)
- Caring for a dependent child (must provide a copy of the birth certificate)
- Veteran with at least 1 year of active service (must provide a copy of discharge documents)
- 30 or more earned credit hours (not including advanced placement)
- Dual enrollment
- Enrolled in fewer than 11 credit hours
- Medical conditions for which the College cannot achieve reasonable accommodations (condition must be on file with the Office of Disability Services)
- Waiver based on extreme hardship (case by case decision)
- Claims residency in the following counties: Atkinson, Bacon, Ben Hill, Berrien, Coffee, Irwin, Jeff Davis, Telfair, or Ware (must provide a copy of driver's license if requested by the College; otherwise, the student does not need to complete an exemption form)

## **STUDENT ACTIVITIES AND CULTURAL EVENTS**

Social and cultural activities at SGSC include dances, plays, concerts, exhibits, lectures, movies, trips, tournaments, contests, and other events. Campus life is enriched through the efforts of individual students and organizations that initiate recreational and educational activities. Most events are offered without cost to currently enrolled students.

## **STUDENT CLUBS AND ORGANIZATIONS**

SGSC's student clubs and organizations exist to assist students in their personal and professional development. These groups have been recognized by the Office of Campus Life at SGSC and are eligible for funding through the Student Fees Committee. Additional organizations may be created to reflect students' emerging interests.

## **STUDENT CONDUCT**

SGSC strives to create an environment that advances teaching, learning, and service to society. The College seeks to create an orderly climate that promotes academic integrity, intellectual freedom, and individual thought and expression consistent with the rights of others. To the end that such a climate may be established and maintained, the College as an institution and each member of the College community have reciprocal rights and responsibilities. It is the obligation

of the College to promote an optimal educational environment by protecting the rights of all members of the college community and by prohibiting acts that interfere with the rights of others.

Students subject to disciplinary expulsion, suspension, restitution, or forced withdrawal will be afforded an opportunity to have a hearing before the Student Conduct Board. Students subject to less severe sanctions will have an informal disciplinary conference with the Dean of Students and Housing for Student Success.

### **STUDENT GOVERNMENT ASSOCIATION**

The SGSC Student Government Association (SGA) establishes and maintains communication between students and the College's administration and faculty. It cultivates and preserves the ideals of responsible citizenship on campus and helps to create an atmosphere of learning. Each student is encouraged to address requests, questions, complaints, or suggestions to Student Government representatives, appropriate faculty members, or administrators. All officially enrolled South Georgia State College students may attend Student Government Association meetings. The SGA is also the student organization on campus that helps to plan student activity programming.

### **STUDENT SUCCESS CENTER**

SGSC has established a Student Success Center on each campus to provide services in the form of peer tutoring, supplemental materials, and programs that address all aspects of learning to support students' matriculation, continued enrollment, personal and professional development, and career preparation. There are multiple locations and modalities available to meet the needs of students:

- Douglas Student Success Center (Powell Hall, Room 103)
- Waycross Student Success Center (Dye Building, Room 141)

Online tutoring is available through GeorgiaVIEW with tutor.com Free tutoring services are also available at the entry program site listed below:

- Valdosta State University – Contact the Entry Program Office for assistance (912.260.4660).

When visiting any center, students must sign in and out for each visit. Staff members and tutors are available to assist with this process. For more information about Academic Success and the resources available, please visit <http://www.sgsc.edu/current-students/academicsupport.cms>.

### **COLLEGE POST OFFICE**

Each student living on the Douglas campus may sign up for a post office box in the Dining Hall complex, and incoming mail is delivered to an assigned mailbox. Outgoing mail may be dropped off at the Cashier's window in Engram Hall. Packages will be distributed through the front desk at each residence hall.

All correspondents should use the following form in addressing mail to students:

- Name
- 100 West College Park Drive
- Douglas, GA 31533-5098

### **SGSC POLICE DEPARTMENT**

The SGSC Police Department is the primary law enforcement agency on the SGSC Campus. The Police Department is recognized by the Georgia Peace Officers Standards and Training (POST) Council as a police agency.

### *Douglas Campus*

The SGSC Police Department (Douglas Campus) provides safety and security services 24 hour per day. The Department is located in Tiger Village I, 1st floor, West wing. The office number is 912.260.4401; however, we are often out on campus and may not be available to answer the office phone. Officers may be reached by calling 911 for emergency situations. In non-emergency situations, call 912.384.7675, and an officer will be dispatched to your location.

