

XIX. Student Code of Conduct

This reflects the Student Code of Conduct at the time of the printing of the catalogue. The official Code of Conduct reflecting all changes can be found on the Dean of Students web site at <http://www.deanofstudents.gatech.edu/integrity>. In the event of any conflict, the Code found on the web site will govern.

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A. GENERAL

Purpose of the Disciplinary System

A student enrolling in the Georgia Institute of Technology assumes an obligation to conduct himself or herself in a manner compatible with the Institute's function as an educational institution. Actions considered inimical to the Institute and subject to discipline fall into the categories of academic and nonacademic misconduct. The Student *Code of Conduct* clearly defines these expectations, and outlines the adjudication process. The purpose of the Student *Code of Conduct* is to educate all members of the Georgia Tech Community and to maintain an environment conducive to academic excellence.

Authority for Student Discipline

The Board of Regents' ("BOR") policies and bylaws "give institutions responsibility for discipline of students, formulation of rules, and determination of punishment for violations to the Institution." In addition, the Board of Regents and the Georgia Tech Statutes and Bylaws empower the faculty to make rules and regulations for Students and their activities per BOR 401.1, 401.4, 406, 302.06 and Georgia Tech Statutes and Bylaws 2.4, 2.4.3.3(F), 2.5.4.

Student Participation

Students as members of the Institute's community are asked to assume positions of significant responsibility in the Institute's judicial system in order that they might contribute their skills and insights to the resolution of disciplinary cases. Final authority in disciplinary matters, however, is vested in the BOR in the Institute's administration.

Definitions

When used in this *Code*:

"*Accused*" can be defined as a Student, Group, or Organization.

"*Complainant*" is defined as the accuser or the victim of an alleged violation.

"Dean of Students" means the Dean of Students or the Dean's designee.

"Group" means a number of persons who are associated with each other, but who have not complied with Institute requirements for registration as an Organization.

"Group or Organization Activity" means any activity on or off Institute premises that is directly initiated for or supervised by a Group or Organization including any individual activity occurring in buildings, facilities, grounds, utilities, or resources (including computer resources) owned, leased, operated, controlled or supervised by an Institute Organization.

"Institution," "Institute," "Georgia Tech," and any other permutations of Georgia Institute of Technology means the Institute and all of its undergraduate, graduate and professional schools, divisions, and programs.

"Institute Official" is defined as faculty, administration, or staff personnel including Students serving as Institute employees.

"Institute Premises" means buildings, facilities, grounds, utilities, or resources (including computer resources) owned, leased, operated, controlled or supervised by the Institute.

"Organization" means a number of persons who have complied with or are in process of complying with the requirements for chartering.

"Student" means any person, who is taking or auditing classes of the Institute, is participating in academic programs, is matriculated in any Institute program, has been accepted for enrollment or is eligible to reenroll without applying for readmission.

"Weapon" is defined in accordance with state law, and also includes any object used to attempt bodily injury or substance designed to inflict a wound or cause injury.

"Will" or "shall" are used in the imperative sense.

"Witness" is defined as a person present before the hearing panel providing evidence.

"Working Day" is defined as any days when class is in session per the Institute calendar. Final exam periods are not considered Working Days.

Interpretation of Regulations

The purpose of publishing disciplinary regulations is to give Students general notice of prohibited behavior and the judicial process. This Code is not written with the specificity of a criminal statute, and should not be confused with criminal proceedings. Judicial proceedings are not restricted by the rules of evidence governing criminal and civil proceedings. Questions of interpretation regarding The Student Code of Conduct shall be referred to the Dean of Students for resolution.

Inherent Authority

The Institute reserves the right to take necessary and appropriate action to protect the safety and well being of the campus community

Addressing Inappropriate Classroom Behavior

The primary responsibility for managing the classroom environment rests with the instructor. Students who engage in any prohibited or unlawful acts that result in disruption of a class may be directed by the instructor to leave the class for the remainder of the class period. Longer suspensions from a class, or dismissal from the Institute on disciplinary grounds, must be administered by the Dean of Students in accordance with this Code.

Jurisdiction

Academic misconduct relevant to any Institute activity will be addressed wherever it may occur. Nonacademic misconduct includes the acts identified in section D of this *Code* whenever such acts:

- occur on Institute Premises; or
- occur at Institute sponsored activities; or
- occur at Group or Organization Activities; or
- create a clear and present danger of material interference with the normal or orderly processes of the Institute or its requirements of appropriate discipline.

