



Student Code of Conduct and Disciplinary Procedures

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I. Community Standards & Student Code of Conduct Authority

The Student Conduct Administrator develops the Student Code of Conduct (Code), its program, and procedural rules under the supervision of the Dean of Students Office at Dalton State College.

A. Jurisdiction

This code applies to all individuals defined as "Students," as well as any "Groups" or "Organizations" defined herein. The College is committed to protecting the safety and well-being of its community and will take appropriate action when such acts occur:

- On Dalton State College property;
- Online or through digital platforms;
- At College-sponsored or College-affiliated events, regardless of location;
- Or otherwise violate the College's policies, regardless of where such conduct occurs.

This Code remains in effect and applicable while any student conduct matter is pending, even if a Student withdraws from the College.

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 Student Conduct Process, the Standard of Proof required is a preponderance of the evidence. A preponderance of the evidence means that evidence would lead a reasonable person to conclude that it is more likely than not that the act in question did occur.

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

C. Reporting Complaints of Misconduct

Complaints of Student misconduct may be filed by any College or University System of Georgia employee, any student, or any member of the public. Complaints should include as much information as possible – such as:

- 1) The type of misconduct alleged;
- 2) The name and contact information of the Student(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 Campus Safety Act (“Clery Act”) shall be assessed in compliance with federal law.

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

D. Confidentiality

If a Reporter (where applicable) requests that their identity be withheld or the allegation(s) not be investigated, the College should consider whether such request(s) can be honored while still promoting 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 and that even granting requests for confidentiality shall not prevent the institution from reporting information or statistical data as required by law, including the Clery Act.

E. Initial Evaluation of Community Standards & Student Code Reports

Regardless of how the institution becomes aware of alleged 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.

F. Retaliation

Anyone who has made a report or complaint, provided information, assisted, participated or refused to participate in any investigation or resolution under applicable Board or College policy shall not be subjected to retaliation. Anyone who believes they have been subjected to retaliation should immediately contact the appropriate department or individual(s) for that institution. Any person found to have engaged in retaliation shall be subject to disciplinary action, pursuant to the College’s policy.

G. False Report, Complaint, or Statement

Individuals are prohibited from knowingly giving false statements to a College official. Any person found to have knowingly submitted false complaints, accusations, or statements, including during a hearing, in violation of applicable Board or College policy, shall be

subject to appropriate disciplinary action (up to and including suspension or expulsion) and adjudicated pursuant to the College's policy.

H. Violations of State or Federal Law

A student of the College who is charged with, or indicted for, a felony or crime involving moral turpitude may be suspended pending the disposition of the criminal charges against him or her. Upon request, the student shall be afforded a hearing, as provided in this Policy Manual and any related institution policy, where he or she shall have the burden of establishing that his or her continued presence as a member of the student body will not be detrimental to the health, safety, welfare, or property of other students or members of the campus community or to the orderly operation of the institution. Upon final conviction, the student shall be subject to appropriate disciplinary action.

I. Student Organization Responsibility for Drug Abuse

The use of marijuana, controlled substances, or other illegal or dangerous drugs constitutes a serious threat to the public health, welfare, and academic achievement of students enrolled at the College. Therefore, all student organizations, including but not limited to societies, fraternities, sororities, clubs, and similar groups of students which are affiliated with, recognized by, or which use the facilities under the jurisdiction of the College, are responsible for enforcing compliance with local, state, and federal laws by all persons attending or participating in their respective functions and affairs, social or otherwise.

As provided by the Student Organization Responsibility for Drug Abuse Act, any such student organization which, through its officers, agents, or responsible members, knowingly permits, authorizes, or condones the manufacture, sale, distribution, possession, serving, consumption or use of marijuana, controlled substances, or other illegal or dangerous drugs at any affair, function, or activity of such student organization, social or otherwise, violates the laws of this State and, after being afforded the constitutional requirements of due process, shall have its recognition as a student organization withdrawn and shall be expelled from the campus for a minimum of one calendar year from the date of determination of guilt.

Such organization shall also be prohibited from using any property or facilities of the College for a period of at least one year. Any lease, rental agreement, or other document between the Board of Regents or the College and the student organization that relates to the use of the property leased, rented, or occupied shall be terminated for the student organization knowingly having permitted or authorized the unlawful actions described above.

All sanctions imposed by this policy shall be subject to review procedures authorized by the Board of Regents' Policy on Application for Discretionary Review.

An appeal to the Board of Regents shall not defer the effective date of the adverse action against the student organization pending the Board's review unless the Board so directs. Any

such stay or suspension by the Board shall expire as of the date of the Board's final decision on the matter.

