



# Columbus State University

Student Code of Conduct

2024-2025

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# Introduction to the Student Code of Conduct

As members of an academic community devoted to teaching, scholarship, service, and the holistic development of students, individuals who choose to become part of this environment accept both the privileges and responsibilities that come with it. The university is committed to fostering a safe, respectful, and engaging community aligned with its educational mission and values. Expectations for student behavior often extend beyond what is typically expected of the public, reflecting the higher standards of an academic setting.

The Office of the Dean of Students plays a key role in promoting personal accountability, ethical decision-making, and community engagement. It seeks to educate students on community standards, support student development, and address behaviors that may compromise individual growth or the well-being of the campus community. Through fair and educational conduct processes, the university aims to guide students in understanding the impact of their actions, make informed choices, and become responsible citizens both within and beyond the academic setting.

## Goals of the Student Conduct Process

- Foster understanding of community standards and expectations
- Encourage students to acknowledge and take responsibility for their actions
- Promote reflection on the underlying causes of misconduct
- Support alignment of behavior with shared community values
- Assist students in clarifying personal values and their relationship to conduct
- Encourage responsible decision-making and future success
- Promote awareness of the consequences of behavior in advance
- Protect the safety, welfare, and integrity of the university community

Columbus State University will not tolerate academic or non-academic misconduct. Any individual found to be in violation of the University standards, policies or procedures will be subject to the sanctions/remedies listed in this Student Code of Conduct. Reporting academic, non-academic, or concerning behavior is the responsibility of all members of the University community. Reports may be filed with a [Create Care Report](#).

# Student Code of Conduct

Educational institutions have the responsibility for protecting the educational purposes for which they exist, and for establishing safeguards to ensure that those charged with violations of institutional standards on scholarship and behavior are accorded equal protection from unfair disciplinary measures. As such, the following procedures have been established for the resolution of disciplinary problems.

## Student Conduct Communication

The Office of the Dean of Students utilizes Columbus State University email as its primary means of communication with students and Registered Student Organizations. It is necessary for students to check their university email daily and to promptly respond to any requests from the Office of the Dean of Students or designee.

## Standard of Proof

In order to determine that a campus member has violated a Student Code of Conduct the standard of proof required is a preponderance of evidence, i.e., the evidence demonstrates that it is more likely than not that the conduct occurred. This standard is often referred to as "50% plus a feather. Any decision to suspend or to expel a student must also be supported by substantial evidence at the hearing.

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# Academic Misconduct Procedures

The university recognizes honesty and integrity as central virtues of academic life and integral to its very existence. The university also recognizes and accepts that cooperation, discussion, and group studying outside of the classroom are essential elements of the academic experience, and that students may seek assistance in their studies, such as tutoring or peer review.

However, while such practices are acceptable and even encouraged, students must understand the parameters of accountability in their academic performance and need to respect the academic freedom of the faculty.

## Academic Dishonesty/Misconduct Policy

Educational institutions have the responsibility for protecting the educational purposes for which they exist, and for establishing safeguards to ensure that those charged with violations of university standards on academic integrity, scholarship and behavior are accorded equal protection from unfair disciplinary measures. The University recognizes honesty and integrity as central virtues of academic life and accepts that cooperation, discussion, and group studying outside of the classroom are essential elements of the academic experience, and that students may seek assistance in their studies, such as tutoring or peer review. However, while such practices are acceptable and even encouraged, students must understand the parameters of accountability in their academic performance and need to respect the academic freedom of the faculty.

Therefore, the following regulations and procedures have been established for the resolution of alleged academic misconduct. Columbus State University will not tolerate academic misconduct, and individual is found to be in violation of the University standards, policies or procedures will be subject to the sanctions/remedies listed in this handbook.

## Reporting of Academic Misconduct Policy

The standards for academic honesty and integrity established in this policy apply to all students enrolled at Columbus State University for any work performed for the purpose of advancing through and completing any course or program of study which leads to earning academic credit.

Faculty have specific responsibilities regarding academic misconduct, and all suspected deliberate violations of academic integrity (including, but not limited to plagiarism, falsification, deception, collusion, or cheating) which, in the judgment of the faculty member, warrant application of an academic sanction in accordance with the course syllabus must be reported using the [Academic Misconduct form](#).

Upon receipt of any report, the designated representative of the Office of Academic Affairs, in consultation with the Office of the Dean of Students, may take into consideration the following aspects: degree to which academic due process has been applied and completed, the severity of the offense, and any history of previous academic or non-academic misconduct cases. This information will be used in determining whether further student conduct processes and actions are warranted that could result in additional student conduct charges and sanctions.

Before any sanction is imposed, any student suspected of violating the academic misconduct policy must be provided with due process. Application of due process includes providing the student notice of the charge(s) and possible sanctions, and the opportunity for the student to respond to the charge. If the

instructor deems the student responsible after receiving a response from the student, and any academic sanction is applied by the instructor, the student should receive written notification and be informed of that the decision. That decision can be appealed to the department chair (or college dean if the instructor is the department chair).

## Academic Misconduct Regulations

The following regulations are published in the interest of protecting the equity and the validity of the student's grades and degrees, and in order to assist the student in developing standards and attitudes appropriate to academic life:

1. During examinations, homework, assignments, or tasks of any kind no student shall use materials not authorized by the instructor.
2. No student, other person, or entity shall obtain and furnish to any CSU student materials which can be shown to contain the questions or answers to any examination or graded assignment scheduled to be given at any date in any course offered by the university.
3. No student shall knowingly receive and use materials, which can be shown to contain the questions, or answers to any examination scheduled to be given at any date in any course offered by the university.
4. No student shall receive or give assistance in preparation of any assignment, essay, laboratory report or examination to be submitted as a requirement for any academic course in such a way that the submitted work can no longer be considered the personal effort of the student submitting the work. In cases where collaboration is permitted by the instructor (i.e., tutoring, peer review, artificial intelligence, machine learning, and similar instances of assistance), a special effort must be made to retain the distinction in the assistance received and the integrity of the student's personal performance.
5. In some cases, permitted collaboration may border on academic irregularity; in the case of course requirements for a grade, it is the student's responsibility to clarify the instructor's policy. If the student is uncertain as to the direction of the instructor, it is the student's responsibility to seek clarification from the instructor.
6. Plagiarism in any form is prohibited. When the ideas of another are incorporated into any assignment, they must be appropriately acknowledged.
7. Term papers, reports, reviews, or other assignments may not be purchased, or otherwise obtained from others, for submission in lieu of the student's own efforts.
8. Any person taking, or attempting to take, steal or otherwise procure in any unauthorized manner any material pertaining to the conduct of a class, including tests, examinations, laboratory equipment, roll books, etc., shall be in violation of these regulations.