Disciplinary Action While Criminal Charges Are Pending

Students may be accountable both to civil authorities and the Institute for acts that constitute violations of law and of this Code. Disciplinary action at the Institute will normally proceed during pending criminal proceedings, and will not be subject to challenge on the ground that criminal charges involving the same incident have been dismissed or reduced. Students charged with felonies may be Interim Suspended and given the opportunity to request a review of the decision as provided in Section B (Administration of the Judicial Process, Interim Suspension for Individuals and Student Groups/Organizations) of the Code.

Agreements With Other Schools

Where there is conflict between provisions of this Code and tenets of an agreement with other schools, the agreement takes precedence

Student Organizational Discipline

Student Groups and Organizations are accountable to this Code. A Student Group or Organization and its officers may be held collectively and individually responsible when violations of this Code by those associated with the Group or Organization have received the consent or encouragement of the Group or Organization, or of the Group's or Organization's leaders or officers. For more information, please see the *Conduct Code and Disciplinary Procedures for Student Organizations*.

B. ADMINISTRATION OF THE JUDICIAL PROCESS

Case Referrals

All acts of misconduct (except as specified by the Dean of Students in writing) on the part of Students shall be reported to the Dean of Students, who is designated the principal administrator to formulate and enforce Institute disciplinary measures as they pertain to Student academic or nonacademic misconduct. Any person may refer a Student or a Student Group or Organization suspected of violating this Code to the Dean of Students. Those individuals referring cases are normally expected to provide testimony and to present relevant evidence in hearings and conferences.

Communication

All judicial communication (requests for meetings, notifications, notice of judicial actions, etc.) will be provided via the official Institute e-mail (GT number) address. If the Student is not currently enrolled, the notification will be sent via US Postal Service to the last known physical address.

Revocation of Degrees

The Institute reserves the right to revoke an awarded degree for fraud related to the receipt of the degree, or for serious disciplinary violations committed by a Student prior to the Student's graduation.

Interim Suspension for Individuals and Student Groups/Organizations

Interim Suspension is for an interim period pending disciplinary or criminal proceedings or physical or mental evaluation. In certain circumstances the Dean of Students may impose an interim suspension which shall become immediately effective without advance notice and prior to the actual hearing of the allegations.

1. Interim suspension may be imposed:
 - To ensure the safety and well-being of members of the Institute community or to preserve Institute property; or
 - To ensure the Student's physical or emotional safety and well-being; or
 - If the Student or Student Group/Organization poses a definite threat of disruption of or interference with the normal operations of the Institute; or
 - If the Student is charged with a felony; or
 - If the leaders of an organization fail to respond in a timely manner to a formal request from the Office of Student Integrity of the Office of the Dean of Students.
2. During the interim suspension:
 - Individuals may be denied access to classes, campus facilities, and all other Institute activities or privileges;
 - Student organizations may be denied access to campus facilities and all other Institute activities or privileges;
 - And student organizations must cease all organizational activities.
3. The Dean of Students' Critical Response Evaluation Team, with appropriate members of the Management Team, (i.e. Department of Housing, Counseling Center, and Greek Affairs representatives) will determine if interim suspension is warranted. Any one member of this team may make the decision with review and ratification if appropriate, by the remainder of the team within 72 hours of this decision.
4. A Student or Organization that has been suspended on an interim basis may submit a request to the Vice President for Student Affairs or the Vice President's designee for a review of the decision within five (5) Working Days of the implementation of the suspension. A request for review of an Interim Suspension decision shall be made in writing and shall list all reasons that the Student or Organization contends that the Interim Suspension is unwarranted. The reasons for the request for review are limited to:
 - The reliability of the information concerning the Student's or Organization's conduct, including the matter of identity;
 - Whether the conduct and surrounding circumstances reasonably indicate that the continued presence of the Student or Organization on Institute Premises poses a substantial and immediate threat to himself, herself or to others or the stability and continuance of normal Institute functions.
5. The Vice President for Student Affairs or designee will respond to the Student or Organization in writing within two (2) Working Days of the receipt of the request.

C. PROHIBITED ACADEMIC CONDUCT

Academic misconduct (see XVIII. Academic Honor Code) is any act that does or could improperly distort grades or other Student academic records. Such acts include but need not be limited to the following:

1. Possessing, using, or exchanging improperly acquired written or verbal information in the preparation of any essay, laboratory report, examination, or other assignment included in any academic course;
2. Substitution for, or unauthorized collaboration with, a Student in the commission of academic requirements;
3. Submission of material that is wholly or substantially identical to that created or published by another person or persons, without adequate credit notations indicating the authorship (plagiarism);
4. False claims of performance for work that has been submitted by the claimant;
5. Alteration or insertion of any academic grade or rating so as to obtain unearned academic credit;
6. Deliberate falsification of a written or verbal statement of fact to a member of the Faculty so as to obtain unearned academic credit;
7. Forgery, alteration, or misuse of any Institute document relating to the academic status of the Student.