J. Alcohol and Drugs on Campus

In accordance with Georgia laws governing the manufacture, sale, use, distribution, and possession of alcoholic beverages, illegal drugs, marijuana, controlled substances, or dangerous drugs on college campuses and elsewhere, including the Drug-Free Postsecondary Education Act of 1990, the Board of Regents encourages the College to adopt programs designed to increase awareness of the dangers involved in the use of alcoholic beverages, marijuana, or other illegal or dangerous drugs by University System of Georgia (USG) students. Such programs shall stress individual responsibility related to the use of alcohol and drugs on and off the campus.

To assist in the implementation of such awareness programs and to enhance the enforcement of state laws at USG institutions, each institution shall adopt and disseminate comprehensive rules and regulations consistent with local, state, and federal laws concerning the manufacture, distribution, sale, possession, or use of alcoholic beverages, marijuana, controlled substances, or dangerous drugs on campus and at College-approved events off campus.

Disciplinary sanctions for the violation of such rules and regulations shall be included as a part of each institution's disciplinary code of student conduct. Disciplinary sanctions for students convicted of a felony offense involving the manufacture, distribution, sale, possession, or use of marijuana, controlled substances, or other illegal or dangerous drugs shall include the forfeiture of academic credit and the temporary or permanent suspension or expulsion from the institution. All sanctions imposed by the institution shall be subject to review procedures authorized by Board of Regents' Policy on Application for Discretionary Review.

The rules and regulations adopted by each institution shall also provide for relief from disciplinary sanctions previously imposed against one whose convictions are subsequently overturned on appeal or otherwise.

II. Definitions of Terms

- A. The term "Administrative Decision" refers to when a student is charged with violating the Student Code of Conduct, and the case is resolved by accepting the recommended outcome. By accepting the outcome, the student waives their right to a formal hearing and waives their right to an appeal.
- B. 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 violation of the Student Code of Conduct
- C. The term "Charge" refers to a violation of the Student Code of Conduct.
- D. The term "Chair" or "Chairperson" refers to the employee who will moderate a formal hearing before the Student Conduct Board or Title IX Panel. The Chair or Chairperson will not participate in the finding of responsibility for an alleged violation.
- E. The term "Confidential Employee" refers to employees who have been designated by the institution to talk with a Complainant or Respondent in confidence. Confidential Employees must only report that the incident occurred and provide the date, time, location, and name of the 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 Clery Act. Confidential Employees may be required to fully disclose details of an incident in order to ensure campus safety.
- F. The term "Community" refers to Students, Faculty, Staff, as well as contractors, vendors, visitors, and guests.
- G. The term "Complainant" refers to an individual who is alleged to have experienced conduct that violates a policy of Dalton State College or the University System of Georgia
- H. 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.
- I. The term "Day(s)" refers to any day when the College is open for business.
- J. The term "Faculty Member or Faculty" refers to any person employed by Dalton State College to provide instruction or classroom activities. Faculty includes, but is not limited to, lecturer, instructor, or adjunct faculty.
- K. 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, Single

Hearing Officer, or a Title IX Formal Hearing Panel. As part of this resolution, the Student maintains their right to appeal.

- L. The term "Guest" refers to any non-student, non-faculty, or non-staff of Dalton State College; or non-residents in Mashburn Hall.
- M. The term "Hearing Officer" refers to any person designated by the Dean of Students or the designee to adjudicate or otherwise resolve any cases of alleged student misconduct.
- N. 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.
- O. 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.
- P. 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.
- Q. The term "Reasonable Person" refers to any individual who is objectively reasonable under similar circumstances and with similar identities to the person being evaluated by the institution.
- R. The term "Reporter" means an individual who reports information to the College regarding alleged policy violations.
- S. The term "Respondent" means an individual who is alleged to have engaged in behavior that would violate any applicable College policy.
- T. 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).

- U. 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 are not limited to individuals attending orientation, dual enrollment, and students taking courses online through Dalton State College.
- V. 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, Sexual Misconduct, and Title IX cases.
- W. 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.
- X. The term "Organization" refers to an organization (such as a club, society, association, corporation, order, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band, student government, or group living together) in which two or more of the members or enrolled students or alumni, including local affiliate organizations, whether or not the organization is established or recognized by the College.
- Y. The term "Registered Student Organization" refers to students who have completed the requirements for being a recognized organization through the Office of Student Engagement & Belonging.
- Z. 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.
- AA. The term "College Official" refers to and includes any person employed by Dalton State College, performing assigned administrative or professional responsibilities.
- BB. 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.
- CC. 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.

