

Dalton State College Student Code of Conduct and Disciplinary Procedures

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I. Dalton State College Student Code of Conduct

Students of Dalton State College have an obligation to assist in making the college an effective place for the transmission of knowledge, pursuit of truth, development of self, and improvement of society. By applying to Dalton State, students are responsible for conducting themselves in accordance with both the requirements of law and all Dalton State College rules and regulations.

II. Mission

Student Conduct supports learning through ethical development, personal reflection, and social responsibility, as guided by the Student Code of Conduct.

III. Vision

Our community will be a place where all individuals contribute to a safe educational environment, practice academic integrity, and resolve conflict peacefully.

IV. Student Conduct Authority

Under the authority of the Board of Regents, Dalton State College is delegated the responsibility for establishing and enforcing regulations pertaining to student conduct. (Regent Bylaws, Article VI, Section B.)

The Dalton State Student Code of Conduct shall apply to conduct that occurs on all College premises, at College-sponsored activities, and off-campus. Off-campus conduct that adversely affects the College community and/or the pursuit of its objectives will be addressed through the student conduct process at the sole discretion of the Student Conduct Administrator.

Each student shall be responsible for his/her conduct from the time of application for admission through the actual awarding of a degree. Students are still responsible for their behavior before classes begin, after classes end, as well as, during periods of time between continuous enrollment (i.e. summer or winter break). The Code applies to a student's conduct even if the student withdraws from school while a disciplinary matter is pending; the disciplinary matter would be resolved if the student chooses to return to the College.

A. Jurisdiction

Any individual defined as a Student under this Code falls under the jurisdiction of this Code. For incidents that happen on campus or online, processes outlined in this Code will be followed. For incidents occurring off-campus, the Vice President of Student Affairs and Enrollment Management or designee will determine if the interests of the College are affected and thus the incident falls under the scope of this Code. A Respondent may not withdraw from a class where an Academic Misconduct violation has been alleged or from the College in order to avoid Student Conduct processes.

B. Standard of Proof

Standard of Proof means the standard by which it is determined whether a violation of this Code has occurred. For the purposes of the Student Conduct process, the Standard of Proof required is a preponderance of the evidence (the evidence demonstrates it is more likely than not that, a violation has occurred).

Any decision to suspend or expel a student must be supported by substantial evidence at the hearing.

V. Definition of Terms

- A. The term “Allegation” refers to the possible violations of the Student Code of Conduct. Allegations are to be investigated and may or may not result in a charge.
- B. The term “Charge” refers to a violation of the Student Code of Conduct.
- C. The term “Confidential Employee” refers to 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 the 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.
- D. The term “Community” refers to Students, Faculty, Staff, as well as contractors, vendors, visitors, and guests.
- E. The term “Complainant” refers to any person who has filed a report with the Office of Student Conduct or the Equal Opportunity and Title IX Office of an alleged violation of this Code. The Complainant may not always be the alleged victim.
- F. The term “Consent” refers to 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.
- G. The term “Day(s)” refers to any day when the College is open for business and classes are in session.
- H. The term "Faculty Member or Faculty" refers to any person employed by Dalton State College to provide instruction or classroom activities.
- I. The term “Formal Resolution” refers to when a student is charged with a violation of the Student Code of Conduct and the case is resolved by the Student Conduct Board, Formal Hearing Officer, or a Title IX Formal Hearing Panel. As part of this resolution, the Student maintains their right to appeal.

- J. The term “Guest” refers to any non-student, non-faculty, or non-staff of Dalton State College; or non-residents in Mashburn Hall.
- K. The term "Hearing Officer" refers to any person designated by the Dean of Students or designee to investigate, adjudicate or otherwise resolve any cases of alleged student misconduct.
- L. The term “Incapacitation” refers to 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 the intentional or unintentional consumption of alcohol and/or other drugs. Whether someone is incapacitated is to be judged from the perspective of an objectively reasonable person.
- M. The term “Informal Resolution” refers to when a student is charged with a violation of the Code of Student Conduct and the case is resolved by accepting the outcome. By accepting the outcome, the student waives their right to a formal hearing and waives their right to an appeal.
- N. The term “Possession” includes, but is not limited to, holding, no matter the duration, any prohibited item in hand or having such items in one’s property, room, vehicle, or other area and where the person owning or controlling the property, room, vehicle, or other area knew or should have reasonably known the item was present. Possession may also include drinking, ingesting, or introducing any amount of prohibited substance into one’s body.
- O. The term “Privileged Employees” refer to individuals employed by the College 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 an imminent threat of serious harm.
- P. The term “Respondent” refers to any student charged with an alleged violation of the Student Code of Conduct
- Q. The term “Responsible Employee” refers to those employees who must promptly and fully report complaints of or information regarding Sexual Misconduct to the Title IX Coordinator. Responsible Employees include any administrator, supervisor, faculty member, or another 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, resident advisors, student managers, orientation leaders).

- R. The term “Student” means an individual who has been accepted for admission to Dalton State College and maintains a continuing relationship with the College by being enrolled in classes or being eligible to enroll in classes. Students also include but not limited to SOAR participants dual enrollment students taking courses on through Dalton State College.
- S. The term “Student Conduct Record” refers to the history of responsible findings a student has with the Office of Student Conduct. This includes Academic Dishonesty, Behavioral Conduct and Sexual Misconduct cases.
- T. The term “Student Group” or “Group” refers to any number of persons who associate with each other for a common purpose but are not a Registered Student Organization.
- U. The term “Registered Student Organization” or “Organization” refers to any number of persons who have completed the requirements for being a Registered Student Organization. This definition includes any Greek Lettered student groups registered as a Student Organization at Dalton State College.
- V. The term “Event” refers to any event (on-campus or off-campus) sponsored or facilitated by the College, a Student Group, or a Student Organization.
- W. The term "College Official" refers to and includes any person employed by Dalton State College, performing assigned administrative or professional responsibilities.
- X. The term "Student Conduct Board" refers to a body trained to hear and make recommendations concerning alleged violations of the Student Code of Conduct. This board may include Students, Faculty, and Staff.
- Y. The term “Victim” refers to any person who has been directly impacted by the behavior of a Respondent, which violates or allegedly violates the Student Code of Conduct.

