Chapter 7 Behavioral Integrity – Prohibited Conduct and Procedures

A. Behavioral Integrity Prohibited Conduct. All prohibited conduct listed in this Code applies to Students, Student Groups, and Student Organizations. In a Student Group or Student Organization case, Students may be individually charged as well. The following types of conduct are prohibited:

1. Drugs
   a. The possession or use (without valid medical or dental prescription) of substances controlled by Federal law, Georgia law, or synthetic marijuana.
   b. Sale, manufacture, delivery, or taking delivery of substances controlled by Federal law, Georgia law, or synthetic marijuana.
   c. Operating a motor vehicle while under the influence or while impaired by the consumption of substances controlled by Federal law, Georgia law, or synthetic marijuana.
   d. The possession or use of drug paraphernalia including hookahs, bongs, pipes, scales, rolling papers, or other devices used for drug activity.

2. Alcohol
   a. Use, consumption, or possession of alcoholic beverages by anyone under the age of 21.
   b. Use, consumption, or possession of alcoholic beverages in prohibited areas of campus.
   c. Furnishing, selling, distributing, or otherwise facilitating consumption of alcohol by those under the age of 21.
   d. Operating a motor vehicle while under the influence of alcohol or while impaired by the consumption of alcohol.
   e. Possession of alcohol containers in prohibited areas of campus.
   f. Possession or use of common source containers (e.g. kegs, pony kegs, beer bongs) or participation in drinking games, regardless of age.

3. Sexual Misconduct (Defined in Chapter 8)
   a. Sexual Assault
   b. Sexual Contact without Consent
   c. Sexual Exploitation
   d. Sexual Harassment
   e. Dating Violence
   f. Domestic Violence
   g. Stalking

4. Intimidation, Bullying, or Harassment. Any act of intimidation, bullying, or harassment directed against any person or group of persons including, but not limited to, acts motivated by ethnicity, race, national origin, religion, gender (perceived or actual), gender identity, sexual orientation, disability, or political beliefs.

5. Physical Assault of another individual (including fighting) or the threat of physical assault.
6. **Failure to Comply.** Interfering with, giving false name to, or failing to cooperate with any properly-identified University employee (e.g. University Police or Housing & Residence Life) while these persons are in the performance of their duties.

7. **Hazing** means any activity, intentional or unintentional, by a Student, Student Group, or Student Organization, related to membership in a Student Group or Organization, that endangers the mental, physical, or emotional health of a person, regardless of whether such person has consented to participation in the activity. Any actions that demean, disgrace, or embarrass a person may also be considered Hazing. Hazing can occur either on or off campus. While Hazing is typically associated with membership selection and initiation into a group or organization, it is possible for Hazing to occur before, during, after or separate from membership selection and initiation, and regardless of status or position in the Student Group or Student Organization.

8. **Disorderly Conduct** is a breach of the peace on University property or at a University Event. Disorderly conduct includes:
   a. Conduct such as fighting, threatening behavior, public disturbance, or drunk and disorderly conduct.
   b. Conduct in the classroom such as loud, aggressive, or combative behavior that disrupts or interferes with the normal functions of a class, including but not limited to failure to conform to the faculty member’s announced expectations for the classroom. Disruptive behavior also includes use of cell phones or other electronic devices for voice or text communication in class, unless permitted by the faculty member.

9. **Interference with Normal University Operations.**
   a. Personal conduct on University property or at a University Event, which materially interferes with the normal operation of the University.
   b. Assembling on campus for the purpose of creating a riot, destruction, or disorderly diversion which interferes with the normal operation of the University. This is not to deny any Student the right of peaceful, non-disruptive assembly or expression.
   c. The abuse or unauthorized use of sound amplification equipment indoors or outdoors during classroom hours is prohibited. Use of sound amplification equipment must have prior approval by the Division of Student Affairs.