III. 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 and attend an initial meeting to review the allegation(s), Community Standards process, and ask any relevant questions.
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 of evidence and resolution processes
4. To be accompanied by one advisor of their choice to any meeting(s) and hearing
5. To present relevant information on their behalf
6. To request relevant witnesses on their 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 the Student Code of Conduct, you have the following rights:

1. Regardless of whether an act violates 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 before 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. Access to Advisors

The Respondent shall have the right to have an advisor (who may or may not be an attorney) of the party's choosing, and at their 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 their 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.

E. Community Standards & Student Outreach Communication

Community Standards & Student Outreach utilizes the institutional email (@daltonstate.edu) as its primary means of communication with Students, Student Organizations, and Student Groups. It is necessary for Students to check their institutional email daily and to promptly respond to any request from Community Standards & Student Outreach or designee.

IV. Community Standards & Student Code of Conduct Regulations

A. Amnesty Protocol

Students should be encouraged to come forward and report violations of the law and/or student code of conduct notwithstanding their choice to consume alcohol or drugs.

Information reported by a student during the conduct process concerning their consumption 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 regarding 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 College staff member who is otherwise obligated by law (the Clery Act) to report information or statistical data as required.

B. Freedom of Expression

Dalton State College recognizes and upholds the rights protected by the First Amendment, including the rights of free speech and free expression, and the right to assemble peaceably. Demonstrations, assemblies, and dissemination of information can be valid expressions for dissenting opinions provided they do not disrupt academic and administrative functions of the institution. All students must comply with the [Dalton State College Freedom of Expression Policy](#).

C. Temporary Remedial Measures

Temporary remedial measures may be implemented by the institution at any point after the institution becomes aware of the alleged student misconduct and should be designed to protect any student or other individual in the Dalton State community. To the extent interim measures are imposed, they should minimize the burden on both the Complainant (where applicable) and the Respondent, where feasible. Temporary remedial measures may include, but are not limited to:

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

D. Interim Suspension

An interim suspension should only occur after determining that temporary remedial measures are not sufficient and/or when necessary 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 Reporter 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.

When an interim suspension is issued, the terms of the suspension take effect immediately. The Respondent shall receive notice of the interim suspension and the opportunity to respond to the interim suspension within three business days of receipt. The College will then determine whether the interim suspension should continue.

E. Initial Outreach & Preliminary Disciplinary Meeting

The Community Standards & Student Outreach office will review each allegation and determine if it could amount to a violation of the College's Student Code of Conduct or other applicable policies and will charge the student accordingly.

The student will be notified of the alleged violation(s) in writing and given the opportunity to resolve the matter informally by attending a Preliminary Disciplinary Meeting with the Community Standards & Student Outreach office.

During the Preliminary Disciplinary Meeting, the student will be informed of his/her right to due process the opportunity to waive a hearing and accept responsibility for the alleged violation(s). By accepting responsibility, the student may also receive a recommendation of lower sanctions (as applicable) from the Community Standards & Student Outreach office. If the student accepts responsibility for the alleged violation(s) and the recommended sanctions, the student and the student conduct administrator will sign a notice of the admission of responsibility, and the imposed sanctions will take effect immediately. Upon acceptance of responsibility and the sanctions, the student waives any appeal rights associated with those charges.

If the student denies responsibility and/or refuses to accept the recommended sanctions, the student conduct office shall complete any necessary remaining investigation, and the findings of the investigative review shall be used to determine the appropriate route or resolution of the case.

If the student fails to attend the Administrative Disciplinary Meeting request and sanctions have been recommended, the student will be given an assigned deadline to respond in person or in writing with acceptance or denial of the recommended sanctions.

All correspondence will be sent to students at their institutional email address (@daltonstate.edu).

F. Community Standards & Student Outreach Investigations

When a student denies responsibility for any violation(s), Community Standards & Student Outreach will initiate an investigation.

Throughout any investigation and resolution proceedings, both parties 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 the 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. Timely access to information that will be used during the investigation will be provided to the Respondent.

An investigator shall be an individual other than the Student Conduct Officer (or staff member) who adjudicates the incident in question. This individual shall provide an unbiased review of the incident and charges. This individual shall be identified and approved by the chief student affairs officer of the institution.

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:

- i. The 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 College email to the address on file.
- ii. 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
- iii. If the Respondent admits responsibility, the process may proceed to the sanctioning phase or may be informally resolved, if appropriate
- iv. 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.
- v. 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.
- vi. A final investigation report shall be provided to the Respondent. 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.
- vii. The final investigation report should be provided to the misconduct panel or hearing officer for consideration in adjudicating the charges brought against the Respondent before any hearing. A copy shall also be provided to the Respondent 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.