D. PROHIBITED NONACADEMIC CONDUCT

Nonacademic misconduct by Students, Organizations or Groups includes but is not limited to the following:

1. Violations of the Georgia Institute of Technology Student Policy on Alcohol and Illegal Drugs and other substance violations including, but not limited to:
 - a. Underage use or possession of alcohol;
 - b. Possession or consumption of alcohol;
 - c. Use or possession of fake identification;
 - d. Distribution of alcohol to minors;
 - e. Behavior, while under the influence of alcohol, which endangers any person;
 - f. Drug abuse, including the use or possession (without valid medical or dental prescription), manufacture, furnishing, sale, or any distribution of any narcotic or dangerous drug controlled by law; this provision is not intended to regulate alcoholic beverages;
 - g. Disorderly conduct associated with the use of alcoholic beverages including, but not limited to, boisterousness, rowdiness, obscene or indecent conduct or appearance, or vulgar, profane, lewd, or unbecoming language;
2. Intentionally pushing, unjustifiably striking or physically assaulting, or otherwise intentionally causing reasonable apprehension of such harm to any person;
3. Disorderly conduct, including, but not limited to:
 - a. Obstruction or disruption of teaching, research, administration, disciplinary procedure or process or other Institute activities, including its public service functions or other authorized activities
 - b. Breach of the peace;
4. Behavior, which endangers any person;
5. Unauthorized use of college facilities or premises including:
 - a. Unauthorized entry into any Institute Premises or remaining in any building after normal closing hours
 - b. Possessing, using, making, or causing to be made any key or other means of access to any Institute Premises without proper authorization.
6. Furnishing false information to any Institute Official or offering a false statement in any institute disciplinary hearing
7. Forgery, alteration, replication, or misuse of any document, record, or identification upon which the Institute relies, regardless of the medium
8. Any physical or mental hazing action related to membership or connected with rites or ceremonies of induction, initiation, or orientation in Institute life or into the life of any Group or Organization
9. Safety violations, including, but not limited to:
 - a. Intentionally initiating or causing to be initiated any false reporting, warning or

- threat of fire, explosion or other emergency;
 - b. Tampering with safety devices, or other emergency, safety, or fire fighting equipment;
 - c. Possession of unauthorized fireworks, firearms, ammunition
 - d. Possession of dangerous weapons, materials, or chemicals
 - e. Unauthorized sale, possession, furnishing, or use of any bomb or explosive or incendiary device
- 10. Theft and/or unauthorized possession or use of property or services belonging to the Institute, another person, or any other entity;
- 11. Malicious or unauthorized damage to or destruction of Institute property or property belonging to another;
- 12. Violation of rules governing residence in Institute-owned or controlled property, such as residence halls;
- 13. Illegal gambling, including online;
- 14. Failure to return or submit property or records of the Institute within the time prescribed by the Institute;
- 15. Acting with any other person to perform an unlawful act or to violate an Institute regulation or policy
- 16. Failure to comply with:
 - a. instructions or a direction of any properly identified Institute Official while that person is acting in the performance of their duties;
 - b. the terms of a disciplinary sanction.
- 17. Failure to cooperate with investigative, judicial, or disciplinary proceedings;
- 18. Harassing another person. This includes, but is not limited to, placing another person in reasonable fear of his or her personal safety through words or actions directed at that person, or substantially interfering with the working, learning, or living environment of the person.
- 19. Intentional violations of Georgia Institute of Technology regulations or policies, which are found on the Dean of Students' web page at <http://www.deanofstudents.gatech.edu/policy/index.html>. Such regulations or policies include the Institute Computer Usage Policy, as well as those regulations relating to entry and use of Institute facilities, use of amplifying equipment, campus demonstrations, parking, and Student Organizations;
- 20. Violation of the Georgia Tech Student Policy on Sexual Harassment and Sexual Misconduct
- 21. Violation of any Board of Regents policies or the laws of any city, county, state, or the United States.