## Academic Misconduct Sanctions

After application of due process rights, the possible course-related sanctions for students found responsible for academic misconduct may include:

1. Reduction of grades assigned to the student by the instructor for an assignment and/or the course in accordance with the syllabus.
2. A written reprimand and/or case management with the Office of the Academic Affairs or the responsible academic college of the University.
3. Removal from a course or program if in accordance with the policies of the department, program, and University.



## Student Conduct Sanctions

The Office of the Dean of Students, in consultation with the designated Academic Affairs representative, may deem the violation of academic misconduct sufficiently severe in and of itself, or when considered along with any other previous or concurrent violations of the student conduct code, such that additional student conduct processes are initiated and completed.

Possible sanctions resulting from the student conduct process, and after application of due process rights under the student conduct code, may include:

1. Student conduct probation for a specified period of time.
2. Case management applied by the Office of the Dean of Students which may include regular, scheduled meetings with the Office of the Dean of Students or referral to other designated departments or outside agencies, programs, or individuals as deemed appropriate by University officials.
3. Suspension from University enrollment for a specified period of time.
4. Permanent expulsion from the University.

## Academic Appeal Procedures

There are three processes for academic appeals depending on what is being appealed and when the appeal is occurring: Academic Appeal, Academic Standards Appeal and Ecore Appeal. For more help with Academic Appeals and Academic Standards Appeals and links to related documents, you should visit:

[Academic Grievance and Grade Appeal Based on Unfair Treatment - Columbus State University](#)

## Academic Standards Committee (ASC) Appeals

The Academic Standards Committee (ASC) reviews four types of appeals, all of which involve factors external to the contents of a particular course.

- A. Grade Appeals of WF or W
- B. Grade Appeals of F to a Productive Grade (A, B, C, etc.)
- C. Medical/Hardship Withdrawal (if the semester affected has ended and final grades have been posted)
- D. Exception Petitions For assistance with any of these appeals, the student should consult the advisor or department chair.

The Academic Standards Committee does not review appeals regarding the fairness or accuracy of the grade itself. For those kinds of appeals, see Academic Appeal. Appeals to the Academic Standards Committee must be made within two years of the original grade unless there are extremely extenuating circumstances (military duty, lengthy hospitalization).

## eCore Academic Appeals

If a student wants to make a grade appeal for an eCore course, the student should first contact the CSU eCore advisor, located in the CSU Advise. The eCore advisor will provide the necessary steps for the student to submit the grade appeal.



# Non-Academic Misconduct Procedures

The authority to act on alleged non-academic violations or infringements of student rights is vested with the Office of the Dean of Students. Violations that occur in areas designated as Residence Life may be handled as an administrative hearing through the office of the Director of Residence Life, in accordance with University policies and in consultation with the Dean of Students.

Students found to be in direct social contact where a violation is found to have occurred may be held responsible for the violation. This includes all areas of any apartment, vehicle, or property where the violation occurred.

## Non-Academic Misconduct Violations

### 1. Alcoholic Beverages

The legal age for possession and consumption of alcoholic beverages in accordance with Georgia law is 21 years old. Subsequently, it shall be a violation of this Policy for any member of the University community who is under the legal drinking age to possess or consume alcohol, or for a member of the University community who is of legal age to provide alcohol to another member of the University community who is under the legal drinking age.

Regarding specific locations:

**Residence Halls:** As Clearview Hall and Broadway Crossing are primarily reserved for traditional-age first year students (18-19), consumption or possession of alcohol by guests or assigned residents, regardless of legal drinking age, is not permitted at any time in or around the facilities. Possession of alcohol containers for decorative purposes is strictly prohibited, as bottles may be considered evidence of consumption.

In Columbus Hall, Courtyard, Oglethorpe, Yancey at One Arsenal, and Rankin student housing units, alcoholic beverages may be consumed by members and guests of legal drinking age in the privacy of the apartment. Residents who are under the legal drinking age may not host guests who are in possession of alcohol. Unless all assigned residents of the unit are of legal drinking age, alcohol must be stored and secured within the owner's bedroom and may not be stored in areas accessible to all residents of the unit.

Residence Life staff and the CSU University Police reserve the right to require verification of the ages of any guest and the host resident(s) will be held accountable for the action of their guest(s). Kegs, "drinking fountains", or other common containers are not allowed at any time in or around the residential facilities.

Those of legal age who choose to drink are encouraged to do so safely, responsibly and in moderation. It is imperative that residents understand their individual rights and responsibilities if they choose to consume alcohol or host gatherings that involve the consumption of alcohol on the grounds of University housing. If a resident is found acting in a hostile or threatening manner, University police will be notified. It is the responsibility of all residents to understand the alcohol policy of Columbus State University as it applies to the entire campus.

**On campus:** The University does not condone or sanction the use, distribution, sale, brewing, consumption or possession of alcohol at any campus event sponsored by individual students or recognized student groups, clubs, or organizations, or any student

event supported by student activity fees or state funds (this does not pertain to events which may be sponsored by an academic department or unit).

**Student Travel:** This Policy on Alcoholic Beverages applies to students who travel on University-official business. Students who travel in an official capacity are expected to abide by the rules set forth in this policy, except for students participating in a Study Abroad program. Participants in Study Abroad programs are bound by the legal drinking age of the respective countries in which they are traveling, but in all other respects this Policy applies. Cases of excessive drinking, as determined by the Faculty Site Director who facilitates the Study Abroad program, may result in an automatic first offense warning. Further, sanctions while students are traveling abroad may be determined by the Center for International Education or the Dean of Students.

## **2. Assault/Fighting**

- a. No person shall assault any member of, or visitor to, the University community by verbal or physical intimidation.
- b. No person shall use physical force towards any member of or visitor to the University community that includes, but is not limited to, striking, shoving, or restraining.

## **3. Computer Violations**

- a. Students will adhere to the Georgia Computer Systems Protection Act and all Federal laws and regulations with respect to criminal liability and penalties for the crimes of computer theft, trespass, invasion of privacy, forgery, copyright infringements, illegal downloads, and password disclosure.
- b. Using another person's network credentials, unauthorized copying of software, or tampering with/destruction of equipment is prohibited.