### *Waycross Campus*

The Waycross Campus has a Police Officer on duty during regular business hours. The office is located in the A-Building Room 101. The office number is 912.449.7506. Because we are often out on campus and may not be available to answer the office phone, officers can be dispatched to your location by simply dialing 911 in emergency situations. Call 912.287.4335 for a non-emergency response.

The Waycross Campus provides private security personnel to ensure safety on the campus after hours. The contact number is 912.501.4021. Cooperation is maintained with local law enforcement personnel also.

### **FOOD SERVICES**

The SGSC Dining Hall, located on the Douglas campus, offers one meal plan option for residential students and a commuter meal plan for non-residential students who wish to use their ID cards to purchase meals in the Dining Hall.

### **ONLINE BOOKSTORE**

Students can buy their textbooks from the online bookstore. With this system on the SGSC website, students can click on their class listings and see exactly what they'll need. Students can access the bookstore, allowing them to purchase both new and used books. The online bookstore provides the SGSC course listings, list of instructors, and the required textbooks. Students pay for textbooks through the Nebraska WebPrism system, a network that automatically tracks all student purchases and credits, allowing students to place a secure order with their credit card or any available financial aid.

### **SGSC LIBRARIES**

SGSC maintains two campus libraries with full services to students, faculty, staff, and community users. These learning resource centers provide 21<sup>st</sup> century library services with modern technology and an environment conducive to research and study for both independent and collaborative learning.

The *William S. Smith Library* is a 32,000-square-foot facility located on the Douglas campus with access to a variety of individual and group study rooms and two computer labs offering more than thirty Internet-accessible computers. The Library houses a special collection of Georgiana materials and the University Archives in its Georgia Rooms. Other campus facilities located within the Library include a teleconferencing room, a blended smart computer classroom, and the SPSS Research Room for undergraduate research.

The *Waycross Campus Library* encompasses 13,600 square feet within the Administrative building on the Waycross campus. The Library offers two study rooms and an audiovisual room. Students have access to over 30 computer terminals. This Library is home to an Okefenokee Swamp Collection and a smaller special collection of materials.

Both SGSC Libraries provide a variety of print, audiovisual, and electronic collections through direct and shared ownership, membership, and subscription including access to GALILEO, the state's virtual library. Hours vary by campus location.

Wireless Internet is available at both locations and printing can be handled from any of the WEPA machines located on either campus. Scanning and copier services are available. Books and media resources can be requested by students on each campus. Items not available at either campus may be borrowed from libraries within the University System through the GIL Express

Service or other non-USG libraries through Interlibrary Loan.

Librarians provide one-on-one in-person or virtual reference assistance and research consultation, classroom and information literacy instruction, and orientations and tours. Contact a librarian through LibChat, Ask-a-Librarian, or by filling out the Library Virtual Research Assistant form all linked from the Libraries Home Page. Embedded Librarian Service is available upon request of faculty.

## **VEHICLE REGISTRATION**

SGSC extends the privilege to operate a motor vehicle on campus in return for adherence to regulations designed to promote safety. No one shall park or operate a motor vehicle on campus unless qualified to do so under applicable state, local, and SGSC regulations and law. College personnel may cite violators under South Georgia State College Traffic and Parking Regulations or the Georgia Traffic Code.

There are designated Employee and visitor spaces on the Douglas and Waycross Campuses. Commuter students and visitors may park in spaces that are not reserved.

Only Residential Students and employees parking in reserved spaces are required to have a parking permit on their vehicles. In order to obtain a decal, you must have your vehicle description, tag number and student identification.

New employees may obtain a parking permit from the Department of Human Resources.

Residential student permits may be obtained from security personnel during the first two weeks of class. Students may obtain one decal free of charge. Additional decals are \$10.00 each.

Permits are to be permanently affixed to the driver's side exterior rear window of vehicles with the exception of motorcycles and convertibles. Those permits should be placed on the rear fender or the front windshield. Permits are valid until July 1 of the expiring year. Residential students should remain parked at the Residence Halls and walk to class.

If for any reason a student must drive a vehicle other than the one registered, a temporary registration permit will be issued, free of charge, from the Residence Life Specialist.