10. **Interference with Student Integrity Proceedings**
    a. Intimidating or attempting to intimidate Student Integrity Board members, Sexual Misconduct Board members, or witnesses appearing before the Student Integrity Board or Sexual Misconduct Board.
    b. Deliberately misleading or deceiving University administrators conducting an investigation of a violation.
    c. Providing misleading or deceiving information in a Student Integrity Proceeding.
11. **Trespassing**
   a. Entering, or attempting to enter, any University Event without credentials for admission (e.g. ticket, identification card, invitation) or other reasonable criteria established for attendance.
   b. Making unauthorized entry into any University building, office or other facilities, or remaining without authorization in any building after normal closing hours.
   c. Making unauthorized use of any University facility.

12. **Destruction of Property.** The malicious or unauthorized intentional damage or destruction of property belonging to a member of the University community, to the University itself, or to a visitor of the campus.

13. **Fire Safety**
   a. Tampering with, molesting, or destroying fire safety equipment, including, but not limited to, smoke detectors, fire sprinklers, fire extinguishers, fire hydrants, and fire hoses.
   b. Possession, sale, furnishing, or use of an incendiary device.
   c. Setting, or causing to be set, any unauthorized fire in or on University property.
   d. Making, or causing to be made, a false fire alarm.
   e. Failing to evacuate a building when the fire alarm is activated.

14. **Explosives**
   a. Possessing, furnishing, selling, or use of explosives of any kind on University property or at any University Event.
   b. Making, or causing another individual to make, false bomb threats.
   c. Possession or use of fireworks on University property or at any University Event. Fireworks are defined as any substance prepared for the purpose of producing a visible or audible effect of combustion, explosion, or detonation.

15. **Weapons.** Possessing firearms or other weapons on University property or at any University Event, except where allowed by law. This includes, but is not limited to, possession or use of any illegal knives, swords, dangerous chemicals, or air guns. In unclear cases of definition, the context in which a particular object was used will determine whether it is a weapon.

16. **Theft and Possession of Stolen Property**
   Taking, attempting to take, or keeping in a Student’s possession, items belonging to the University, Student, faculty, staff, Student Groups, or Student Organizations or visitors to the campus without proper authorization.

17. **Falsification of Records.** Altering, falsifying, counterfeiting, forging, or causing to be altered, falsified, counterfeited, or forged any records, forms or documents used by or submitted to the University.

18. **Misuse of Identification Cards**
   a. Lending, selling, or otherwise transferring an identification card.
   b. Use of an identification card by anyone other than its original holder.
19. **Gambling.** Playing of cards or any other game of chance or skill for money or other items of value.

20. **Tobacco.** Use of any tobacco product on campus, including, but not limited to, smokeless tobacco, cigarettes, cigars, and electronic cigarettes.

21. **Computer Use.** Theft or abuse of computer facilities including, but not limited to:
   a. Unauthorized entry into, manipulation of, or transfer of a file.
   b. Unauthorized use of another individual's identification or password.
   c. Use of computing facilities that interfere with the work of another Student, faculty member, or University official.
   d. Use of computing facilities that interfere with a University computing system.
   e. Use of the University computing facilities to violate federal, state or local laws or University policy. For purposes of this provision, "Computing facilities" includes computers and data and/or voice communications networks.

22. **Joint Responsibility for Infractions.** Students who knowingly act in concert to violate University regulations have individual and joint responsibility for such violations.

23. **Furnishing False Information.** Furnishing false information to the University.

24. **Violation of Local Ordinance or State/Federal Law.** Conduct that is a violation of local ordinance, state law, or federal law.

25. **Other Published Policies.** Under this Code, sanctions may be imposed for the violation of any published University rule or policy, including but not limited to:
   a. [Housing and Residence Life Community Living Guide](#)
   b. [Tobacco-Free Campus Policy](#)
   c. [Parking Regulations](#)
   d. [Intramural Sports Handbook](#)
   e. [Responsible Access Use of Information Technology Resources and Services](#)
B. Behavioral Integrity Procedures