## **4. Copyright Material Violations**

Columbus State University takes a strong stand against unlawful acquisition and/or distribution of all copyrighted materials, which includes music, movies and software. In the event that the University receives a notification of claimed infringement from a copyright owner or other agents concerning your internet activity, Federal law requires that the University investigate and take appropriate action, as needed. Students are responsible for the activity associated with their IP address.

## **5. Disorderly Assembly**

- a. No persons shall assemble on campus for the purpose of creating a riot or destructive/disorderly diversion which interferes with the normal educational process and operation of the University. This section shall not be construed to deny any students the right of peaceful assembly.
- b. No person or group of persons shall obstruct the free movement of other persons about the campus, interfere with the use of the University facilities, or prevent the normal operation of the University. (See the Board of Regents' Policy Statement.)
- c. The abuse or unauthorized use of sound amplification equipment indoors or outdoors is prohibited.

## **6. Disorderly Conduct**

- a. Behavior that disrupts the academic pursuits, substantially injures the academic reputation, or infringes upon the privacy, rights, or privileges of other persons is prohibited.
  - i. **Attendance of Unenrolled Individuals In Class** Unenrolled individuals (to include minors) may not attend Columbus State University classes without prior permission of the instructor. Students may bring their children to class only when there are extenuating circumstances and with the prior approval of the instructor. Instructors may further restrict this policy through a statement on the course syllabus. Children may not be brought to campus and left unsupervised.
- b. Disorderly behavior on the campus or at functions sponsored by the University or any recognized university organization is prohibited.
- c. No student shall enter or attempt to enter any dance, social, athletic, or any other University-sponsored event without proper credentials for admission.
- d. No student should participate in conduct or expression that is deemed to be lewd, indecent, and obscene.
- e. No person shall interfere with, or fail to cooperate with, any properly identified University faculty or staff personnel while these persons are in the performance of their duties.
- f. No person shall threaten or harass any member or visitor of the University community. This includes, but is not limited to any electronic means, such as, social networking, email and texting.
- g. The Board of Regents' Policy Statement-The Board of Regents stipulates that any student, faculty member, administrator, or employee, acting individually or in concert with others, who clearly obstructs or disrupts, or attempts to obstruct or disrupt any teaching, research, administrative, disciplinary or public service activity, or any other activity authorized to be discharged or held on any campus of the University System of Georgia is considered by the board to have committed an act of gross irresponsibility and shall be subject to disciplinary procedures.
- h. No person shall exhibit behavior that is irresponsible or dangerous to the well-being or safety of self or any member or visitor of the University community.

## **7. Drugs**

- a. The possession of stimulant, depressant, narcotic, or hallucinogenic drugs and other agents having potential for mental or physical abuse, except on a legal prescription, is prohibited, as is the selling, bartering, exchanging, or giving away of such drugs to any person. This includes remnants of drug use, to include but not be limited to, seeds, leaf remnants, smoke and lingering odor.
- b. No student shall possess items normally associated with drug use, sale, or distribution.

## **8. Falsification of University Records or Giving False Statements**

- a. Each person must complete any University record honestly.

- b. No person shall alter, counterfeit, forge or cause to be altered, any record, form or document used by the University.
- c. No person shall fail to identify themselves or convey false information to a college official acting in the performance of their duties.

#### **9. Financial Responsibility to the University**

- a. Students are required to meet all financial obligations to the University promptly. A student who is delinquent in his or her financial obligations will be dropped from classes and shall not be allowed to register for the next term, transfer credits to another school, or graduate from Columbus State University. Financial obligations include but are not limited to: fees, library books overdue, loans overdue, parking fines, and University equipment or keys not returned.

#### **10. Fire Safety**

- a. No person shall tamper with the fire safety equipment.
- b. No person shall set or cause to be set any unauthorized fire on University property.

#### **11. Hazing**

The Stop Campus Hazing Act federal law defines **hazing** as:

- 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 is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in a student organization; and causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury including—
- b. whipping, beating, striking, electronic shocking, placing of a harmful substance on someone’s body, or similar activity;
- c. causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
- d. causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
- e. causing, coercing, or otherwise inducing another person to perform sexual acts;
- f. any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
- g. any activity against another person that includes a criminal violation of local, State, Tribal, or Federal law; and
- h. 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.

The federal law defines a student organization as:

"an organization at an institution of higher education (such as a club, society, association, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band, or student government) of which two or more the members are students enrolled at the institution of higher education, whether or not the organization is established or recognized by the institution." (Note: If the same person or persons commit more than one hazing act close together in time and place, the incident should be reported as one incident.)

For more information about Hazing Transparency and Max Gruver Report see the webpage at [this link](#).

## **12. Property Damage/Theft**

- a. Malicious damage or destruction of property belonging to Columbus State University, its employees, its students, or visitors to the University is prohibited.
- b. Theft, removal, or conversion, for personal use, of the property belonging to Columbus State University, its employees, its students, or visitors to the University is prohibited.

## **13. Sexual Misconduct**

All members of the Columbus State University community should refrain from any conduct that could give rise to a charge of sexual misconduct. Sexual Misconduct Offenses include, but are not limited to:

- a. **Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Complainant. The existence of such relationship shall be determined based on the totality of the circumstances including, without limitation to: (1) the length of the relationship; (2) the type of relationship; and (3) the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of Domestic Violence.
- b. **Domestic Violence:** Violence committed by a current or former spouse or intimate partner of the Complainant; by a person with whom the Complainant shares a child in common; by a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner, or by a person similarly situated to a spouse of the Complainant.
- c. **Sexual Harassment** (Per the USG Sexual Misconduct Policy 6.7.1, Student on Student): Unwelcome verbal, nonverbal, or physical conduct based on sex (including gender stereotypes), determined by a Reasonable Person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to participate in or to benefit from an institutional education program or activity in violation of Title IX.
- d. **Sexual Harassment** (Per the USG Sexual Misconduct Policy 6.7.1, Other than Student on Student): Unwelcome verbal, nonverbal, or physical conduct, based on sex (including gender stereotypes), that may be any of the following: 1. Implicitly or explicitly a term or condition of employment or status in a course, program, or

activity; 2. A basis for employment or educational decisions; or 3. Is sufficiently severe, persistent, or pervasive to interfere with one's work or educational performance creating an intimidating, hostile, or offensive work or learning environment, or interfering with or limiting one's ability to participate in or to benefit from an institutional program or activity. The USG also prohibits unwelcome conduct determined by a Reasonable Person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to a USG education program or activity in violation of Title IX.