See <http://www.sgsc.edu/departments/homepage.cms> for additional details about vehicle registration and parking rules and regulations.

Revised 06/30/23

*The following pages relative to Student Rights and Responsibilities and the Code of Conduct for students have been copied directly from the SGSC Student Handbook (updated January 19, 2019).*

## **CODE OF CONDUCT**

### **RIGHTS AND RESPONSIBILITIES FOR STUDENTS**

The College seeks to create an orderly climate that promotes academic integrity, intellectual freedom, and individual thought and expression consistent with the rights of others. It is the obligation of the College to promote an educational environment by protecting the rights of all members of the college community and by prohibiting acts which interfere with the rights of others. Membership in the college community confers certain rights and imposes certain responsibilities. Students are expected to understand and exercise their rights, meet their responsibilities, and respect the rights of others. The College is expected to enforce these responsibilities and to afford these rights to students. The College will help students create a climate that promotes their development while not denying this opportunity to others. Upon their request, students have the right through their Student Government Association to be heard in matters that affect their rights and responsibilities. Students have the right to take stands on issues, to examine and discuss questions of interest, and to support legal causes by orderly means which do not disrupt college operations or interfere with the rights of others. Student publications and communications enjoy the rights inherent in the concept of freedom of expression. Individual students and organizations have the right to publish and distribute material on the campus provided that the materials are identified by the name of the student or organization. All publications shall be subject to the canons of responsible journalism, including the avoidance of defamation, indecency, obscenity, undocumented allegations, and harassment. All student organizations registered with the Office of Campus Life may meet on college premises if they make reservations in accordance with the established rules and regulations for room and space reservation. Students and/or student groups may not make reservations in their names for outside groups or organizations to use college space. Only student organizations registered with the Office of Campus Life have the right to invite persons of their choosing as speakers on college premises. The President of the College or the authorized representative may cancel a speaker's reservation where there is a clear and present danger to the orderly operation of the College. Such cancellation shall be communicated to the sponsoring organization at the earliest opportunity. Students shall have the right to have their academic and disciplinary records kept confidential subject to existing law. Students have the right to due process when accused of any violations of college regulations or rules of conduct. This right shall include the following:

- right to a notice in writing of charges.
- right to admit the alleged violation, waive a hearing, and accept the College's action.
- right to admit the alleged violation but request a hearing.
- right to deny the alleged violation and request a hearing.
- right to remain silent.
- right to a fair hearing.
- right to appear in person at a hearing or not to appear.
- right to call witnesses and present evidence on their behalf.



- right upon request to a list of witnesses who will appear against them.
- right to confront and cross-examine witnesses and/or accusers who are present.
- right to request a copy of any available records or tape recording of a hearing if the offenses involve possible suspension or expulsion.
- right to appeal beyond the point of origin to the administrative officer, the Discipline Committee, then to the President of the College.

## **SEXUAL MISCONDUCT**

Consistent with federal law and University System of Georgia policy, sexual misconduct of employees or students in the University System is prohibited and shall subject the offender to dismissal or other sanctions. Copies of the Sexual Harassment Policy are available online, <https://www.usg.edu/policymanual/section6/C2655/>

## **STUDENT CODE OF CONDUCT**

### **4.6.5 Standards for Institutional Student Conduct Investigation and Disciplinary Proceedings**

(This policy will take effect Fall Semester, 2017)

This Policy establishes minimum procedural standards for investigations and resolutions of alleged student conduct violations, which each institution must incorporate into its respective student conduct policies. The purpose of this Policy is to ensure uniformity in the quality of investigations while providing for due process that affords fairness and equity in all student conduct investigations.

These procedures apply to matters relating to student misconduct, except matters relating to academic dishonesty, which may be covered under separate institutional policies. Institutions shall inform students of their procedures governing student misconduct complaints and investigations.

#### **4.6.5.1 Reports of Student Misconduct**

Institutions must provide clear notice to students and other campus community members as to how to file complaints of misconduct.

Complaints to the appropriate department and/or person(s) should include as much information as possible – such as: (1) the type of misconduct alleged; (2) the name and contact information of the individual(s) accused of misconduct; (3) the date(s), time(s), and place(s) of the misconduct; (4) the name(s) and contact information of any individual(s) with knowledge of the incident; (5) whether any tangible evidence has been preserved; and (6) whether a criminal complaint has been made.