VI. Rights and Responsibilities

A. Student Rights

Any Student, Student Group, Student Organization accused of a violation of the Student Code of Conduct will have the following rights:

1. To receive notice of alleged violations
2. To be provided an opportunity to respond to alleged violations
3. To seek information from the Student Conduct Administrator or a hearing officer about the review and resolution processes
4. To be accompanied by one advisor of his/her choice to conduct meetings and hearing
5. To present relevant information on his/her behalf
6. To request relevant witnesses on his/her behalf
7. To remain silent during any investigation and/or hearing and have no interference of responsibility drawn from such silence (If the respondent chooses to remain silent, the investigation may still proceed, and policy violations charges may still result, and any charges may be resolved regarding the respondent)
8. To have unrelated charges and cases resolved separately unless the respondent consents to have them aggregated
9. To be informed of any disciplinary outcomes in writing
10. To appeal decisions on specific grounds
11. To attend classes and required College functions until a hearing is held and a decision is rendered. Exceptions can be made when an interim suspension is imposed.

B. Victim's Rights

As a Student of Dalton State College, if you feel you are a victim of a violation either of the law or of the Student Code of Conduct, you have the following rights:

1. Regardless of whether an act is in violation of the law, the Victim may file a report alleging a violation of the Student Code of Conduct.
2. To have an advisor accompany them throughout the student conduct process.
3. To submit a Victim impact statement prior to a sanction being imposed.
4. To have past unrelated behavior excluded from the hearing.

C. Recusal/Challenge for Bias

Any party may challenge the participation of any College official, employee or Student Conduct Board member in the process on the grounds of personal bias by submitting a written statement along with evidence of why such a challenge is being made, to the Dean of Students Office setting forth the basis for the challenge. The written challenge should be submitted within a reasonable time after the individual knew or reasonably should have known the existence of the bias. The Dean of Students Office will determine whether to sustain or deny the challenge and if sustained, the replacement to be appointed.

D. Role of the Advisor

The Respondent and Complainant (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 College 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. The Respondent will be responsible for presenting his or her case and may be assisted by an advisor. Advisors, including attorneys, are not permitted to represent a Respondent in any portion of Formal Resolution, but may only offer advice to the Respondent. Advisors, including attorneys, may not address the Student Conduct Board, Title IX Formal Hearing Panel, or any member of the Student Conduct Board or Title IX Formal Hearing Panelist. Advisors may not question or examine witnesses, and may not act as witnesses in any capacity.

VII. Proscribed Conduct

The following actions are prohibited and constitute a violation of the Student Code of Conduct. Any student or organization found responsible for committing or attempting to commit the following misconduct is subject to disciplinary actions and sanctions.

1. Academic Misconduct

- a) Engaging in any behavior specifically prohibited by the course instructor in the course syllabus or classroom directions
- b) Cheating
 - 1. Use, or attempted use, of any unauthorized assistance or sources in preparation for or while completing quizzes, tests, examinations, and other course assignments
 - 2. The acquisition, or attempted acquisition, without permission, of tests or other academic material belonging to a faculty member or college official
 - 3. Selling, giving, lending, or otherwise furnishing material, or the attempt to do so, which contains the questions or answers to assignments or examinations without the permission of the course instructor
- c) Plagiarism
 - 1. The use, by paraphrase or direct quotation, of the published or unpublished work of another person without clear acknowledgment
 - 2. The unacknowledged use of materials by another person or agency engaged in selling papers or other academic material
 - 3. The use of previously submitted work without acknowledgment on a subsequently submitted academic assignment

2. Alcohol

- a) Possession or consumption of any alcoholic beverage on campus, regardless of a person's age
- b) Providing, distributing, or selling an alcoholic beverage, except as permitted by law
- c) Facilitating the consumption or possession of an alcoholic beverage in violation of the college policy or law
- d) Disruptive or disorderly conduct connected with the influence of alcohol
- e) Operating a motor vehicle while under the influence of alcohol or while impaired by the consumption of alcohol.
- f) Misuse of the Off-Campus Event Alcohol Policy, which states: Students of legal drinking age, as designated by the state, are permitted to purchase, possess, and consume alcoholic beverages at off-campus activities that are not being funded through student activity funds, institutional funds, or the utilization of campus resources (i.e. State Vehicle). If alcohol is present at an event, attendance must never be required. If an event is mandatory, no alcohol may be served. Even the perception of, or encouragement of, required attendance must always be avoided when alcohol is being served. Persons under the legal drinking age are strictly prohibited from purchasing, possessing, or consuming alcoholic beverages in accordance with the law. Exceptions from this policy, in regards to the funding of the activity and/or utilization of campus resources surrounding the activity,

if warranted, can be made by the Dean of Students and/or the Vice President for Enrollment and Student Services.