G. 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 they contest the charges and the investigative report has been finalized and copies provided to the Respondent, the matter shall be set for a hearing. However, the Respondent may have the option of selecting informal resolution in certain student misconduct cases except where deemed inappropriate by the Chief Student Affairs Officer (or their designee) or Assistant Vice Chancellor for Student Affairs at the University System Office.

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. If an administrative hearing is requested, the Student Conduct Administrator shall use their 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 at least five business days prior to the hearing. Notice shall be provided via institution email where applicable. Hearings shall be conducted in person or via conferencing technology as reasonably available. Additionally, the following standards will apply to any such hearing:

- i. 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. The Respondent shall have the right to confront any witnesses by submitting written questions to the Hearing Officer or Hearing Panel for consideration. Advisors may actively assist in drafting questions. The Hearing Officer or Hearing 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 Hearing Officer or Hearing Panel shall

- err on the side of asking all submitted questions and must document the reason for not asking any particular questions.
- ii. Where the Hearing Officer or Hearing Panel determines that a party or witness is unavailable and unable to be present due to extenuating circumstances, the Hearing Officer or Hearing Panel may establish special procedures for providing testimony from a separate location. In doing so, the Hearing Officer or Hearing 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 Hearing Panel will disregard or discount the testimony.
 - iii. Formal judicial rules of evidence do not apply to the investigatory or resolution process.
 - iv. The standard of review shall be a preponderance of the evidence.
 - v. The College will maintain documentation of the proceedings, which may include written findings of fact, transcripts, audio recordings, and/or video recordings.
 - vi. Following a hearing, the Respondent 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 relied on in support of the outcome and the rationale for the resulting sanction. The same form will be completed, regardless of whether the student opts for a hearing panel or an administrative proceeding.

H. Formal Hearing Rights and Guidelines

Where a case is not resolved through an Administrative Disciplinary Meeting, the Respondent will have the option of having the charges heard by either a Single Hearing Officer or a Student Conduct Board. For academic misconduct violations, all cases that cannot be resolved informally will be heard before a Student Conduct Board. The following standards will apply to hearings before a Single Hearing Officer and a Student Conduct Board, hereafter referred to as “Conduct Board”:

- 1) Formal evidentiary rules used in courts do not apply to College investigations or hearings
- 2) Notice of the date, time, and location of the hearing will be provided to the Respondent and Complainant (where applicable) within five business days. All communication during the conduct process will be between the College and the Student(s).

- 3) Hearings will be conducted in person or via conferencing technology as reasonably available based on the Respondent's schedule. Hearings will not be based on the availability of parties' advisor and/or witnesses.
- 4) The Respondent and Complainant (where applicable) shall have the right to present witnesses and evidence to the Single Hearing Officer or the Conduct Board, as well as the right to ask questions to any witnesses. The Respondent and Complainant (where applicable) will have the right to ask questions of any witnesses by submitting written questions to the Single Hearing Officer or the chair of the Conduct Board for consideration. The parties' Advisors may actively advise and assist in the drafting of those questions. The Single Hearing Officer or the chair of the Conduct Board will 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. In any event, the Single Hearing Officer or chair of the Conduct Board should err on the side of asking all submitted questions and must document the reason for not asking any particular questions.
- 5) The standard of review for determining whether a policy violation has occurred shall be a preponderance of the evidence.
- 6) Deliberations of the Single Hearing Officer and the Conduct Board will be conducted in private.
- 7) In cases involving more than one Respondent, the Student Conduct Administrator, in their discretion, may permit the hearings concerning each Respondent to be conducted either separately or jointly.
- 8) Relevant records, exhibits, and written statements may be accepted as information for consideration during the hearing at the discretion of the Single Hearing Officer or chair of the Conduct Board.
- 9) The Single Hearing Officer or chair of the Conduct Board shall resolve any procedural questions identified in the hearing.
- 10) The College will maintain documentation of the proceedings, which may include written findings of fact, transcripts, audio recordings, and/or video recording.
- 11) Following the hearing, both the Respondent and the Complainant (where applicable) shall be simultaneously provided a written decision via institution email (where applicable) of the outcome and resulting sanctions.

I. Possible Sanctions

Sanctions are possible disciplinary actions that may be imposed on a Student, Student Organization, or Student Group who is determined to be responsible for a violation of the Student Code of Conduct through a Preliminary Disciplinary Meeting or a hearing before a Single Hearing Office or Student Conduct Board.

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;

Respondent's willingness to accept responsibility; previous College response to similar conduct; strength of the evidence; and the wellbeing of the College community. The College 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., delaying registration, graduation, or diplomas); additional academic requirements relating to scholarly work or research; financial restitution; or any other discretionary sanctions directly related to the violation or conduct.