- e. **Sexual Harassment** (Per Title IX BOR Policy 6.7.4): Conduct on the basis of sex that satisfies one or more of the following: (1) An employee conditioning the provision of an aid, benefit, or service of the institution on an individual's participation in unwelcome sexual conduct (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the institution's education program or activity; or (3) "Sexual assault" as defined by the Clery Act and "dating violence," "domestic violence," and "stalking" as defined by the VAWA Amendments.
- f. **Nonconsensual Sexual Contact:** Any physical contact with another person of a sexual nature without the person's consent. It includes but is not limited to the touching of a person's intimate parts (for example, genitalia, groin, breasts, or buttocks); touching a person with one's own intimate parts; or forcing a person to touch his or her own or another person's intimate parts. This provision also includes "Fondling" as defined by the Clery Act.
- g. **Nonconsensual Sexual Penetration:** (1) Any penetration of the vagina, anus, or mouth by a penis, object, tongue, finger, or other body part or (2) contact between the mouth of one person and the genitals or anus of another person without the person's consent. This provision also includes "Rape, Incest, and Statutory Rape" as defined by the Clery Act.
- h. **Sexual Exploitation:** Taking non-consensual or abusive sexual advantage of another for one's own advantage or benefit, or for the benefit or advantage of anyone other than the one being exploited. Examples of sexual exploitation may include, but are not limited to, the following: 1. Invasion of sexual privacy; 2. Prostituting another individual; 3. Non-consensual photos, video, or audio of sexual activity; 4. Non-consensual distribution of photo, video, or audio of sexual activity, even if the sexual activity or capturing of the activity was consensual; 5. Intentional observation of nonconsenting individuals who are partially undressed, naked, or engaged in sexual acts; 6. Knowingly transmitting an STD or HIV to another individual through sexual activity; 7. Intentionally and inappropriately exposing one's breasts, buttocks, groin, or genitals in non-consensual circumstances; and/or 8. Sexually-based bullying.
- i. **Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others or suffer substantial emotional distress. For the purposes of this definition: 1. Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or

about a person, or interferes with person's property. 2. Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

#### **14. Tobacco and Smoking**

The use of all forms of tobacco products on property owned, leased, rented, in the possession of, or in any way used by the USG or its affiliates is expressly prohibited. "Tobacco Products" are defined as cigarettes, cigars, pipes, all forms of smokeless tobacco, clove cigarettes and any other smoking devices that use tobacco such as hookahs or simulate the use of tobacco such as electronic cigarettes.

#### **15. Use of University Facilities**

- a. No person shall make unauthorized entry into any University building, office, or other facility. Nor shall any person remain without authorization in any building after normal closing hours.
- b. No person shall make unauthorized use of any University facility. Upon appropriate notice by University officials, authorization for the use of University facilities may be withdrawn or otherwise restricted.
- c. Unauthorized duplication of keys to University facilities or equipment is prohibited.
- d. It is strictly prohibited for any individual or group to engage in camping activities or create an encampment in the facilities\* or on the grounds of Columbus State University.
- e. *\*Facilities or Facility include all grounds and/or structures, leased or owned by Columbus State University and on all campuses of Columbus State University.*

#### **16. Violations of Laws**

Students are responsible for the observance of all federal, state, and local laws. Violations of federal, state, and local laws will be referred to the University Police for prosecution. The University may take disciplinary action independent of any civil/ criminal actions.

#### **17. Weapons\***

The University System of Georgia (USG) prohibits all weapons on property owned or leased by the USG and its institutions, except as specifically provided herein or as provided in federal or state law.

##### **Exceptions**

- a. Prohibited weapons do not include sporting equipment possessed for legitimate use in formal or informal athletic or exercise activities.
- b. Law enforcement officers, active military personnel, and other similar personnel may possess weapons as authorized by federal or state law to do so.
- c. Any person who is 18 years of age or older or currently enrolled in classes in a USG institution may possess an electroshock weapon on the campus(es) of that institution but may only make use of such electroshock weapon in defense of self or others.



- d. Lawful weapons carriers may possess weapons while under the lawful weapons carrier's physical control in a motor vehicle, in a locked compartment in a motor vehicle, in a locked container in a motor vehicle, or in a locked firearms rack in a motor vehicle.
- e. Lawful weapons carriers may carry a handgun in any building or on any real property owned or leased by the USG and its institutions; provided, however, that such exception shall:
- f. Not apply to buildings or property used for athletic sporting events or student housing, including, but not limited to, fraternity and sorority houses;
- g. Not apply to any preschool or childcare space located within such buildings or property.
- h. Not apply to any room or space being used for classes related to a college and career academy or other specialized school as provided for under Georgia Code Section 20-4-37;
- i. Not apply to any room or space being used for classes in which high school students are enrolled through a dual enrollment program, including, but not limited to, classes related to the Dual Enrollment as provided for under Georgia Code Section 20-2-161.3;
- j. Not apply to faculty, staff, or administrative offices or rooms where disciplinary proceedings are conducted;
- k. Only apply to the carrying of handguns which a licensee is licensed to carry pursuant to subsection (e) of Georgia Code Section 16-11-126 and pursuant to Georgia Code Section 16- 11-129; and
- l. Only apply to the carrying of handguns which are concealed.

The terms listed below are defined for the purposes of this Policy as follows:

- a. "**Weapon**" means and includes any pistol, revolver or any instrument designed or intended to propel a missile of any kind, or any dirk, bowie knife, switchblade knife, ballistic knife, any other knife having a blade of two or more inches straight-edge razor, razor blade, spring stick, knuckles, whether made from metal, thermoplastic, wood, or other similar material, blackjack, any bat, club, or other bludgeon-type weapon, or any flailing instrument consisting of two or more rigid parts connected in such a manner as to allow them to swing freely, which may be known as a nun chahka, nun chuck, nunchaku, shuriken, or fighting chain, or any disc, of whatever configuration, having at least two points or pointed blades which is designed to be thrown or propelled and which may be known as a throwing star or oriental dart, or any instrument of like kind, and any stun gun or taser as defined in subsection (a) of Georgia Code Section 16-11-106. This paragraph excludes any of these instruments used for classroom work authorized by the faculty member.
- b. "**Handgun**" means a firearm of any description, loaded or unloaded, from which any shot, bullet, or other missile can be discharged by an action of an explosive where the length of the barrel, not including any revolving, detachable, or magazine breech, does not exceed 12 inches; provided, however, that the term "handgun" shall not include a gun which discharges a single shot of .46 centimeters or less in diameter.