Information from complaints may be shared as necessary to investigate and to resolve the alleged misconduct. Complaints shall be investigated and resolved as outlined below. The need to issue a broader warning to the community in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”) shall be assessed in compliance with federal law.

Where appropriate, complainants may file a law enforcement report as well as an institutional report but are not required to file both.

1. **Confidentiality:** Where a complainant or alleged victim requests that his or her identity be withheld or the allegation(s) not be investigated, the institutions should consider whether or not such request(s) can be honored while still providing a safe and nondiscriminatory environment for the institution and conducting an effective review of the allegations. The institution should inform the requesting party that the institution cannot guarantee confidentiality.

2. **Retaliation:** Anyone who, in good faith, reports what she or he believes to be student misconduct participates or cooperates in, or is otherwise associated with any 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 an investigation should immediately contact the appropriate department or individual(s) for that institution. Any person found to have engaged in retaliation in violation of the student conduct policy shall be subject to disciplinary action, pursuant to the institution's policy.
3. **False Complaints/Statements:** Individuals are prohibited from intentionally giving false statements to an 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. **Amnesty:** Students should be encouraged to come forward and report violations of the law and/or student code of conduct notwithstanding their own improper use of alcohol or drugs. Any student(s) who voluntarily and in good faith reports information to college or university faculty or staff prior to any investigation concerning use of drugs or alcohol will not be voluntarily reported to law enforcement; nor will information that the individual provides be used against the individual for purposes of conduct violations. Nevertheless, these students may be required to meet with staff members in regard to the incident and may be required to participate in appropriate educational program(s). The required participation in an educational program under this amnesty procedure will not be considered a sanction.

Nothing in this amnesty procedure shall prevent a university staff member who is otherwise obligated by law (the Clery Act) to report information or statistical data as required.

#### **4.6.5.2 Process for Investigating and Resolving Disputed Reports**

**Jurisdiction:** Each institution shall take necessary and appropriate action to protect the safety and well-being of its community. Accordingly, student conduct should be addressed when such acts occur on institution property, at institution-sponsored or affiliated events, or otherwise violate the institution's student conduct policies, regardless as to where such conduct occurs. If the student has admitted responsibility and has voluntarily decided to participate in the informal process, the procedures outlined in this section will not apply.

**Access to Advisors:** The respondent and alleged victim (where applicable), as parties to these proceedings, shall have the right to have an advisor (who may or may not be 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, and guidance on responses to any questions posed to the advisee, but shall not participate directly during the investigation or hearing process. The institution shall not prohibit family members of a party from attending the hearing if the party requests such attendance but may limit each participant to having two family members present.

**Initial Evaluation of Student Conduct Reports:** Regardless of how an institution becomes aware of misconduct, the institution shall ensure a prompt, fair, and impartial review and resolution of complaints alleging student misconduct. Where a report of student misconduct has been made to the appropriate department and/or person, the institution shall review the complaint to determine whether the allegation(s) describes conduct in violation of the institution's policies and/or code of conduct. If the reported conduct would not be a violation of the institution's policies and/or code of conduct, even if true, then the report should be dismissed. Otherwise, a prompt, thorough, and impartial investigation, and review shall be conducted into

each complaint received to determine whether charges against the respondent should be brought.

Where a report of student misconduct alleges sexual misconduct or other forms of harassment and/or discrimination, the report will be referred to and the investigation will be conducted through or as directed by the appropriate office trained and equipped to investigate such matters.

Any report that involves allegation(s) of conduct that could lead to the suspension or expulsion of the respondent(s) in an initial violation must be promptly reported to the System Director by the institution. The System Director will work with the institution to determine whether any interim measure(s) are necessary, to assign an investigator and will collaboratively supervise the investigation with the appropriate institution professional (e.g., the Title IX Coordinator, Dean of Students and Housing for Student Success). If an allegation is not initially identified as one that could lead to suspension or expulsion of the respondent(s), but facts arise during the course of the investigation that would require oversight from the System Director, then the institution shall report that case to the System Director or her designee prior to proceeding.