For suspension and expulsion, the institution must articulate, in its written decision, the substantial evidence relied upon in determining that suspension or expulsion were appropriate. For purposes of this Policy substantial evidence means evidence that a reasonable person might accept to support the conclusion.

The following are possible disciplinary sanctions that may be imposed for a violation of the Student Code of Conduct. This list is not exhaustive and may be modified to meet particular circumstances in any given case.

1) Disciplinary Status

- i. 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.
- ii. Disciplinary Probation: notice to the Student(s), Student organization(s), or Student Group(s) that during a period of time, any further violation of the Student Code of Conduct or institutional policy, may result in suspension or expulsion.
- iii. Disciplinary Suspension: forced separation/withdrawal from the College for a specific time, or until the satisfaction of certain conditions or sanctions, or both, for Student(s), Student Organization(s), or Student Group(s). Suspension is for a period of not less than one full semester.
- iv. Disciplinary Expulsion: permanent forced separation from the College. Students, Student Organizations, and Student Groups who are expelled are no longer associated with the College community and cannot regain such status at any point in the future. Although expulsion may be imposed on the first

offense, it is usually administered after other methods of discipline have been exhausted.

2) Temporary or Permanent Separation of Parties

- i. Change in classes,
- ii. Reassignment of residence,
- iii. No contact orders/directives,
- iv. Limiting the geography of where parties can go on campus
- v. Eviction from Residential Life facilities,
- vi. With additional sanctions for violating no-contact orders/directives

3) Restrictions and/or Delay in Services or Benefits

- i. Exclusion from participating in College activities and/or Student Organizations, Student Groups, and/or Student Clubs
- ii. Limiting College privileges including, but not limited to, residence hall visitation, driving/parking on campus and access to College facilities and/or equipment.
- iii. delays in obtaining administrative services and benefits from the institution (e.g., holding transcripts, delaying registration, graduation, diplomas)

4) Restitution

- i. Reimbursement to the College for damages or loss of property.

5) Educational and Service Learning

- i. required participation in training/awareness education programs; required participation in alcohol and other drug awareness and abuse prevention programs
- ii. volunteering/community service

J. Appeal Rights

An appeal may be allowed in any case where sanctions issued through by a Single Hearing Officer or Conduct Board, even when such sanctions are held “in abeyance,” such as probationary or expulsion. Where the sanction imposed includes a suspension or expulsion (even for one held in abeyance), the following appellate procedures must be provided.

The Respondent 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 (or appeal), because such information was not known or knowable to the person appealing during the time of the hearing (or appeal);
- 2) To allege a procedural error within the hearing process that may have substantially impacted the fairness of the hearing (or appeal), including but not limited to whether any

hearing questions were improperly excluded or whether the decision was tainted by a conflict of interest or bias by the Conduct Officer, investigator(s), decision maker(s); or
3) To allege that the finding was inconsistent with the weight of the information.

The appeal must be made in writing, must set forth one or more of the bases outlined above, and must be submitted within five (5) business days of the date of the final written decision. The appeal should be made to the institution's President or their designee.

The appeal shall be a review of the record only, and no new meeting with the Respondent is required. The President or their designee 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 any lower 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 or their designee's decision shall be simultaneously issued in writing to the parties within a reasonable time period. The President or their designee's decision shall be the final decision of the institution.

Should the Respondent wish to appeal the final institutional decision, they may request review by the Board of Regents in accordance with the Board of Regents' Policy 6.26 on Application for Discretionary Review.

Appeals received after the designated deadlines above will not be considered unless the institution or Board of Regents has granted an extension prior to the deadline. If an appeal is not received by the deadline the last decision on the matter will become final.

K. Application for Discretionary Review

Student appeals on the final design of Dalton State College are governed by the [Board of Regent's Policy 6.26 on Application for Discretionary Review](#).

Appeals received after the designated deadlines above will not be considered unless the institution or Board of Regents has granted an extension prior to the deadline. If an appeal is not received by the deadline the last decision on the matter will become final.

V. Proscribed Student Conduct

The following actions are prohibited and violate the Student Code of Conduct. Any Student(s), Student Organization(s), or Student Group(s) found responsible for committing or attempting to commit the following misconduct is subject to disciplinary actions and sanctions.