- c. **"Electroshock weapon"** means a stun gun or taser or similar commercially available device that is powered by electrical charging units and designed exclusively to be capable of incapacitating a person by electrical charge.
- d. **"Concealed"** means carried in such a fashion that does not actively solicit the attention of others and is not prominently, openly, and intentionally displayed except for purposes of defense of self or others. Such term shall include, but not be limited to, carrying on one's person while such handgun is substantially, but not necessarily completely, covered by an article of clothing which is worn by such person, carrying within a bag of a nondescript nature which is being carried about by such person, or carrying in any other fashion as to not be clearly discernible by the passive observation of others.
- e. **"Preschool or childcare space"** means any room or continuous collection of rooms or any enclosed outdoor facilities which are separated from other spaces by an electronic mechanism or human-staffed point of controlled access and designated for the provision of preschool or childcare services, including, but not limited to, preschool or childcare services licensed or regulated under Article 1 of Chapter 1 of Title 20 of the Georgia Code.

\*The Georgia law commonly known as "campus carry" ([O.C.G.A. §16-11-127.1](#)) went into effect on July 1, 2017. This law was modified on April 13, 2022, by Senate Bill 319, which removed the license requirement for weapons carriers.

## Student Conduct Investigation and Disciplinary Proceedings

This Policy establishes minimum procedural standards for investigations and resolutions of alleged student conduct violations. The purpose of this Policy is to ensure uniformity in the quality of investigations while providing for due process that affords fairness and equity in all student conduct investigations. This Policy is not intended to infringe or restrict rights guaranteed by the United States Constitution including free speech under the First Amendment, or the due process clauses of Fifth and Fourteenth Amendments.

These procedures apply to matters relating to student misconduct, except matters relating to academic dishonesty. Columbus State University shall inform students of procedures governing student misconduct complaints and investigations.

For the purposes of this Policy the term Complainant means an individual who is alleged to be a victim of conduct that would violate any Board or other applicable Columbus State University policy. The term Respondent means an individual who is alleged to have engaged in behavior that would violate any Board or other applicable institution policy. Other individuals who report information to the institution regarding alleged policy violations are deemed Reporters.

## Reports of Student Misconduct

Complaints of student misconduct may be reported online at [Incident Reporting Form \(maxient.com\)](#) or to the appropriate department and should include as much information as possible, such as: (1) the type of misconduct alleged; (2) the name and contact information of the respondent; (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.

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

1. **Confidentiality:** Where a Complainant (where applicable) requests that their identity be withheld or the allegation(s) not be investigated, the institution should consider whether or not 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.
2. **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 institution 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 institution's policy.
3. **False Complaints/Statements:** Individuals are prohibited from knowingly giving false statements to an institution official. Any person found to have knowingly submitted false complaints, accusations, or statements, including during a hearing, in violation of applicable Board or institution policy shall be subject to appropriate disciplinary action (up to and including suspension or expulsion) and adjudicated pursuant to the institution's policy.
4. **Amnesty:** 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 university staff member who is otherwise obligated by law (the Clery Act) to report information or statistical data as required.

# Process for Investigating and Resolving Disputed Student Conduct Reports

## Jurisdiction

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

## Access to Advisors

The Respondent and Complainant (where applicable), as parties to these proceedings, shall have the right to have an advisor (who may or may not be an attorney) of 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.

## Initial Evaluation of Student Conduct Reports

Regardless of how Columbus State University 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.

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

## Interim Measures

Interim 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 USG and Columbus State University community. To the extent interim measures are imposed, they should minimize the burden on both the Complaint (where applicable) and the Respondent, where

feasible.

Interim measures may include, but are not limited to:

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

An interim suspension should only occur where necessary to maintain safety and should be limited to those situations where the respondent poses a serious and immediate danger or threat to persons or property. In making such an assessment, the institution should consider the existence of a significant risk to the health or safety of the Complainant (where applicable) or the campus community; the nature, duration, and severity of the risk; the probability of potential injury; and whether less restrictive means can be used to significantly mitigate the risk.

Before an interim suspension is issued, the institution must make all reasonable efforts to give the Respondent the opportunity to be heard on whether the Respondent’s presence on campus poses a danger. If 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 receiving a challenge the institution will determine whether the interim suspension should continue.

## Investigation

Throughout any investigation and resolution proceedings, a party shall receive written notice of the alleged misconduct, shall be provided an opportunity to respond, and shall be allowed to remain silent or otherwise not participate in or during the investigation and resolution process without an adverse inference resulting. If a party chooses to remain silent or otherwise not participate in an investigation, the investigation may still proceed and policy charges may still result and be resolved. Timely and equal access to information that will be used during the investigation will be provided to the Complainant (where applicable), Respondent.

Where the potential sanctions for the alleged misconduct may involve a suspension or expulsion (even if such sanctions were to be held “in abeyance,” such as probationary suspension or expulsion) the institution’s investigation and resolution procedures must provide the additional minimal safeguards outlined below.

1. The Complainant (where applicable) and Respondent shall be provided with written notice of the complaint/allegations, pending investigation, possible charges, possible sanctions, and available support services. The notice should also include the identity of any investigator(s) involved. Notice should be provided via institution email to the address on file.
2. Upon receipt of the written notice, the Respondent shall have at least three business days to respond in writing. In that response, the Respondent shall have the right to admit or to deny the

allegations, and to set forth a defense with facts, witnesses, and supporting materials. A non-response will be considered a general denial of the alleged misconduct. Any Complainant (where applicable) shall also be provided three business days to respond to or to supplement the notice.

3. If the Respondent admits responsibility, the process may proceed to the sanctioning phase or may be informally resolved, if appropriate.
4. If at any point the investigator determines there is insufficient evidence to support a charge or to warrant further consideration of discipline, then the complaint should be dismissed.
5. An investigator shall conduct a thorough investigation and should retain written notes and/or obtain written or recorded statements from each interview. The investigator shall also keep a record of any party's proffered witnesses not interviewed, along with a brief, written explanation of why the witnesses were not interviewed.
6. The initial investigation report shall be provided to the Respondent and the Complainant (where applicable). This report should clearly indicate any resulting charges (or alternatively, a determination of no charges), as well as the facts and evidence in support thereof, witness statements, and possible sanctions. For purposes of this Policy, a charge is not a finding of responsibility but indicates that there is sufficient evidence to warrant further consideration and adjudication.
7. The final investigation report should be provided to the misconduct panel or hearing officer for consideration in adjudicating the charges brought against the Respondent. A copy shall also be provided to the respondent and Complainant (where applicable) before any hearing. The investigator may testify as a witness regarding the investigation and findings but shall otherwise have no part in the hearing process and shall not attempt to otherwise influence the proceedings outside of providing testimony during the hearing.