E. PROCEDURAL RIGHTS, ADJUDICATION, AND SANCTIONS

Procedural Rights of the Accused

Students accused of an act of misconduct and summoned to a hearing before the Honor Committee, Graduate Judiciary Cabinet, Undergraduate Judiciary Cabinet, or Judicial Board have the right to:

- a. be informed of the charge(s) and alleged misconduct upon which the charge is based;
- b. be informed of the evidence upon which a charge is based and accorded an opportunity to offer a relevant response;
- c. be accompanied by an advisor of their choice;
- d. remain silent with no inference of guilt drawn there from;
- e. call and question relevant Witnesses; (A witness is permitted to testify via electronic means - telephone, video conferencing etc. - and permitted to be questioned through the Chief Justice/Chairperson.)
- f. present evidence in their behalf;
- g. be considered innocent of the charges until proven responsible by a preponderance of the evidence;

- h. appeal, if requested;
- i. waive any of the above rights.

Investigation

The Institute's judicial process utilizes an investigatory model, not an adversarial model in resolving allegations of misconduct with the primary goal of uncovering the truth. The Dean of Students shall open an initial investigation. During the investigation, a Student should continue to attend class and required Institute functions unless otherwise instructed by the Dean of Students. The investigation is closed in one of five (5) ways:

- The Accused is not charged,
- The Accused agrees to an Alternative Dispute Resolution,
- The Accused agrees to an administrative conference/resolution
- The Accused agrees to a faculty conference/resolution, or
- The Dean of Students issues a decision based on the hearing panel's findings and recommendation.

Forums of Adjudication

Alternative Dispute Resolution

At the sole discretion of the Dean of Students, cases may be assigned for Alternative Dispute Resolution ("ADR"). If ADR is not agreed to by both parties the remaining forums will adjudicate the case. Results of the ADR proceedings do not require the Accused to acquire a formal discipline record; however, ADR cases will be considered "prior violations" if future infractions occur. ADR is available only for an Accused's first violation in cases where if adjudicated, the resulting sanction would be less severe than probation. The ADR agreement outlines the exact nature of the appropriate sanction to be administered if the agreement is violated. This agreement will close the case, as a Student who chooses ADR is granted no right of appeal.

Administrative Conference/Resolution

After the Dean of Students completes the original investigation, a proposed administrative resolution may be developed and presented to the Accused upon the discretion of the Dean of Students. A proposed administrative resolution includes the charges under the Student Conduct Code, and outlines sanctions deemed by the Dean of Students and will be delivered via email. Reasonable attempts should be made to discuss the allegations and proposed Administrative Resolution with the Accused before its formal communication. The Accused (with the exception of non-Greek organizations) may request to have the allegations reviewed by a hearing panel.) If the Accused does not make this request within 6 working days after the communication of a proposed Administrative Resolution, the Resolution will be implemented. The Resolution is notice of a final disciplinary action with no right to appeal and contains the official record of charges and terms of the sanctions. If the Administrative Resolution would require a suspension, expulsion or removal from Housing, the allegations will be automatically forwarded to a hearing panel unless the Accused specifically waives their right to go before a hearing panel and requests the administrative resolution to take effect and in writing accepts the administrative resolution. If the Accused accepts the administrative resolution, the decision goes into effect immediately. Should the Accused fail to schedule or attend a conference with the administrative hearing officer within 7 calendar days of the notice, or if the Accused schedules a conference but does not attend, the administrative hearing officer can decide the disposition of the case and offer an administrative resolution to the Accused.

Faculty Conference/Resolution

The referring faculty member may choose to meet with the Accused to discuss and attempt to resolve the academic misconduct allegation prior to notifying the Dean of Students. A representative of the Dean of Students will participate in the conference if requested by either

party. The faculty member or the Accused may choose to cease the conference and forward the allegations to the Dean of Students at any point for adjudication. At the conference, the faculty member will explain the allegation to the Accused, hear the Accused's perspective and outline the recommended sanctions including a proposed grade impact. The case facts will then be reported to the Office of Student Integrity and the student is formally notified of the proposed faculty resolution. The Accused may request to have the allegations reviewed by a hearing panel. If the Accused does not make this request within 6 working days after the date the email notification of the resolution is sent, the resolution will be implemented and considered notice of a final disciplinary action with no right to appeal. The resolution is the official record of charges and terms of the sanctions.

Should the student accept responsibility for a violation and have a prior disciplinary history or the Faculty Resolution recommends suspension or expulsion, the matter will be referred to the Student Honor Committee. The Honor Committee will seriously consider the Faculty Resolution grade impact recommendations. The Accused may specifically waive their right to go before a hearing panel and an administrative resolution proposed by the Dean of Students. If the Accused accepts the administrative resolution, the decision goes into effect immediately.