### **Interim Measures**

Interim measures may be provided by the institution at any point during an investigation and should be designed to protect the alleged victim and the community. To the extent interim measures are imposed, they should minimize the burden on both the alleged victim and the respondent, where feasible. Interim measures may include, but are not limited to:

1. Change of housing assignment;
2. Issuance of a “no contact” directive;
3. Restrictions or bars to entering certain institution property;
4. Changes to academic or employment arrangements, schedules, or supervision;
5. Interim suspension; and
6. Other measures designed to promote the safety and well-being of the parties and the institution’s community.

An interim suspension should only occur where necessary to maintain safety and should be limited to those situations where the respondent 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 alleged victim or 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 respondent 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 take effect immediately. Upon request, the respondent will have an opportunity to be heard by the respective conduct officer, Title IX Coordinator, or System Director, as appropriate, within three business days in order to determine whether the interim suspension should continue.

### **Investigation**

Throughout any investigation and resolution proceedings, a party shall receive written notice of the alleged misconduct, shall be provided an opportunity to respond, and shall be allowed to remain silent or otherwise not participate in or during the investigation and resolution process without an adverse inference resulting. If a party chooses to remain silent or otherwise not participate in an investigation, the investigation may still proceed, and policy charges may still result and be resolved. Additionally, in any investigation involving allegations of sexual misconduct, timely notice of meetings shall be provided to each party of any meeting at which

the complainant, respondent or alleged victim may be present. Timely and equal access to information that will be used during the investigation will be provided to the complainant, respondent and alleged victim (where applicable).

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 the additional minimal safeguards outlined below.

1. The alleged victim and respondent shall be provided with written notice of the complaint/allegations, pending investigation, possible charges, possible sanctions, and available support services. The notice should also include the identity of any investigator(s) involved. Notice should be provided via institution email to the address on file.
2. Upon receipt of the written notice, the respondent shall have at least three business days to respond in writing. In that response, the respondent shall have the right to admit or to deny the allegations, and to set forth a defense with facts, witnesses, and supporting materials. A non-response will be considered a general denial of the alleged misconduct. Any alleged victim shall also be provided three business days to respond to or to supplement the notice.
3. If the respondent admits responsibility, the process may proceed to the sanctioning phase or may be informally resolved, if appropriate.
4. If at any point the investigator determines there is insufficient evidence to support a charge or to warrant further consideration of discipline, then the complaint should be dismissed.
5. An investigator shall conduct a thorough investigation and should retain written notes and/or obtain written or recorded statements from each interview. The investigator shall also keep a record of any party’s proffered witnesses not interviewed, along with a brief, written explanation of why the witnesses were not interviewed.
6. The initial investigation report shall be provided to the respondent and the alleged victim (where applicable). This report 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. For purposes of this Policy, a charge is not a finding of responsibility, but indicates that there is sufficient evidence to warrant further consideration and adjudication.
7. The final investigation report should be provided to the misconduct panel or hearing officer for consideration in adjudicating the charges brought against the respondent. A copy shall also be provided to the respondent and alleged victim (where applicable) before any 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.

### **Resolution/Hearing**

In no case shall a hearing to resolve charge(s) of student misconduct take place before the investigative report has been finalized.

Where the respondent indicates that he or she contests the charges, the matter shall be set for a hearing and once the investigative report has been finalized and copies provided to the respondent and alleged victim (where applicable); however, the alleged victim (where applicable) and respondent may have the option of selecting informal resolution as a possible resolution in certain student misconduct cases where they mutually agree, except where

deemed inappropriate by the Vice President for Academic and Student Affairs (or his/her designee) or the System Director.

Where a case is not resolved through informal resolution or informal resolution is not available due to the nature of the charges, the respondent shall have the option of having the charges heard either by an administrator (hearing officer) or a hearing panel. However, all cases involving charges of sexual misconduct that go to a hearing shall be heard by a panel of staff and/or faculty. Sexual misconduct panel members shall receive appropriate annual training as directed by the System Director or Coordinator and required by the Clery Act. If an administrative hearing is requested, the respondent shall use his or her discretion to determine whether the case should be heard by a hearing panel. Notice of the date, time, and location of the hearing shall be provided to the respondent, complainant, and alleged victim (where applicable) at least five business days prior to the hearing. Notice shall be provided via institution email where applicable. Additionally, the following standards will apply to any such hearing:

The respondent shall have the right to present witnesses and evidence to the hearing officer or panel. Witness testimony, if provided, shall pertain to knowledge and facts directly associated with the case being heard. Both parties shall have the right to confront any witnesses, including the other party, by submitting written questions to the hearing officer for consideration. Advisors may actively assist in drafting questions. The 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 respondent(s). In any event, the Panel shall err on the side of asking all submitted questions and must document the reason for not asking any particular questions.