## Resolution/Hearing

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

Where the Respondent indicates that they contest the charges, the matter shall be set for a hearing and once the investigative report has been finalized and copies provided to the Respondent and Complainant (where applicable); however, the Complainant (where applicable) and Respondent may have the option of selecting informal resolution as a possible resolution in certain student misconduct cases where they mutually agree, except where deemed inappropriate by the Vice President for Student Affairs (or their designee) or the System Director. Where a case is not resolved through informal resolution or informal resolution is not available due to the nature of the charges, the Respondent shall have the option of having the charges heard either by an administrator (Hearing Officer) or a Hearing Panel. If an administrative hearing is requested, the 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 and Complainant (where applicable) 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:

The Respondent and Complainant (where applicable) 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 and Complainant (where applicable) shall have the right to confront any witnesses, including the other party, 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 questions.

1. 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.
2. Formal rules of evidence do not apply to the investigatory or resolution process.
3. The standard of review shall be a preponderance of the evidence.
4. Institutions should maintain documentation of the proceedings, which may include written findings of fact, transcripts, audio recordings, and/or video recordings.
5. Following a hearing, both the Respondent and Complainant (where applicable) shall be simultaneously provided a written decision via institution email (where applicable) of the outcome and any resulting sanctions. The decision should include details on how to appeal, as outlined below. Additionally, the written decision must summarize the evidence 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.



# Reports of Sexual Misconduct

## Initial Evaluation of Sexual Misconduct Reports

Upon notice of the alleged Sexual Misconduct the institution's Title IX Coordinator ("Coordinator") will assess whether a formal investigation, informal resolution, or dismissal would be appropriate. In making this determination, the Coordinator will assess whether the allegation(s), if true, would rise to the level of prohibited conduct, whether a Formal Complaint must be filed, whether an investigation is appropriate in light of the circumstances, whether the parties prefer an informal resolution, and whether any safety concerns exist for the campus community. The need to issue a broader warning to the community in compliance with the Clery Act shall be assessed in compliance with federal law.

## Confidentiality

Where a Complainant requests that their identity be withheld or the allegation(s) not be investigated, the Coordinator should consider whether or not such request(s) can be honored in a manner consistent with the institution's obligations to promote a safe and nondiscriminatory environment. The institution should inform the Complainant that the institution cannot guarantee confidentiality. Honoring a Complainant's request for confidentiality shall not prevent the institution from reporting information or statistical data as required by law, including the Clery Act.

## Retaliation

Anyone who has made a report or complaint, provided information, assisted, participated, or refused to participate in any manner in the Sexual Misconduct process, shall not be subjected to retaliation. Anyone who believes that they have been subjected to retaliation should immediately contact the Coordinator or their designee. Any person found to have engaged in retaliation shall be subject to disciplinary action.

## False Complaints/Statements

Individuals are prohibited from knowingly making false statements or knowingly submitting false information to a system or institution official. Any person found to have knowingly submitted false complaints, accusations, or statements, including during a hearing, shall be subject to appropriate disciplinary action (up to and including suspension or expulsion) under the appropriate institutional process.

## Amnesty

Students should be encouraged to come forward and to report Sexual Misconduct notwithstanding their choice to consume alcohol or to use drugs. Information reported by a student during the Sexual Misconduct process concerning the consumption of drugs or alcohol will not be used against the particular student in a disciplinary proceeding or voluntarily reported to law enforcement; however, students may be provided with resources on drug and alcohol counseling and/or education, as appropriate. 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 provision shall prevent an institution staff member who is otherwise obligated by law (the Clery Act) to report information or statistical data as required.

## Jurisdiction

Columbus State University shall take necessary and appropriate action to promote the safety and well-being of its community. Accordingly, Sexual Misconduct should be addressed when such acts occur on institution property, at institution-sponsored or affiliated events, or otherwise violates the institution's student conduct policies, regardless as to where such conduct occurs.

## Access to Advisors:

1. For Formal Title IX Complaints: Both the Complainant and the Respondent, as parties to the matter, shall have the opportunity to use an advisor (who may or may not be an attorney) of the party's choosing. The advisor may accompany the party to all meetings and may provide advice and counsel to their respective party throughout the Sexual Misconduct process, including providing questions, suggestions and guidance to the party, but may not actively participate in the process except to conduct cross-examination at the hearing as outlined in the Resolution/Hearing section below. If a party chooses not to use an advisor during the investigation, the institution will provide an advisor for the purpose of conducting cross-examination on behalf of the relevant party.

All communication during the Sexual Misconduct process will be between the institution and the party and not the advisor. The institution will copy the party's advisor prior to the finalization of the investigation report when the institution provides the parties the right to inspect and review directly related information gathered during the investigation. With the party's permission, the advisor may be copied on all communications.

2. For Non-Title IX Sexual Misconduct Complaints: Both the Complainant and the Respondent, as parties to the matter, shall have the opportunity to use an advisor (who may or may not be an attorney) of the party's choosing at the party's own expense. The advisor may accompany the party to all meetings and may provide advice and counsel to their respective party throughout the Sexual Misconduct process but may not actively participate in the process. All communication during the Sexual Misconduct process will be between the institution and the party and not the advisor. With the party's permission, the advisor may be copied on all communications.

## Interim Measures

Interim measures may be implemented at any point after the institution becomes aware of an allegation of Sexual Misconduct and should be designed to protect any student or other individual in the USG and Columbus State University community. Such measures are designed to restore or preserve equal access to the education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the recipient's educational environment, or deter Sexual Misconduct and retaliation. Interim measures must be implemented consistent with the provisions in applicable Board and institutional policies and procedures. An interim suspension should only occur where necessary to promote safety and should be limited to those situations where the Respondent poses a serious and immediate danger or threat to persons or property. In making such an assessment, the institution should consider the existence of a significant risk to the health or safety of the Complainant or the campus community; the nature, duration, and severity of the risk; the probability of potential injury; and whether less restrictive means can be used to significantly mitigate the risk.

Before an interim suspension is issued, the institution must make reasonable efforts to give the Respondent the opportunity to be heard on whether the Respondent's presence on campus poses a

danger. If an interim suspension is issued, the terms of the interim 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 receiving a challenge the institution will determine whether the interim suspension should continue.