1. Reporting. All suspected violations should be immediately reported to the Office of Student Integrity by any person who has knowledge of the commission of any such violation. Any member of the Armstrong State University community may submit a report. Reports are reviewed to determine if the alleged behavior is in violation of this Code.
   a. A report of an alleged violation of the Behavioral Integrity policy should include:
      i. The type of alleged misconduct.
      ii. Name of the Accused Student.
      iii. Date, time, and place of misconduct.
      iv. Name and contact information for any witnesses.
      v. Any evidence available.
      vi. Whether or not a criminal complaint was filed (if applicable).
   b. Confidentiality
      i. Where a Complainant requests that his or her identity be withheld or the allegation(s) not be investigated, the Office of Student Integrity will inform the requesting party that Armstrong generally cannot guarantee confidentiality. The Office of Student Integrity will consider whether or not such request(s) can be honored while still providing a safe and nondiscriminatory environment for the institution. Honoring the request may limit Armstrong’s ability to respond fully to the incident and may limit Armstrong’s ability to discipline the respondent.
   c. Retaliation
      i. Anyone who, in good faith, reports what she or he believes to be student misconduct, who participates or cooperates in, or who is otherwise associated with any investigation, shall not be subjected to retaliation. Anyone who believes he or she has been the target of retaliation for reporting, participating or cooperating in, or otherwise being associated with an investigation should immediately contact the Office of Student Integrity. Any person found to have engaged in retaliation in violation of the Code of Student Integrity shall be subject to disciplinary action, pursuant to Armstrong’s policy.
   d. False Complaints
      i. Individuals who intentionally give false statements to an Armstrong official, or who submit false complaints or accusations, including during a hearing, shall be subject to disciplinary action pursuant to Armstrong’s policy.
   e. Amnesty
      i. Individuals are encouraged to come forward and to report violations of policy, notwithstanding their choice to consume alcohol or to use drugs. Information reported in good faith by an individual during an investigation concerning use of drugs or alcohol will not be used against that individual in disciplinary proceedings and will not be voluntarily reported to law enforcement. However, individuals may be provided with resources on drug and alcohol counseling or education.
2. **Minor Violations**

   a. **Notice and Investigation**
      
      i. The Office of Student Integrity or designee will contact the Accused Student at his or her Armstrong State University email address to notify him or her of:
         
         a. The alleged violations.
         b. Preliminary charges.
         c. Possible sanctions.
         d. Available support services.
         e. Any investigator who may be involved.
         f. The opportunity to schedule a preliminary meeting.
      
      ii. The Accused Student will have three (3) Days from delivery of this notice to challenge the assignment of the Hearing Officer assigned to the case. The assignment of the Hearing Officer may be challenged only on the basis of a conflict of interest or perceived bias. Challenges should be submitted in writing to the Office of Student Integrity who will render a decision. In the event the Hearing Officer is the Assistant Dean of Students - Student Integrity, the challenge should be submitted in writing to the Dean of Students. A non-response from the Accused Student will be considered a general denial of the allegations and no challenge of the Hearing Officer assigned to the Board.
      
      iii. Based on this response, the Hearing Officer will interview the Accused Student and any incident witnesses, collect and review documents or other physical or electronic information, and perform other steps as appropriate. The Hearing Officer should retain written notes or obtain written or recorded statements from each interview. The Hearing Officer should also keep a record of any proffered witnesses not interviewed, along with a brief, written explanation.

   b. **Adjudication**
      
      i. **Minor Violation Informal Resolution**
         
         a. In a Minor Violation Informal Resolution, the Accused Student will meet with the Office of Student Integrity or designee to resolve his or her case.
         b. The Accused Student will have the opportunity to review any and all information pertaining to the alleged violation(s).
         c. The Hearing Officer will find the Accused Student responsible or not responsible for the alleged violation(s). The Accused Student will be notified of the outcome of the Administrative Resolution meeting no later than five (5) Days after the meeting occurred. The Accused Student retains his or her appeal rights as stated in Chapter 11 of this Code.
         d. If the Accused Student fails to attend the Administrative Resolution, the meeting will be held in his or her absence. If the Accused Student is found in violation, sanctions will be assigned.
ii. **Minor Violation Formal Resolution**

a. In a Minor Violation Formal Resolution, the Accused Student appears before the Student Integrity Board for adjudication of his or her case.