1. Academic Dishonesty

- a) Engaging in behavior prohibited explicitly by the course instructor in the course syllabus or classroom directions.
- b) Cheating: the use or attempted of any unauthorized materials, information, or study aids in any academic exercise or actions taken to gain an unfair or undue advantage over others. Examples of cheating include, but are not limited to:
 - i. Receiving, providing, or using unauthorized assistance or materials on any work submitted for any course, including but not limited to, online services, companies, or social media.
 - ii. Alteration or insertion of any grade to obtain unearned academic credit.
 - iii. Fabricating information, research, or results such as taking, or attempting to take, an examination for another student, alteration of legitimate research data, alteration or distortion of laboratory experiments, or deliberate distortion of another's work or results.
 - iv. Collaborating with others on assignments without the faculty's consent.
 - v. Impeding the ability of students to have fair access to materials assigned or suggested by the course instructor.
 - vi. Demonstrating forms of dishonest behavior in academic settings.
- c) Facilitation: cooperating with or helping another student cheat, such as instigating, encouraging, or abetting plagiarism or cheating or failing to report a known violation to the instructor.
- d) Plagiarism: the offering of words, ideas, data, graphics, or thoughts of another person or agency, including artificial intelligence, and representing them as one's own without proper acknowledgment. Examples include but are not limited to:
 - i. The offering of another's work, whether verbatim or paraphrased, as original material without identifying the source(s) in a paper, discussion post, exam, assignment, or another academic assignment or exercise.
 - ii. Directly quoting words of others without using quotation marks or indented format to identify them.
 - iii. Self-plagiarism: re-submitting work previously submitted without appropriate or accurate citation or credit or without explicit approval from the instructor.
 - iv. Using materials prepared by another person or agency to assist in completing coursework. This may include but is not limited to, work or

other academic materials and using online platforms or services to receive information for any academic assignment or exercise.

- e) Classroom Copyright Infringement
 - i. Any recording or transmission of an instructor's materials, lectures, or discussions by a Student without prior written permission (it is not a violation if a Student has an educational accommodation through Student Support Services).
 - ii. Uploading any recordings or information from a course or presentation to publicly accessible websites.
- f) Unauthorized use of Artificial Intelligence (AI): using AI and/or AI tools to complete or assist with the academic work is prohibited without explicit permission from the instructor, or when such use violates the course syllabus, assignment instruction, or faculty guidance.

2. Alcohol

- a) Possession or consumption of any alcoholic beverage on campus by any Student under the legal drinking age.
- b) Consumption or possession of alcoholic beverages on College property or at College sponsored events, except at authorized social functions in designated areas. This includes, but is not limited to, residence hall kitchens, common areas, bedrooms, bathrooms, group study/lounge spaces, laundry rooms, elevators, staircases, computer rooms, classrooms, etc.
- c) Selling, furnishing, and/or distributing alcoholic beverages to any Student under the legal drinking age.
- d) Being in an intoxicated condition as made manifest by disorderly, obscene, or indecent conduct or appearance.
- e) Operating a motor vehicle while under the influence of alcohol or while impaired by the consumption of alcohol.

3. Animals

- a) Any abuse, inappropriate handling, or causing death to wildlife or animals.
- b) Bringing any unauthorized animal into any building owned, leased, or controlled by the Dalton State College.
- c) Failure to properly clean up after an animal.
- d) Failure to properly maintain control of an animal (i.e. use of a leash).

4. Damage to Property

- a) Damaging, destroying, defacing, or vandalizing property belonging to the College, a member of the College community, or a visitor.
- b) Causing damage or destruction to property through intentional, reckless, or unauthorized conduct, including property not owned or controlled by the College.

- c) Damaging College-owned, leased, issued, loaned, or checked-out equipment or property through misuse, reckless conduct, or failure to exercise reasonable care.
- d) Failing to report known damage to College property when the Student is responsible for or has been entrusted with the property.

5. Disorderly Assembly

- a) Assembling on campus in a manner inconsistent with the Freedom of Expression policy and which creates a riot or disorderly diversion that interferes with the normal operation of the College and/or infringes on the rights of the College community.
- b) Obstructing the free movement of other persons about the campus, interfering with the use of College facilities, or materially interfering with the normal operation of the College
- c) Unauthorized use of sound amplification equipment indoors or outdoors.
- d) Assembling and/or utilizing spaces or facilities on College property without submitting the appropriate event and/or facility request form and receiving approval from the appropriate department (i.e. Marketing, Communications, & Workforce Development).

6. Disorderly Conduct:

- a) Disorderly, lewd, obscene, or indecent behavior.
- b) Conduct which interferes or disrupts the normal function of the College, including but not limited to, teaching, research, administration, and/or service or other College activities on or off campus
- c) 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.
- d) Physical abuse, threats, intimidation, harassment, coercion, or other conduct that threatens or endangers the health or safety of another person.
- e) Discrimination: differential treatment of a person based on that person's membership in a protected class that unreasonably interferes with or limits the person's work, education performance, or ability to participate in or benefit from an institutional program or activity.
- f) Harassment: unwanted behavior, communication, or interaction directed at a person that causes reasonable fear for safety, or is sufficiently severe, pervasive, and persistent that it interferes with the person's institutional employment or ability to participate in or benefit from any institutional programs.