3. Animals

- a. Any abuse, inappropriate handling, or causing death to wildlife and/or animals
- b. Bringing any unauthorized animal into any building owned, leased, or controlled by Dalton State College
- c. Failure to properly clean up after the animal

4. Damage to Property

- a. Malicious or unauthorized damage or destruction of property belonging to the College, a member of the College community, or visitors to the College
- b. Violations of the [Posting and Publicity Policy](#)

5. Disorderly Conduct

- a. Assembly on campus for the purpose of creating a riot, destruction, or diversion which interferes with the normal operation of the College. (This should not be construed to deny any students the right of peaceful, non-disruptive assembly)
- b. Obstruction of the free movement of persons about the campus, interference with the use of College facilities, or material interference with the normal operations of the College
- c. Abuse or unauthorized use of sound amplification equipment indoors or outdoors during classroom hours
- d. Obstructing, disrupting, or attempting to obstruct or disrupt any teaching, research, administrative, disciplinary, or otherwise authorized activity
- e. Unauthorized audio, photographic, or video recording of any person while on College premises without consent from the individual in the recording, when such a recording is likely to cause injury, harm, or distress. This includes, but is not limited to taking pictures of another person without consent in a gym, locker room, or restroom
- f. No person shall exhibit behavior that is irresponsible or dangerous to the well-being or safety of self or any member or visitor of the Dalton State College community. (This should not be construed to indicate that students who have engaged in self-harm will be charged with violations of this Code)

6. Drugs

- a. Possession and/or use, without valid medical prescription, of any federal or state-controlled substances, including synthetic varieties (including prescription drugs and/or any item misused for the purpose of intoxication)
- b. Manufacture, distribution, and/or sale of any federal or state-controlled substances, including synthetic varieties (to include prescription drugs and/or any item misused for the purpose of intoxication)

7. Failure to Comply

- a. Failure to comply with directions of a properly identified College official or law enforcement officer in the performance of their duties
- b. Failure to truthfully identify oneself to College official(s) when requested
- c. Failure to comply with notices or sanctions pertaining to the student conduct process, including initial meeting requests, notices of student conduct hearings, and sanction requirements

8. Falsification

- a. Actual or attempted altering, falsifying, counterfeiting, and/or forging of any record, form, or document used by the College
- b. Actual or attempted lending, selling, or otherwise transferring student identification material
- c. Use or attempted use of student identification materials by anyone other than the original holder
- d. Presenting false information within an official college process, including but not limited to, admissions and student conduct proceedings

9. Fire Safety

- a. Tampering with fire safety equipment
- b. Setting or causing any unauthorized fire in or on College premises
- c. Refusing to leave a College building when the fire alarm sounds or when directed to leave by College officials for fire safety reasons
- d. Unauthorized possession, sale, furnishing, and/or use of any incendiary device
- e. Possession, sale, furnishing, and/or use of explosives of any kind on College premises or at a College function. Explosives refer to any substance prepared for the purpose of combustion, explosion, or detonation, including fireworks
- f. Possession and/or use in a Residential Life facility of any fire safety hazard included in the on-campus housing contract
- g. Possession, use, or storage of a hoverboard or similar devices in any campus buildings

10. Gambling

- a. The playing of cards or any other game of skill or chance for money or other items of value, unless part of a college-approved event

11. Harm, Threat, or Endangerment

- a. Physical abuse, verbal abuse, threats, harassment, coercion, and/or other conduct which threatens or endangers the health and or safety, causes significant distress or alters daily living of any person (This includes acts over any means of electronic communication)
- b. Intentional actions, inactions, or negligence that leads to actual or potential harm to others (physical and/or emotional)
- c. Harassment or other use of force or threats to intimidate or promote fear

12. Hazing

- a. Any practices, ceremonies, behaviors, rites of initiation which tend to cause, require, or allow mental or physical suffering, even if such activity is said to be voluntary. All rites, ceremonies, or practices of initiation or orientation into the life or membership of any college group or organization should be of an educational, historical, functional, and inspirational nature consistent with the accepted principles of higher education at Dalton State College
- b. Any action taken or situation created intentionally or unintentionally, on or off-campus, which could be reasonably expected to produce emotional or physical discomfort, embarrassment, harassment, ridicule, the violation of college policy, and/or the violation of any local, state, and national laws, even if the activity is said to be voluntary. (All policies of Dalton State College as well as local, state, and federal laws shall supersede those policies of national or local organizations.)
- c. Any practices, ceremonies, behaviors, or rites of initiation in connection with, as a condition of, or precondition of, gaining acceptance, membership, office, or other status in a recognized student organization or other college-sponsored activity

All assessments to the appropriateness of an action in regards to hazing will be considered within the context of the College community as a whole, not just within the organization, and shall be determined by the Dean of Students or designee. Individual students and organizations as a whole can be held responsible for their actions in attempted or actual hazing.

13. Retaliation

- a. Any actual or attempted retaliatory action imposed on a complainant, victim, witness, or other party involved in the conduct process

14. Sexual Misconduct

Refers to that policy through which alleged sexual misconduct, including any form of gender or sex-based discrimination or harassment, perpetrated by a student, will be addressed. The Student Sexual Misconduct Policy (along with a full set of definitions) is outlined in its entirety in Board of Regents Policy Manual 4.1.7.

- a. 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.
- b. 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.
- c. 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.

- d. **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.
- e. **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.
 - f. **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 a 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.

15. Smoking and Tobacco

- a. The use of tobacco products is prohibited on College premises. Tobacco products include but are not limited to cigarettes, cigars, pipes, all forms of smokeless tobacco, clove cigarettes, and any other smoking device that use tobacco such as hookah, or simulate the use of tobacco such as vaporizers, or electronic cigarettes
- b. Advertising, sale, or free sampling of tobacco products on College premises, unless specifically stated and approved for research purposes

16. Student Identification Card Violations

- a. Altering, lending, or selling a Student identification card
- b. Using a Student identification card by anyone other than its original holder
- c. Using a Student identification card in any unauthorized manner

17. Theft

- a. Taking, attempting to take, keeping in his or her possession, or reselling items of the College, or items belonging to students, faculty, staff, student groups, or visitors to the campus without proper authorization

18. Unauthorized Entry or Use of College Facilities

- a. Unauthorized entry into any college building, office, or another facility
- b. Remaining without authorization in any building after normal closing hours

19. Unauthorized Use of Computers and/or Internet

- a. Unauthorized entry or attempted entry into a file for any purpose, including but not limited to, use, read, transfer or alter the contents
- b. Use or attempted use of another individual's identification and/or password to access a campus computer or network
- c. Use or attempted use of computing facilities and resources to interfere with the work of another student, faculty, or college official
- d. Use or attempted use of computing facilities to view or send obscene or abusive messages
- e. Use or attempted use of computing facilities and resources to violate copyright laws

20. Violation of Confidentiality

- a. Disclosing confidential Student Conduct information as a member of the Student Conduct Board
- b. Disclosing confidential work-related information as a student employee

21. Violation of Other Campus Policies

- a. Violating any campus, program, or housing regulations published in hard copy or available electronically. (The Code is a minimal set of standards. Other offices and departments may set forth more rigid policies for specific programs, activities, or facilities.)