b. The Accused Student will be notified in writing of the date, time, and location of the hearing. This notice will also include a statement of the alleged behavior, any alleged violations of the Code of Student Integrity, and the names of Student Integrity Board members who will adjudicate the case. The Accused Student will then have three (3) Days from the delivery of this notice to challenge any Board member scheduled to be part of the Board hearing the case. The composition of the Board may be challenged only on the basis of a conflict of interest or perceived bias. Challenges should be submitted in writing to the Office of Student Integrity who will render a decision.

c. During the Student Integrity Board hearing, the Complainant will have the opportunity to be present to answer any questions the Board may have, as well as any questions the Accused Student may have. The Complainant will also have the opportunity to question the Accused Student. All questions from the Complainant and Accused Student must be directed in writing to the chair of the Board. As per Chapter 4, the Accused Student is entitled to an Advisor who may advise him or her and assist in drafting questions. The Board will ask the questions as written and will limit questions only if they are unrelated to determining veracity of the charge leveled against the Accused Student. The reason for any question not asked will be read into the record.

d. The Assistant Dean of Students - Student Integrity reserves the right to allow a party to testify in a separate room or from a remote location. If this occurs, the Assistant Dean of Students - Student Integrity will ensure proper sequestration in a manner that ensures testimony has not been tainted and the sequestration will not disadvantage any party.

e. The Student Integrity Board will recommend findings and 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.

f. A written copy of the Student Integrity Board's decision will be submitted to the Dean of Students or designee as a recommendation for administrative action. The Dean of Students or designee will review the hearing and all associated materials and will either affirm the recommended findings and sanctions or reduce the recommended sanctions. The Dean of Students or designee will submit a final written decision to the Accused Student and Office of Student Integrity. The Accused Student retains his or her appeal rights as stated in Chapter 11 of this Code.
g. If an Accused Student refuses to cooperate with the Office of Student Integrity or fails to attend the hearing, the hearing will be held in his or her absence. If the Accused Student is found in violation, sanctions will be recommended.

3. **Major Violations**
   a. **Notice and Investigation**
      i. The Office of Student Integrity or designee will contact the Accused Student at his or her Armstrong State University email address to notify him or her of:
         a. The alleged violations.
         b. Preliminary charges.
         c. Possible sanctions.
         d. Available support services.
         e. Any investigator who may be involved.
         f. The opportunity schedule a preliminary meeting.
      ii. Upon receipt of the written notice, the Accused Student will have three (3) Days from the delivery of this notice to respond. In this response, the Accused Student 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 Hearing Officer assigned to the case. The assignment of the Hearing Officer may be challenged only on the basis of a conflict of interest or perceived bias. Challenges should be submitted in writing to the Office of Student Integrity who will render a decision. In the event the Hearing Officer is the Assistant Dean of Students - Student Integrity, the challenge should be submitted in writing to the Dean of Students. A non-response from the Accused Student will be considered a general denial of the allegations and no challenge of the Hearing Officer.
      iii. Based on this response, the Hearing Officer will interview the Accused Student and any incident witnesses, collect and review documents or other physical or electronic information, and perform other steps as appropriate. The Hearing Officer will retain written notes and/or obtain written or recorded statements from each interview. The Hearing Officer will also keep a record of any proffered witnesses not interviewed, along with a brief, written explanation.
      iv. The Hearing Officer 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 Accused Student in hardcopy in a meeting with the Hearing Officer.
      v. The Accused Student will have the opportunity to respond in writing within three (3) Days to this investigative report. This response should indicate the Accused Student’s plea to all preliminary charges and, where applicable, his or her defense and facts, witnesses, and documents (written
or electronic) to support that defense. A non-response from the Accused Student will be considered a denial of the charge(s).

vi. The Hearing Officer may conduct further investigation determined necessary and warranted by the Accused Student’s response to the investigative report.

vii. The final investigative report will be provided to the Student Integrity Board and to the Accused Student if the case is resolved formally.