1. 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 whether 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 the testimony. In sexual misconduct cases, the hearing officer reserves the right to allow a party to testify in a separate room, so long as no party is unfairly disadvantaged by this procedure. A party must still give testimony in the presence of the Panel, and the opposing party must have the opportunity to view the testimony remotely and to submit follow-up questions.
2. Formal civil rules of evidence do not apply to the investigatory or resolution process.
3. The standard of review shall be a preponderance of the evidence; however, any decision to suspend or to expel a student must also be supported by substantial evidence at the hearing.
4. Institutions should maintain documentation of the proceedings, which may include written findings of fact, transcripts, audio recordings, and/or video recordings.
5. Following a hearing, both the respondent and alleged victim (where applicable) shall be simultaneously provided a written decision via institution email (where applicable) of the outcome and any resulting sanctions. The decision should include details on how to appeal, as outlined 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 hearing panel or an administrative proceeding.

## **Possible 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; strength of the evidence; and the wellbeing of the university community. The hearing panel, hearing officer or administrator that found that a policy violation occurred will determine sanctions and issue notice of the same, as outlined above.

The broad range of sanctions includes: expulsion; suspension for an identified time frame or until satisfaction of certain conditions or both; temporary or permanent separation of the parties (e.g., change in classes, reassignment of residence, no contact orders, limiting geography of where parties can go on campus) with additional sanctions for violating no-contact orders; required participation in sensitivity training/awareness education programs; required participation in alcohol and other drug awareness and abuse prevention programs; counseling or mentoring; volunteering/community service; loss of institutional privileges; delays in obtaining administrative services and benefits from the institution (e.g., holding transcripts, delaying registration, graduation, diplomas); additional academic requirements relating to scholarly work or research; financial restitution; or any other discretionary sanctions directly related to the violation or conduct.

### **4.6.5.3 Appeals**

Where the sanction imposed includes a suspension or expulsion (even for one held in abeyance), the following appellate procedures must be provided. The alleged offender (and in cases involving sexual misconduct or other forms of discrimination and/or harassment, the alleged victim) 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 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 or whether the decision was tainted by bias; or (3) to allege that the finding was inconsistent with the weight of the information.

Appeals may be made for the above reasons in any case where sanctions are issued, even when 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 business days of the date of the final written decision. The appeal should be made to the institution's Vice President for Academic and Student Affairs or his/her designee.

The appeal shall be a review of the record only, and no new meeting with the respondent or any alleged victim is required. The Vice President, or his or her designee, may affirm the original finding and sanction, affirm the original finding but issue a new sanction of lesser severity, remand the case back to the decision-maker to correct a procedural or factual defect, or reverse or dismiss the case if there was a procedural or factual defect that cannot be remedied by remand. The Vice President or his or her designee shall then issue a decision in writing to the respondent within a reasonable time period.

The decision of the Vice President or his or her designee may be appealed in writing within five business days (as determined by the date of the decision letter) to the President of the institution solely on the three grounds set forth above.

The President may affirm the original finding and sanction, affirm the original finding but issue a new sanction of greater or lesser severity, remand the case back to the decision maker to correct a procedural or factual defect, or 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 simultaneously

issued in writing to the complainant, the respondent and the alleged victim (where applicable) within a reasonable time period. The President's decision shall be the final decision of the institution.

Should the respondent or alleged victim (where applicable) wish to appeal the President's decision, he or she may request review by the Board of Regents in accordance with the Board of Regents' Policy on Discretionary Review.

#### **4.6.5.4 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 institution's designee setting forth the basis for the challenge. The designee shall not be the same individual responsible for investigating or adjudicating the conduct allegation. The written challenge should be submitted within a reasonable time after the individual knows or reasonably should have known of the existence of the bias. The institution's designee will determine whether to sustain or deny the challenge and, if sustained, the replacement to be appointed.

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