22. Violation of Law

- a. Violation of local, state, or federal law, on or off-campus

23. Weapons

- a. Except as expressly provided by state law, no person may carry or possess any weapon (including a firearm, handgun, or long gun) on the campus of Dalton State College
- b. Possession of any item that could reasonably cause harm or damage is considered a weapon when it is brandished in a threatening manner

VIII. Student Conduct Procedures

A. Reporting

1. All suspected violations should be immediately reported to the Student Conduct in the Dean of Students Office at Dalton State College. To report any violation of the Student Code of Conduct please go to https://www.daltonstate.edu/campus_life/studentconduct-about.cms. Anyone may submit a report. Reports are reviewed to determine if the alleged behavior is in violation of this Student Code of Conduct. A report of an alleged violation of this policy should include:
 - a. The type of misconduct.
 - b. Name(s) of the individual(s) involved.
 - c. Date, time, and place of misconduct.
 - d. Name and contact information for any witnesses.
 - e. Any evidence available.
 - f. Whether or not a criminal complaint was filed (if applicable).

B. Confidentiality

1. When a complainant or alleged victim requests that their identity be withheld or the allegation(s) not be investigated, Dalton State will consider whether or not such request(s) can be honored while still providing a safe and nondiscriminatory environment for the College. The College will inform the requesting party that Dalton State generally cannot guarantee confidentiality. Further, honoring the request may limit Dalton State's ability to respond fully to the incident and may limit Dalton State's ability to discipline the respondent.

C. Retaliation

1. Anyone who, in good faith, reports what they to be student misconduct, participates in, cooperates in, or is otherwise associated with any investigation, shall not be subjected to retaliation. Anyone who believes they have been the target of retaliation for reporting, participating in, or cooperating in, or otherwise being associated with an investigation should immediately contact the student conduct administrator (or public safety if there is an immediate danger). Any person found to have engaged in retaliation in violation of the student conduct policy shall be subject to disciplinary action.

D. False Complaints and/or Statements

1. Individuals are prohibited from intentionally giving false statements to a Dalton State College official. Any person found to have intentionally submitted false complaints, accusations, or statements, including during a hearing, in violation of policy shall be subject to appropriate disciplinary action (up to and including suspension or expulsion).

E. Amnesty

1. Students are 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 Dalton State College 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 an 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 Dalton State College staff member who is otherwise obligated by law (the Clery Act) to report information or statistical data as required.

F. Sexual Misconduct

1. All allegations of Sexual Misconduct will be reviewed by the Title IX Coordinator. The Title IX Coordinator will facilitate any investigation needed based on the needs of the case. Any Formal Hearing(s) will be heard and adjudicated by a trained sexual misconduct board. During an Informal or Formal Hearing, the Respondent and Victim will be given the opportunity to present a personal impact statement to the board or hearing officer. Both the Respondent(s) and Victim(s) will receive dual notification of the outcome of any adjudication.

G. Hearing Types

1. Administrative Hearing: a meeting with the Student Conduct Administrator or designee to review the students' rights, the incident report, and allow the student, student organization, or student group the opportunity to admit or deny the alleged violations. The Student Conduct Administrator or designee can make a recommendation for findings and sanctions if necessary. If the Respondent accepts they will agree to an Informal Resolution, thus waiving their right to a formal hearing before a Student Conduct Board or Formal Hearing Officer and their right to an appeal. If the student, student organization, or student group do not attend the administrative hearing, a formal hearing before a Formal Hearing Officer will be scheduled in their absence.
2. Formal Hearing: a hearing in which a student, student organization, or student group have their case heard by a single Formal Hearing Officer that has been appointed to hear the case by the Dean of Students. The Formal Hearing Officer reviews all the evidence, hear any statements, and determines responsibility based upon all material available, which can include, but is not limited to, incident reports, police reports, investigative reports, witness statements and/or testimony, statements and/or testimony from the complaining and accused parties. The Formal Hearing Officer will also assign any sanctions that are deemed necessary for the alleged violation(s) if necessary. Notice of the time, date, and location of the panel hearing shall be provided to the respondent (and alleged victim, where applicable) at least five (5) business days in advance of the hearing. If the student, student organization, or student group do not attend the formal hearing a decision will be made in their absence.
3. Student Conduct Board: a hearing in which a group of trained panelists determines whether a student has violated the Student Code of Conduct and assign sanctions when an outcome of

responsible is reached. The Student Conduct Board determines responsibility based upon all material available, which can include, but is not limited to, incident reports, police reports, investigative reports, witness statements and/or testimony, statements and/or testimony from the complaining and accused parties. The Student Conduct Board will also assign any sanctions that are deemed necessary for the alleged violation(s) if necessary. Notice of the time, date, and location of the panel hearing shall be provided to the respondent (and alleged victim, where applicable) at least five (5) business days in advance of the hearing.