# Process for Investigating and Resolving Sexual Misconduct Reports

## Investigation

Throughout any investigation and resolution proceeding, a party shall receive written notice of the alleged Sexual Misconduct, shall be provided an opportunity to respond, and shall be allowed the right to remain silent or otherwise not participate in or during the investigation and resolution process without an adverse inference resulting. If a party chooses to remain silent or otherwise not participate in the investigation or resolution process, the investigation and resolution process may still proceed, and policy violations may result.

Until a final determination of responsibility, the Respondent is presumed to have not violated the Sexual Misconduct Policy. Prior to the finalization of the investigation report, timely and equal access to information directly related to the allegations that has been gathered during the investigation and may be used at the hearing will be provided to the Complainant, the Respondent, and a party's advisor (where applicable).

Formal rules of evidence do not apply to the investigation process, additionally the standard of review throughout the Sexual Misconduct process is a preponderance of the evidence.

1. The parties shall be provided with written notice of the: report/allegations with sufficient details, pending investigation, possible charges, possible sanctions, available support services and interim measures, and other rights under applicable institutional policies. For the purposes of this provision sufficient details include the identities of the parties involved, if known, the conduct allegedly constituting Sexual Misconduct, and the date and location of the alleged incident, if known. This information will be supplemented as necessary with relevant evidence collected during the investigation. The notice should also include the identity of any investigator(s) involved. Notice should be provided via institution email to the party's institution email.
2. Upon receipt of the written notice, the parties shall have at least three business days to respond in writing. In that response, the Respondent shall have the right to admit or deny the allegations, and to set forth a defense with facts, witnesses, and supporting materials. A Complainant shall have the right to respond to and supplement the notice. Throughout the Sexual Misconduct process the Complainant and the Respondent shall have the right to present witnesses and other inculpatory and exculpatory evidence.
3. If the Respondent admits responsibility, the process may proceed to the sanctioning phase or may be informally resolved, if appropriate.
4. 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.
5. An investigator shall not access, consider, disclose, or otherwise use a party's records made or maintained by a physician, psychiatrist, psychologist, or other recognized professional made in connection with the party's treatment unless the party has provided voluntary written consent. This also applies to information protected by recognized legal privilege.
6. The initial investigation report shall be provided to the Complainant, the Respondent, and a party's advisor (if applicable). This report should fairly summarize the relevant evidence gathered

during the investigation and clearly indicate any resulting charges or alternatively, a determination of no charges.

This report should fairly summarize the relevant evidence gathered during the investigation and clearly indicate any resulting charges or alternatively, a determination of no charges. For purposes of this Policy, a charge is not a finding of responsibility.

7. The Complainant and the Respondent shall have at least 10 calendar days to review and respond in writing to the initial investigation report and directly related information gathered during the investigation. The investigator will review the Complainant's and the Respondent's written responses, if any, to determine whether further investigation or changes to the investigation report are necessary.

The final investigation report should be provided to the Complainant, the Respondent, and a party's advisor, if applicable, at least 10 calendar days prior to the Hearing. The final investigation report should also be provided to all Hearing Panel members for consideration during the adjudication process.

## Resolution/Hearing

The Respondent and the Complainant, as parties to the matter, may have the option of selecting informal resolution as a possible resolution in certain cases where the parties agree, and it is deemed appropriate by the institution. Where a matter is not resolved through informal resolution a hearing shall be set. All Sexual Misconduct cases shall be heard by a panel of faculty and/or staff. All institutional participants in the Sexual Misconduct resolution process shall receive appropriate annual training as directed by the System Director or Coordinator and required by the Clery Act and Title IX.

In no case shall a hearing to resolve a Sexual Misconduct allegation take place before the investigation report has been finalized. 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. All directly related evidence shall be available at the hearing for the parties and their advisors to reference during the hearing. Relevant facts or evidence that were not known or knowable to the parties prior to the issuance of the final investigative report shall be admissible during the hearing. The institution will determine how the facts or evidence will be introduced. The admissibility of any facts or evidence known or knowable by the parties prior to the issuance of the final investigative report, and which were not submitted during the investigation, shall be determined by the institution in compliance with the obligation to provide both parties an equal opportunity to present and respond to witnesses and other evidence.

Notice of the date, time, and location of the hearing as well as the selected hearing panel members shall be provided to the Complainant and the Respondent at least 10 calendar days prior to the hearing. Notice shall be provided via institution email to the parties' institution email. Parties may attend the hearing with their advisor.

Hearings shall be conducted in-person or via video conferencing technology. Where the institution determines that a party or witness is unable to be present in person due to extenuating circumstances, the institution may establish special procedures to permit that individual to provide testimony from a separate location. In doing so, the institution must determine whether there is a valid basis for the individual's unavailability, require that the individual properly sequester in a manner that ensures testimony has not been tainted, and make a determination that such arrangement will not unfairly disadvantage any party. Should it be reasonably believed that the individual presented tainted testimony,

the hearing panel will disregard or discount the testimony. Parties may also request to provide testimony in a separate room from the opposing party, so long as no party is unfairly disadvantaged, and they have the opportunity to view the testimony remotely and submit follow-up questions.

At all times participants in the hearing process, including parties, a party's advisor, and institution officials, are expected to act in a manner that promotes dignity and decorum throughout the hearing. Participants are expected to be respectful to others and follow procedural formalities outlined by this Policy and the institution. The institution reserves the right to remove any participant from the hearing environment if the participant refuses to adhere to the institution's established rules of decorum.

The institution shall maintain documentation of the investigation and resolution process, which may include written findings of fact, transcripts, audio recordings, and/or video recordings. Any documentation shall be maintained for seven years.

Additionally, the following standards will apply to Title IX and Non- Title IX Sexual Misconduct hearings respectively:

A. Title IX Hearings

1. Where a party or a witness is unavailable, unable, or otherwise unwilling to participate in the hearing, including being subject to cross-examination, the hearing panel shall not rely on statements of that party or witness in reaching its determination regarding responsibility. The hearing panel shall not draw an adverse inference against the party or witness based solely on their absence from the hearing or refusal to subject to cross-examination.
2. The parties shall have the right to present witnesses and evidence at the hearing.
3. The parties shall have the right to confront any witness, including the other party, by having their advisor ask relevant questions directly to the witness. The Hearing Officer shall limit questions raised by the advisor when they are irrelevant to determining the veracity of the allegations against the Respondent(s). In any such event, the Hearing Officer shall err on the side of permitting all the raised questions and must document the reason for not permitting any particular questions to be raised. Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior, shall be deemed irrelevant, unless such questions and evidence are offered to prove that someone other than the Respondent committed the alleged conduct or consent between the parties during the alleged incident.
4. The hearing panel shall not access, consider, disclose, or otherwise use a party's records made or maintained by a physician, psychiatrist, psychologist, or other recognized professional made in connection with the party's treatment unless the party has provided voluntary written consent. This also applies to information protected by recognized legal privilege.
5. Formal rules of evidence do not apply to the resolution process and the standard of evidence shall be a preponderance of the evidence.
6. Following a hearing, the parties shall be simultaneously provided a written decision via institution email of the hearing outcome and any resulting sanctions or administrative actions. The decision must include the allegations, procedural steps taken through the investigation and resolution process, findings of facts supporting the determination(s), determination(s) regarding responsibility, and the evidence relied upon and rationale for any sanction or other administrative action. The institution shall also notify the parties of their right to appeal as outlined below.