7. Disruptive Behavior

- a) Any student acting individually or in concert with others, who clearly obstructs or disrupts or attempts to obstruct or disrupt any teaching, research, administrative, disciplinary, public service, or other activity at the College or any University System of Georgia (USG) institution

8. Drugs and Controlled Substances

- a) Possession or use of any illegal drug, controlled substance, synthetic drug, or other substance prohibited by federal or Georgia law
- b) Possession or use of prescription medication that has not been lawfully prescribed to the Student
- c) Possession of equipment, products, or material primarily intended or commonly used for the preparation, use, storage, or consumption of illegal drugs or controlled substances.
- d) Manufacture, distribution, furnishing, or sale of any illegal drug, controlled substance, synthetic drug, or prescription medication in violation of federal or Georgia law.

9. Failure to Comply

- a) Failure to comply with the directions of an identified College official (i.e. staff or student employee) 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 requests, notices, and/or sanctions pertaining to the student conduct process, including administrative disciplinary meetings, interviews for review of incidents or investigations, and/or completing required sanctions.
- d) Failure to follow established College policies, procedures, and/or guidelines.
- e) Failure to comply with mandates assessment recommendations by the Campus Assessment, Response, and Evaluation (CARE) Team.

10. Falsification

- a) Actual or attempted altering, falsifying, counterfeiting, or forging of any record, form, statement, or document used by the College.
- b) Presenting false information within an official college process, including but not limited to admissions, financial aid, student conduct proceedings, or to Public Safety and other law enforcement officials.

11. Fire and Emergency Safety

- a) Tampering with, damaging, disabling, obstructing, or improperly using fire alarms, smoke detectors, sprinkler systems, fire extinguishers, emergency exits, or other fire or safety equipment.
- b) Setting, causing, or attempting to cause an unauthorized fire on College property.

- c) Failing to evacuate, respond appropriately, or comply with directions during a fire alarm, emergency alarm, evacuation, or emergency drill.
- d) Unauthorized possession, use, manufacture, distribution, or sale of an incendiary device.
- e) Possession or use of a candle, incense, candle or wax warmer, open-flame device, or matches, lighters, and any other prohibited fire- or heat-producing items in College residential facilities, or related devices.
- f) Possession or use of fireworks or any other explosive device on College property.
- g) Intentionally or recklessly causing or activating a false fire alarm.

12. 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.

13. Hazing

- a) Any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or persons to participate, that
 - i. is committed in the course of an initiation into, an affiliation or connection with, the maintenance of membership in, or any other condition or precondition connected to a student organization or school organization; and
 - ii. causes or creates a risk, above the reasonable risk encountered in the course of participation in institution or organization activities (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury leading to –
 - a. whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;
 - b. causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
 - c. causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
 - d. causing, coercing, or otherwise inducing another person to perform sexual acts;
 - e. any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
 - f. any activity against another person that includes a criminal violation of local, state, tribal, or federal law; and

- g. any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, state, tribal, or federal law.
- b) Any other activity that meets the definition of hazing under applicable law, including but not limited to the “Max Gruver” Legislation Senate Bill 85 (see the following link for full policy: [Max Gruver Legislation](#))

14. Retaliation

- a) Engaging in any adverse action or threat of adverse action against any individual for reporting alleged violations in good faith, participating in an investigation, or being a close associate of someone who makes or may make a good faith report of violations.

15. Solicitation

- a) Conducting unauthorized sales or business on campus, or at campus-affiliated or sponsored events.

16. Smoking, Tobacco, Nicotine, and Vaping

- a) Possessing or using a Tobacco Product, electronic cigarette, vaping product, electronic smoking device, or similar devices, on College Property is prohibited.
- b) Smoking, inhaling, vaping, or otherwise using a device that produces smoke, aerosol, or vapor on College Property.

For purposes of this section, Tobacco, Nicotine, and Vaping Products include, but are not limited to, cigarettes, cigars, pipes, smokeless tobacco, hookahs, electronic cigarettes, disposable vapes, vape pens, pods, cartridges, electronic nicotine-delivery systems, and any device designed to create an aerosol or vapor for inhalation, regardless of whether the product contains tobacco or nicotine. College Properties is defined as property owned, leased, rented, in the possession of, or in any way used by the College or its affiliates, including all areas indoors and outdoors, buildings, and parking lots.

17. Student Identification Card Violation(s)

- 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.

18. Theft

- a) Knowingly taking, attempting to take, obtaining, possessing, or exercising control over property belonging to the College or another person without authorization.