- a. The Student Conduct Board is made up of at least three (3) individuals. These individuals are selected from a pool of trained panelists, which include students, faculty, and staff. All cases involving charges of sexual misconduct that go to a hearing shall be heard by a panel comprised of only staff and/or faculty
- b. The Student Conduct Panel is not trained by the individuals tasked with investigations allegations of student misconduct.
- c. After all material is presented by the complainant and respondent, including their testimony, and the testimony of witnesses, the Student Conduct Board shall conduct a closed deliberation, in which they will determine, by majority vote, whether the accused student has committed a violation of the Student Code of Conduct by a preponderance of evidence.

All hearings shall proceed in the event that a Respondent or complaining party chooses not to appear. The charges shall be presented and considered in the absence of the students, with whatever materials and information are available at that time. Hearings will begin five minutes after the scheduled hearing time if the respondent does not appear at the scheduled time.

H. Minor Violations

1. Notice of Charges
 - a. The Student Conduct Administrator or designee will contact the Respondent via their Dalton State College email address to notify them of:
 - i. The Charge(s)
 - ii. Request for recusal for bias procedure
 - iii. Possible sanctions
 - iv. Date/Time of meeting
 - b. The assignment of the Hearing Officer may be challenged only based on a conflict of interest or perceived bias. Challenges should be submitted in writing to the Dean of Student, who will render a decision. A non-response from the Respondent will be considered a general denial of the allegations and no challenge of the Hearing Officer assigned.
2. Minor Violations – Informal Resolution
 - a. In an Informal Resolution, the Respondent will meet with the Student Conduct Administrator or designee to resolve their case.
 - b. The Hearing Officer will provide the Respondent with written notice to their Dalton State College email address for the date and time of their meeting. The

purpose of the meeting will be to review and discuss the charge(s) before a final decision is reached.

- c. An advisor may be present at the request of the Respondent.
 - d. The Respondent will have the opportunity to review any and all information pertaining to the charge(s).
 - e. The Hearing Officer will find the Respondent responsible or not responsible for the Charge(s). If the Respondent accepts the Informal Resolution, they waive their right to a formal hearing and an appeal. The Respondent will be notified of the outcome of the Informal Resolution meeting no later than three (3) days after the meeting occurred.
 - f. If the Respondent does not accept the offered Informal Resolution, they can have their case resolved before the Student Conduct Board or a Formal Hearing Officer for a Formal Resolution.
 - g. The Student Conduct Administrator or designee may refer any case to the Student Conduct Board or Hearing Officer.
 - h. If the Respondent fails to attend the Administrative Hearing for an Informal Resolution, a Formal Resolution before a Formal Hearing Officer will be scheduled in their absence. The Respondent will be notified within three (3) Days of the scheduled date.
3. Minor Violations – Formal Resolution
- a. In a Formal Resolution, the Respondent appears before the Student Conduct Board or Formal Hearing Officer for adjudication of their case.
 - b. The Respondent will be notified in writing of the date, time, and location of the hearing. This notice will also include a statement any alleged violations of the Conduct, and the names of the Student Conduct Board members who will adjudicate the case. The Respondent will then have three (3) Days from the receipt of this notice to challenge any individual scheduled to be a part of the Student Conduct Board hearing the case. The composition of the Student Conduct Board may be challenged only on the basis of a conflict of interest or perceived bias. Challenges should be submitted in writing to the Dean of Students Office who will render a decision.
 - c. During the Student Conduct Board hearing, the Complainant and witness (if applicable) will have the opportunity to be present to answer any questions the Student Conduct Board may have, as well as any questions the Respondent may have. The Complainant and witness (if applicable) will also have the opportunity to question the Respondent. All questions from the Complainant, witness, and Respondent may be directed in writing to the chair of the Student Conduct Board if necessary.
 - d. The Chair of the Student Conduct Board can require, if necessary, all questions to be written and submitted to the Chair to deem if they are relevant or limit questions only if they are unrelated to determining the veracity of the charge(s) leveled against the Respondent. The reason for any question not asked will be read into the record.

- e. As per Section Five, the Respondent is entitled to an Advisor who may advise them and assist in drafting questions. The reason for any question not asked will be read into the record.
- f. The Student Conduct Administrator or designee reserves the right to allow a party to testify in a separate room or from a remote location. If this occurs, the Student Conduct Administrator or designee will ensure proper sequestration in a manner that ensures testimony has not been tainted and the sequestration will not disadvantage any party. If a party is unable to ask questions, the Student Conduct Administrator will work to provide reasonable accommodations to allow the party to ask questions of any person providing testimony.
- g. The Student Conduct Board or Formal Hearing Officer will determine findings and recommend any authorized sanction or combination of sanctions it deems to be warranted by the circumstances of the case. Prior conduct history will not be considered until the sanctioning phase of the hearing.
- h. If a Respondent refuses to cooperate with the Student Conduct Administrator or fails to attend the hearing, the hearing will be held in their absence. If the Respondent is found in violation, sanctions will be recommended.
- i. The Respondent retains their appeal rights.

I. Major Violations

- 1. Notice of Allegation(s) and Investigation
 - a. The Student Conduct Administrator or designee will contact the Respondent via their Dalton State College email address to notify them of:
 - i. Preliminary Charges
 - ii. Possible sanctions
 - iii. Available support services
 - iv. Recusal for bias
 - v. The investigator who will be involved
 - vi. The link to provide a written response
 - vii. The opportunity to schedule a preliminary meeting
 - b. Upon receipt of the written notice, the Respondent will have three (3) days from the receipt of this notice to respond. In this response, the Respondent will have the right to admit or deny the allegations, to set forth a defense with facts, witnesses, and documents (written or electronic) to support that defense and to challenge the assignment of the Investigator assigned to the case. The assignment of the Investigator may be challenged only based on a conflict of interest or perceived bias. Challenges should be submitted in writing to the Dean of Students who will render a decision. A non-response from the Respondent will be considered a general denial of the allegations and no challenge of the Investigator.
 - c. Based on this response, the Investigator will interview the Respondent and any incident witnesses, collect and review documents or other physical or electronic information, and perform other steps as appropriate. The Investigator will retain written notes and/or obtain written or recorded statements from each interview.