b. **Major Violation Informal Resolution**
   i. In a Major Violation Informal Resolution, the Accused Student will meet with a Hearing Officer to resolve his or her case.
   ii. The Accused Student will have the opportunity to respond in writing and to review all case materials as stated above.
   iii. The Hearing Officer will find the Accused Student responsible or not responsible for the alleged violation(s). The Accused Student will be notified of the outcome of the Administrative Resolution meeting no later than five (5) Days after the meeting occurred. The Accused Student retains his or her appeal rights as stated in Chapter 11 of this Code.
   iv. If the Accused Student fails to attend the Major Violation Informal Resolution, the case will be referred to the Student Integrity Board for adjudication.

c. **Major Violation Formal Resolution**
   i. In a Major Violation Formal Resolution, the Accused Student appears before the Student Integrity Board for adjudication of his or her case.
   ii. The Accused Student will be notified in writing at least five (5) Days in advance of the date, time, and location of the hearing. This notice will also include:
      a. A statement of the alleged behavior.
      b. Formal charges.
      c. Potential sanctions.
      d. Available support services.
      e. The names of the Student Integrity Board members who will adjudicate the case.
   iii. Upon receipt of the written notice, the Accused Student will have three (3) Days from the delivery of this notice to respond. In this response, the Accused Student 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 Board hearing the case. The composition of the Board may be challenged only on the basis of a conflict of interest or perceived bias. Challenges should be submitted in writing to the Office of Student Integrity who will render a decision. A non-response from the Accused Student will be considered a general denial of the allegations and no challenge of the individuals assigned to the Board. The Accused Student may also elect to waive their right to respond in writing and review the case material and to proceed directly to a Student Integrity Board hearing.
iv. During the Student Integrity Board hearing, the Complainant will have the opportunity to be present to answer any questions the Board may have, as well as any questions the Accused Student may have. The Complainant will also have the opportunity to question the Accused Student. All questions from the Complainant and Accused Student must be submitted in writing to the chair of the Student Integrity Board. As per Chapter 4, the Accused Student is entitled to an Advisor who may advise him or her and assist in drafting questions. The Board will ask the questions as written and will limit questions only if they are unrelated to determining veracity of the charge leveled against the Accused Student. The reason for any question not asked will be read into the record.

v. The Assistant Dean of Students - Student Integrity reserves the right to allow a party to testify in a separate room or from a remote location. If this occurs, the Assistant Dean of Students - Student Integrity will ensure proper sequestration in a manner that ensures testimony has not been tainted and the sequestration will not disadvantage any party.

vi. The Student Integrity Board will recommend findings and 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.

vii. A written copy of the Student Integrity Board’s decision will be submitted to the Dean of Students or designee as a recommendation for administrative action. The Dean of Students or designee will review the hearing and all its associated materials and will either affirm the recommended findings and sanctions or reduce the recommended sanctions. The Dean of Students or designee will submit a final written decision to the Accused Student and Office of Student Integrity. This written decision will include the findings and sanctions of the case (if any), the rationale for the decision, and the appeal procedure. The Accused Student retains his or her appeal rights as stated in Chapter 11 of this Code.

viii. If an Accused Student refuses to cooperate with the Office of Student Integrity or fails to attend the hearing, the hearing will be held in his or her absence.

4. Interim Suspension
   a. When the University determines the continued presence of an Accused Student on the University campus or in Housing & Residence Life poses a substantial threat to others, or to the stability and continuance of normal University functions, the Vice President for Student Affairs or designee may suspend the Accused Student for an interim period, pending the outcome of Student Integrity Proceedings. Before this Interim Suspension is issued, the Accused Student will be offered an opportunity to meet with the Vice President of Student Affairs or designee to be heard on whether or not his or her presence poses a threat.
   b. At the discretion of the Vice President of Student Affairs or designee, an Accused Student who persists in disrupting a particular class in violation of this Code after a warning by the faculty member may be suspended from that class only, for an interim period pending the outcome of Student Integrity Proceedings.
c. At the discretion of the Vice President of Student Affairs or designee, an Accused Student who persists in disrupting the community in which he or she lives may be suspended from living on campus and Housing & Residence Life property for an interim period pending the outcome of Student Integrity Proceedings.

d. If an Interim Suspension from the University, from a class, or from Housing & Residence Life is issued, it is effective immediately. The Vice President for Student Affairs or designee may terminate the interim suspension at any time, including prior to the outcome of Student Integrity Proceedings.