- b) Knowingly retaining College property or property belonging to another person without authorization when the circumstances demonstrate an intent to deprive the owner of the possession or use of the property.
- c) Selling, transferring, or attempting to sell or transfer property without authorization from the owner.

19. Unauthorized Entry or Use of College Facilities

- a) Unauthorized entry into any college building, office, and/or facility.
- b) Unauthorized entry into any college event or college sponsored or affiliated event.
- c) Remaining without authorization in any building after normal closing hours.
- d) Use of any room, space, or facility without reserving it and receiving approval.
- e) Unauthorized entry into a private space, including but not limited to a faculty or staff office, residential building, or residential room.

20. Unauthorized Use or Retention of College Property

- a) Using, possessing, transferring, or allowing another person to use College-owned, leased, issued, or loaned equipment, vehicles, or property without authorization.
- b) Failing to return College-owned, leased, issued, or loaned equipment or property by an established return date or upon request by an authorized College official.
- c) Retaining or continuing to use College property beyond the period for which the student was authorized to possess or use it.
- d) Using College property in a manner inconsistent with its authorized purpose or established checkout, rental, or equipment-use requirements.

21. Unauthorized Use of Computer or Electronic Resources

- a) Unauthorized entry into any network, computer, or file to use, read, or change the contents, or for any other purpose.
- b) Unauthorized access and/or entry of web-based virtual platforms (i.e., Folio, Zoom, Skype, Google Classroom, WebEx)
- c) Unauthorized transfer of a file.
- d) Unauthorized use of another individual's identification and password.
- e) Use of computing facilities that interfere with the normal operation of the College computing system.
- f) Use of computing facilities that violate copyright laws.
- g) Use of any unregistered devices on the College network.
- h) Use of tools for port-scanning, "sniffing," or to monitor or read transmissions from other users on the network is prohibited.
- i) Any violation of the College's computer use policies

22. Violation of Confidentiality

- a) Disclosing confidential information as a member of the Student Conduct Board

- b) Disclosing confidential work-related information as a student employee.

23. Violation of the College Motor Vehicle/Campus Parking Regulations

- a) Violating the Vehicle Registration standards or the Campus Parking Rules posted by Dalton State College Public Safety.

24. Violation of the Residential Living Guide

- a) Violating a published Residential Living Guide, Housing Contract, or Residential Life policy not otherwise specifically addressed by this Code.
- b) Failure to check in, register, or escort a guest as required; exceeding guest or overnight visitation limitations; permitting an unauthorized guest; or failing to comply with other established guest requirements.
- c) Creating unreasonable or excessive noise during established quiet hours, or failing to reduce noise when requested during quiet or courtesy hours, when the noise interferes with another resident's ability to sleep, study, or reasonably use their residential space.
- d) Propping secured doors, permitting unauthorized persons to enter, allowing persons to tailgate through controlled entrances, sharing residence-hall keys or access credentials, or otherwise circumventing residential access controls.
- e) Possessing or using an item prohibited within College housing when the conduct is not otherwise specifically addressed by another section of the Student Code of Conduct.
- f)

25. Violation of State or Federal Law

- a) Being charged with or indicted for a felony or a crime involving moral turpitude, which may result in a student being suspended from the College while the criminal case is pending if the College determines the student's continued presence may pose a risk.

26. Weapons

- a) Possessing, carrying, using, or storing weapons on College property is prohibited except as permitted by Georgia law and the University System of Georgia Board of Regents Policy 6.11 (Weapons). For purposes of this policy, "College property" includes any building, facility, land, parking area, or vehicle owned, leased, or controlled by the College or the Board of Regents. A weapon includes, but is not limited to:
 - i. Firearms, including pistols, revolvers, handguns, rifles, and shotguns (whether loaded or unloaded).
 - ii. Any knife having a blade of more than two (2) inches, except as used in approved academic or employment activities.

- iii. Tasers, stun guns, and other electroshock weapons.
- iv. Dangerous instruments such as clubs, blackjacks, batons, metal knuckles, throwing stars, nun chucks, or similar devices.
- v. Any explosive, chemical, or device designed to inflict harm or damage.

The exceptions and definitions can be reviewed in the [Board of Regents Policy Manual | 6.11 Weapons | University System of Georgia](#).

VI. Interpretation and Revision

Any question regarding the 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 August 2026, supersede all previous editions. Dalton State College reserves the right to revise or correct the Student Code of Conduct as needed. Revisions and corrections will be posted on the Dalton State website at:

https://www.daltonstate.edu/campus_life/dean-of-students-office/refer-a-concern/community-standards-and-student-outreach/