The Investigator will also keep a record of any proffered witnesses not interviewed, along with a brief, written explanation.

- d. The Investigator will summarize all information obtained as part of the investigation process in a preliminary investigative report. This preliminary investigative report will indicate resulting Charges (or no Charges), facts and evidence in support of those Charges, witness statements, and possible sanctions. The report will be submitted to the Respondent in person or via email.
 - e. The Respondent will have the opportunity to respond in writing within three (3) days to this investigative report. This response should indicate the Respondent's plea to all preliminary charges and, where applicable, their defense and facts, witnesses, and documents (written or electronic) to support that defense. A non-response from the Respondent will be considered a denial of the charge(s).
 - f. The Investigator may conduct further investigation determined necessary and warranted by the Respondent's response to the investigative report.
 - g. The final investigative report will be provided to the Respondent and Student Conduct Board or Formal Hearing Officer if the case is resolved formally.
2. Major Violations – Informal Resolution
- a. In an Informal Resolution, the Respondent will meet with a Hearing Officer to resolve their case.
 - b. The Respondent will have the opportunity to respond in writing and to review all case materials as stated above
 - c. The Hearing Officer will find the Respondent responsible or not responsible for the alleged violation(s). The Respondent will be notified of the outcome of the Informal Resolution meeting no later than three (3) days after the meeting occurred. If the Respondent accepts the Informal Resolution, they waive their right to a formal hearing and an appeal.
 - d. If the Respondent fails to attend the administrative meeting for an Informal Resolution, the case will be referred to a Formal Hearing Officer for adjudication.
3. Major Violations – Formal Resolution
- a. In a Formal Resolution, the Respondent appears before the Student Conduct Board or a Hearing Officer for adjudication of their case.
 - b. The Respondent will be notified in writing at least three (3) days in advance of the date, time, and location of the hearing. This notice will also include:
 - i. A statement of the alleged behavior
 - ii. Formal charges
 - iii. Potential sanctions
 - iv. Available support services
 - v. The names of the Student Conduct Board members who will adjudicate the case
 - c. Upon receipt of the written notice, the Respondent will have three (3) days from the receipt of this notice to respond. In this response, the Respondent will have the right to admit or deny the allegations, to set forth a defense with facts, witnesses, and documents (written or electronic) to support that defense and to challenge any

individual scheduled to be a part of the Student Conduct Board hearing the case. The composition of the Student Conduct Board may be challenged only on the basis of a conflict of interest or perceived bias. Challenges should be submitted in writing to the Dean of Students who will render a decision. A nonresponse from the Respondent will be considered a general denial of the allegations and no challenge of the individuals assigned to the Student Conduct Board. The Respondent may also elect to waive their right to respond in writing and review the case material and to proceed directly to a Student Conduct Board hearing.

- d. During the Student Conduct Board hearing, the Complainant will have the opportunity to be present to answer any questions the Student Conduct Board may have, as well as any questions the Respondent may have. The Complainant will also have the opportunity to question the Respondent. All questions from the Complainant and Respondent may, if necessary, be submitted in writing to the chair of the Student Conduct Board. The Student Conduct Board will ask the questions and will limit questions only if they are unrelated to determining the veracity of the charge(s) leveled against the Respondent. The reason for any question not asked will be read into the record.
- e. As per Section Five, the Respondent is entitled to an Advisor who may advise them and assist in drafting questions. The reason for any question not asked will be read into the record.
- f. The Student Conduct Administrator or designee reserves the right to allow a party to testify in a separate room or from a remote location. If this occurs, the Student Conduct Administrator or designee will ensure proper sequestration in a manner that ensures testimony has not been tainted and the sequestration will not disadvantage any party. If a party is unable to ask questions, the Student Conduct Administrator will work to provide reasonable accommodations to allow the party to ask questions of any person providing testimony.
- g. The Student Conduct Board or Formal Hearing Officer will determine findings and recommend any authorized sanction or combination of sanctions it deems to be warranted by the circumstances of the case. Prior conduct history will not be considered until the sanctioning phase of the hearing.
- h. If a Respondent refuses to cooperate with the Student Conduct Administrator or fails to attend the hearing, the hearing will be held in their absence. If the Respondent is found in violation, sanctions will be recommended.
- i. The Respondent retains their appeal rights.

J. Academic Misconduct Process

1. Allegations of academic misconduct, including those which could result in the sanction of suspension or expulsion will proceed through the disciplinary process outlined below.
2. In cases of a student being found responsible for a violation of academic misconduct, the faculty member teaching the course is responsible for assigning any course-related sanctions, which can include but are not limited to mandatory completion of an assignment, reduction in grade, grade of zero (0) for the assignment, or failure of the

course. The faculty member determines course-related sanctions based upon the situation and course syllabus.