B. Non-Title IX Sexual Misconduct Hearings

1. The parties shall have the right to present witnesses and evidence at the hearing. Witness testimony, if provided, shall pertain to knowledge and facts directly associated with the case

being heard.

2. The parties shall have the right to confront any witnesses, including the other party, by submitting written questions to the Hearing Officer for consideration. Advisors may actively assist in drafting questions. The Hearing Officer shall ask the questions as written and will limit questions only if they are irrelevant to determining the veracity of the allegations against the Respondent(s). In any such event, the Hearing Officer shall err on the side of asking all submitted questions and must document the reason for not asking any particular questions.
3. Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior, shall be deemed irrelevant, unless such questions and evidence are offered to prove that someone other than the Respondent committed the alleged conduct or consent between the parties during the alleged incident.
4. The hearing panel shall not access, consider, disclose, or otherwise use a party's records made or maintained by a physician, psychiatrist, psychologist, or other recognized professional made in connection with the party's treatment unless the party has provided voluntary written consent. This also applies to information protected by recognized legal privilege.
5. Formal rules of evidence do not apply to the resolution process and the standard of evidence shall be a preponderance of the evidence.
6. Following a hearing, the parties shall be simultaneously provided a written decision via institution email of the hearing outcome and any resulting sanctions or administrative actions. The decision must include the allegations, procedural steps taken through the investigation and resolution process, findings of facts supporting the determination(s), determination(s) regarding responsibility, and the evidence relied upon and rationale for any sanction or other administrative action. The institution shall also notify the parties of their right to appeal, as outlined below.

## Possible Sanctions

In determining the severity of sanctions or corrective actions the following should be considered: the frequency, severity, and/or nature of the offense; history of past conduct; an offender's willingness to accept responsibility; previous institutional response to similar conduct; strength of the evidence; and the wellbeing of the university community. The institution will determine sanctions and issue notice of the same, as outlined above.

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

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.



## Appeals

Appeals may be made in any cases where sanctions are issued, 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 (and in cases involving sexual misconduct or other forms of discrimination and/or harassment, the Complainant) 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 Title IX Coordinator, Conduct Officer, investigator(s), decision makers(s); or (3) to allege that the finding was inconsistent with the weight of the information.

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

Should the Respondent or Complainant (where applicable) wish to appeal the President’s decision, they may request review by the Board of Regents in accordance with the Board of Regents’ Policy on 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. The President or designee’s decision shall be the final decision of the institution.

## Recusal/Challenge for Bias

Any party may challenge the participation of any institution official, employee or student panel member in the process on the grounds of personal bias by submitting a written statement to the institution’s designee setting forth the basis for the challenge. The designee shall not be the same individual responsible for investigating or adjudicating the conduct allegation. The written challenge should be submitted within a reasonable time after the individual knows or reasonably should have known of the existence of the bias. The institution’s designee will determine whether to sustain or deny the challenge and, if sustained, the replacement to be appointed.

## Freedom of Expression

To affirm Columbus State University’s support and respect for the rights embodied in the First Amendment, including the right of freedom of speech, freedom of expression, the free exercise of religion, and the right to peaceably assemble. This policy is intended to promote campus safety, to ensure the proper functioning of the academic environment and institution activities, and to protect individual rights. In no way is this policy intended to place an undue burden on members of the CSU community to freely express themselves. Time, place, and manner restrictions imposed by the University shall be content and

viewpoint neutral and leave open ample alternative means of expression.

## DEFINITIONS

**“CSU Community”** means any of the following: (i) any persons enrolled at or employed by the University including University students, faculty, staff, administrators, and employees, (ii) University colleges, schools, departments, units, registered University student organizations, and recognized cooperative organizations, and (iii) invited guests of any party listed in the foregoing (i) and (ii) provided such guests are in the company of the inviting party. In the case of invited guests, the inviting party remains responsible to the University under this Policy and other applicable University policies for the guest’s conduct.

**“Non-CSU Community”** means individuals or group who are not members of the CSU Community.

**“Protected expressive activity”** consists of speech and other conduct protected by the First Amendment to the United States Constitution, including, but not limited to, lawful verbal, written, audio-visual, or electronic expression by which individuals may communicate ideas to one another, 1 This Policy was adopted on an interim basis on September 5, 2022. DocuSign Envelope ID: CEC71A47-7DB8-4F23-B3F1-299CEB53FFA9 2 including all forms of peaceful assembly, distributing literature, carrying signs, circulating petitions, demonstrations, protests, and speeches including those by guest speakers.

**“Unrestricted outdoor area of campus”** means any outdoor area of campus that is generally accessible to members of the campus community, including, but not limited to, grassy areas, walkways, or other common areas, and does not include outdoor areas when and where access to members of the campus community is lawfully restricted.

In accordance with [Board of Regents Policy 6.5 Freedom of Expression](#), CSU agrees and affirms that freedom of expression is of the utmost importance and must be protected and that as an institution, CSU is responsible for providing a secure learning environment that allows members of the CSU community, as well as non-CSU community members, to express their views in ways that do not disrupt the operation of the University. CSU community members are free to engage in undisrupted, spontaneous expressive activity in all unrestricted outdoor areas of campus.

See [this link](#) for a complete version of the Columbus State University policy.

## Reviewing and Amending the Student Code of Conduct

The Columbus State University Student Code of Conduct is a summary of policies, procedures and information that has been developed over time. Other policies and procedures that relate to specific operations of the University may exist and apply, but they may not have been included in this code. As the need arises, University officials reserve the right to amend, change, delete and/or develop new policies and procedures to meet the needs of the institution and/or as directed by the University System of Georgia and bylaws and regulations enacted at the state and federal level. All new policies or policy changes become effective immediately upon being posted.

*Last updated June 17, 2025*