3. Academic misconduct cases should be reported as a violation of the Student Code of Conduct. Once reported, the Academic Misconduct Process allows the student to have another party, not affiliated with the course, hear the alleged violation(s). The process will also result, when necessary, in non-course-related sanctions, such as educational workshops and assignments, and/or disciplinary warning, probation, suspension, or expulsion. Based on information gathered during the investigation, as well as the outcome of the hearing, the hearing officer may support the course-related outcome(s) assigned by the faculty member and/or recommend other course-related outcome(s) to the faculty member.
4. When an alleged violation of academic conduct is submitted, a hearing officer will contact both the faculty and the respondent to gather all information available, including but not limited to incident reports, course work, the course syllabus, and complainant, respondent, and/or witness statements. Based on the information gathered, the hearing officer will decide if there is enough information to charge a student with a violation. Charges are only warranted when a preponderance of the evidence is found.
 - a. If a student accepts responsibility for the specified violation(s) the hearing officer can determine and assign non-course-related sanctions. The process in which responsibility is accepted and sanctions are assigned is considered an administrative hearing. The outcome of the administrative hearing cannot be appealed. Only the non-course-related sanctions assigned can be appealed by a student after an administrative hearing.
 - b. If the student does not accept responsibility, the student can choose for the hearing officer to resolve the case or for multiple hearing officers in a student conduct panel to resolve the case. Resolving a case means determining if the respondent is responsible or not responsible for the charge and assigning non-course-related sanction(s) if a decision of “responsible” is reached.
 - c. Following a hearing, the respondent shall be provided a written decision via College email of the outcome and any resulting sanctions, details on how to appeal, and a summary of the information in support of any sanction.

IX. Student Conduct Sanctions

1. Sanctions are possible disciplinary actions which may be imposed upon a student, student organization, or student group who is determined to be responsible for a violation of the Student Code of Conduct through an Administrative Hearing, Formal Hearing, or Student Conduct Board.
2. In determining the severity of sanctions or corrective actions, the following should be considered: the frequency, severity, and/or nature of the offense(s), 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 Dalton State College community. The Student Conduct Board or Hearing Officer will determine sanctions and issue a notice of the sanctions in an outcome letter.
3. Failure to complete or abide by any assigned sanction can lead to further violations of the Student Code of Conduct and additional disciplinary action.
4. More than one sanction may be imposed for a single violation.
5. The following list of sanctions is not exhaustive and may be enlarged or modified to meet particular circumstances for a given case:
 - a. **Delays in Obtaining Administrative Services and Benefits from the Institution:** this can include but is not limited to holding transcripts or delaying registration, graduation, or receipt of a diploma.
 - b. **Disciplinary Warning:** a written notice intended to draw attention to the fact that the behavior under review was not in accordance with Dalton State Policy.
 - c. **Disciplinary Probation:** a written reprimand for violation of specific policy. Probation is for a designated period of time, and if the student is found to violate any College policy during the probationary period more severe disciplinary sanction(s), such as suspension or expulsion, will be imposed.
 - d. **Disciplinary Suspension:** this is a temporary separation from Dalton State College for a designated period of time or until the satisfaction of certain conditions or both. Suspended students cannot be present on campus or enrolled in any classes (including online) during their suspension. If a suspension is imposed in the middle of a term, all grades for that time period will result in zeros, and no classes can be dropped or withdrawn from. Suspended students cannot benefit from the privileges of current students, such as the use of the gym, library, or campus housing. Suspended students who need to be on campus for the purpose of re-enrolling should contact the Dean of Students Office and Public Safety for permission prior to coming on campus.
 - e. **Disciplinary Expulsion:** this is permanent separation from Dalton State College. Students who are expelled are no longer a part of the Dalton State community in any way and cannot regain such status at any point in the future. Expelled Students are not allowed on Dalton State premises without prior approval from the Dean of Students Office and Public Safety.
 - f. **Loss of Privileges:** denial of specific privileges for a designated period of time (i.e. housing, attending events, use of recreation facilities, etc.).
 - g. **Fines:** previously established and published fines may be imposed.

- i. A violation of the smoking and tobacco policy may result in a \$50 fine. The Residential Life contract dictates a higher fine for smoking in Residential Life facilities, which supersedes the \$50 general campus smoking and tobacco fine. Any Residential Life fines are imposed for specific violations of that contract and are overseen by the Office of Residential Life.
- h. Restitution: Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement
- i. Educational Sanctions: essays, reflection assignments, community service, alcohol, and other drug awareness and abuse prevention programs, sensitivity training/awareness programs, and other related educational assignments that encourage learning related to the reviewed incident.
- j. Mentoring: a set number of meetings with an assigned mentor on campus whose goal is to provide advice to the student in hopes of success at the institution. A mentor can require additional educational assignments or activities as a part of their sessions. (Mentoring is not considered counseling, and as such, mentors are not licensed, counselors.)
- k. Referral to Counseling: an initial referral to Dalton State Counseling services.
- l. Residential Living Evictions: separation of the student from the residence halls for a defined period of time or permanently. Conditions for readmission to the residence halls may be specified.
- m. Separation of Parties: actions taken to temporarily or permanently separate two or more individuals on campus. This may include but is not limited to: change in class, reassignment of residence, no-contact order, limitations of where parties can go on campus.
- n. Organizational Sanctions: loss of privileges, including College recognition for a specific period of time or permanently. Loss of privileges may include but is not limited to, a prohibition on social events, fund-raising projects, or intramural events. Organizations are also subject to certain sanctions typically placed on individual including, but not limited to, educational sanctions, mentoring, fines, and restitution.

X. Interim Measures

1. In certain circumstances, the Vice President for Student Affairs and Enrollment Management, or a designee, may impose interim measures to protect an 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:
 - i. Change of housing assignment;
 - ii. Issuance of a “no contact” directive;
 - iii. Restrictions or bars to entering certain institution property;
 - iv. Changes to academic or employment arrangements, schedules, or supervision;
 - v. Interim suspension
 - a. Interim suspension will only occur when necessary to maintain safety and are limited to situations where the respondent poses a serious and immediate danger or threat to persons or property.
 - b. In making such an assessment, the College will consider the existence of significant risk to 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.
 - c. Before an interim suspension is issued, the College will make all reasonable efforts to give the respondent an 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 University System of Georgia System Director, as appropriate, within three business days in order to determine whether the interim suspension should continue
 - d. During the interim suspension, a student shall be denied access to campus property and functions, including residence halls, classes, and all other College activities or privileges for which the student might otherwise be eligible. During the interim suspension, the student will be permitted on campus only for scheduled meetings with the Vice President for Student Affairs and Enrollment Management or other meetings approved by the Vice President for Student Affairs and Enrollment Management.
 - e. The interim suspension and any hearings or meetings related to the interim suspension do not replace the regular disciplinary process, which shall proceed through the normal process, up to a Student Conduct Panel hearing, if necessary. The student conduct process will subsequently occur to resolve alleged violation(s) of the Code and the imposition of sanctions, if necessary.
 - f. The Vice President for Student Affairs and Enrollment Management can grant an immediate interim suspension in a situation where the student poses a clear and present danger to the College community or one of its members, for example, but not limited to direct threats involving weapons

- vi. Other measures designed to promote the safety and well-being of the parties and the Dalton State College community.

XI. Appeals

The decision and/or sanction(s) of a case can be appealed by students through the following process:

1. An appeal can only be submitted based on the following grounds:
 - a. **Procedural Error:** to allege procedural error(s) 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.
 - b. **Finding inconsistent with the weight of information:** a decision or sanction was issued that is inconsistent with the weight of the information presented in the hearing.
 - c. **New Information:** 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.

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.

Appeals for violations of the University System of Georgia and Dalton State College Sexual Misconduct Policy can be filed by both Students (Respondent & Complainant/Victim) in the case.

2. The possible outcome regarding appeals at any stage are:
 - a. Affirm the original finding(s) and sanction(s).
 - b. Affirm the original finding(s), but issue a new sanction(s) of greater or lesser severity.
 - c. Remand the case back to the decision-maker to correct a procedural or factual defect.
 - d. Reverse or dismiss the case if there was a procedural or factual defect that cannot be remedied by remand.
3. A student may appeal to the Dean of Students or designee, provided the basis for the appeal is limited to the criteria listed above. Students who have accepted an Informal Resolution during an Administrative Hearing are not eligible for an appeal.
4. All appeal request and responses in this process are transmitted by electronic mail (which accommodates distance learning Students).
5. A student found responsible for violating this Code will have five (5) Days from the Receipt of the official outcome letter to appeal. The appeal packet will be limited to a review of the record of the Student Conduct Board, supporting documents, and the Student’s written appeal. The Student must explicitly state why they believe an appeal is warranted.

6. Any Student wishing to appeal should submit their appeal in writing to the Student Conduct Administrator or their designee. The Student Conduct Administrator will compile all pertinent information and deliver the appeal packet to the Dean of Students or designee. The Dean of Students or designee may:
 - a. Affirm the finding(s) and sanction(s).
 - b. Affirm the finding(s) but issue a new sanction(s) of greater or lesser severity.
 - c. Remand the case back to the decision-maker to correct a procedural or factual defect.
 - d. Reverse or dismiss the case if there was a procedural or factual defect that cannot be remedied by remand.
7. The Dean of Students or designee will make a decision in a reasonable period of time. For cases including Suspension or Expulsion, the decision may be appealed to the Vice President of Student Affairs and Enrollment Management or a designee as outlined below. For cases not including Suspension or Expulsion, the decision of the Dean of Students or designee is the final institutional action. There is no further right of institutional appeal.
8. When eligible, the decision of the Dean of Students or designee may be appealed in writing within five (5) Days to the Vice President of Student Affairs and Enrollment Management or designee. The appeal must be submitted to the Student Conduct Administrator. The Student Conduct Administrator will compile all pertinent information and deliver the appeal packet to the Vice President of Student Affairs and Enrollment Management or designee. The Vice President of Student Affairs and Enrollment Management or designee may:
 - a. Affirm the finding(s) and sanction(s).
 - b. Affirm the finding(s) but issue a new sanction(s) of greater or lesser severity.
 - c. Remand the case back to the decision-maker to correct a procedural or factual defect.
 - d. Reverse or dismiss the case if there was a procedural or factual defect that cannot be remedied by remand.
9. The Vice President of Student Affairs and Enrollment Management or designee will make a decision in a reasonable period of time. Should the Student wish to appeal the decision of the Vice President of Student Affairs or designee, they may appeal to the President.
10. A Student appealing the decision of the Vice President of Student Affairs and Enrollment Management will have five (5) Days from the Receipt of the Vice President for Student Affairs and Enrollment Management's decision letter to appeal. The appeal packet will be limited to a review of the record of the Student Conduct Board, supporting documents, and the Student's written appeal. The Student must explicitly state why they believe an appeal is warranted.
11. Any Student wishing to appeal should submit their appeal in writing to the Student Conduct Administrator. The Student Conduct Administrator will compile all pertinent information and deliver the appeal packet to the President. The President may:
 - a. Affirm the findings and sanctions.

- b. Affirm the findings but issue a new sanction(s) of greater or lesser severity.
 - c. Remand the case back to the decision-maker to correct a procedural or factual defect.
 - d. Reverse or dismiss the case if there was a procedural or factual defect that cannot be remedied by remand.
12. The President will make a decision in a reasonable period of time. Should the Respondent wish to appeal the President's decision, they may appeal to the University System of Georgia Board of Regents in accordance with the [Board of Regents Policy 6.26](#).

XII. Sexual Misconduct

Dalton State College adheres to the [Board of Regents Policy 6.7](#) for reporting, handling, hearings, possible sanctions, and appeals of violations of the Sexual Misconduct policy.

XIII. Interpretation and Revision

Any question regarding interpretation or application of the Student Code of Conduct or disciplinary procedures shall be referred to the Student Conduct Administrator.

The contents of this edition of the Student Code of Conduct, revised July 2019, supersede all previous editions. Dalton State College reserves the right to revise or correct the Student Code of Conduct as needed. All revision and corrections must be approved by the Student Government Association. Revisions and corrections will be posted on the internet at: https://www.daltonstate.edu/campus_life/student-conduct-about.cms