Hearing Panel

An accused Student, or Greek Organization may choose adjudication before a hearing panel. The Student or Greek Organization must request to go before a hearing panel within 6 working days of receipt of a proposed administrative resolution. The Dean of Students reserves sole discretion to forward cases to the appropriate panel including, but not limited to, the Undergraduate Judiciary Cabinet, the Graduate Judiciary Cabinet, the Student Honor Committee, or the Institute Judicial Board. The hearing panel composed of Students will make a recommendation to the Dean of Students as to the panel's fact-finding and sanctions. A hearing panel composed of Faculty members and Students will forward a decision to be implemented by the Dean of Students. Decisions of a hearing panel and a decision made after a recommendation from a hearing panel can be appealed by the Accused.

If a Student, Group, or Organization accused of non-academic misconduct chooses to have the case adjudicated by a hearing panel, the case will be forwarded to one of three boards: 1) the Undergraduate Judiciary Cabinet, 2) the Judicial Board or 3) the Graduate Judiciary Cabinet. The Undergraduate Judiciary Cabinet hears cases of undergraduate nonacademic misconduct. The Institute Judicial Board hears cases of undergraduate nonacademic misconduct and has jurisdiction over the case if the event occurred in or around Institute Housing and if likely resulting sanction, if found responsible, is less severe than probation with few or noted exceptions. The Graduate Judiciary Cabinet has jurisdiction over all allegations of graduate Student nonacademic misconduct. The Undergraduate and Graduate Judiciary Cabinet delegate to the Institute Judicial Board the right to adjudicate nonacademic violations as outlined in the Institute Judicial Board Procedures section. If a Student accused of academic misconduct chooses to have the case adjudicated by a hearing panel, the case will be forwarded to the Student Honor Committee.

Notice of Hearing

Cases will be forwarded from the Dean of Students to the chairperson of the appropriate hearing panel. The chairperson, upon receipt of this case, will issue official notice to the Accused containing the time, date, and location of the hearing. In addition, the notification should specify the nature of the allegation or suspected misconduct with which the Student, Group, or Organization is accused and the names of all possible Witnesses. This notification will be provided at least three (3) calendar days prior to a scheduled hearing. Upon request, the Accused may meet with the Dean of Student prior to the hearing to review evidence and procedure.

General Hearing Procedures

These procedures shall apply to all hearing panels charged with hearing cases under this Code.

Hearings shall ordinarily be closed except for the Accused, the Accused's advisor, the Complainant, the Complainant's advisor, and those directly involved; exceptions may be made at the discretion of the chairperson.

Members of the hearing panel shall disqualify themselves if their personal involvement in the hearing is of such a nature as to prejudice the outcome of the case. Any party may challenge any member of the panel for good cause by notifying the panel's Chief Justice/Chairperson. The panel will hear the challenge and then meet privately to consider whether the request should be granted. The Chief Justice/Chairperson shall not be removed if challenged. (The hearing panel's advisor may remove the Chief Justice/Chairperson if clear conflict of interest or prejudice is determined by the advisor.)

Accused Students, Groups, or Organizations who fail to appear after proper notice will be deemed to have pled "not responsible" to the charges against them and exercised the right to remain silent without prejudice. A hearing may be conducted in their absence at the discretion of the chairperson.

The hearing panel shall make a recording and/or summary transcription of the proceeding, which will serve as the official record of the hearing. No other recording devices will be permitted. The Accused or the Complainant may request a copy of the Institute's recording upon payment of the cost to reproduce the recording, or may listen to the original recording in a location designated by the Dean of Student at no charge.

The hearing panel's chairperson shall exercise control over the proceedings to avoid needless consumption of time and to achieve orderly completion of the hearing. The Chairperson may exclude any person, including the Accused, who disrupts a hearing.

The Complainant, if any, may be present throughout the hearing and respond to testimony. However, the Complainant does not present the allegations against the Accused. The Complainant may bring a support person. The support person is not permitted to address the panel.

Testimony may be taken in person, in writing, or by other reliable means of communication including, but not limited to electronic, email, telephone, or video conferencing. The Accused may bring as many Witnesses as necessary to respond to the allegations. The Accused is limited to two (2) character Witnesses. Letters of recommendation will be considered during deliberations.

Hearing panel deliberations are closed to all but the hearing panel members.

The hearing panel will consider past violations (but not until responsibility is determined), prior stipulations, the impact or potential impact of the violation the community and Complainant, and the nature of the violation (including whether bias-based) when determining sanctions. Decisions of the hearing panel shall be by majority vote. The hearing panel shall provide the Dean of Students with a brief written summary of each case with a finding of fact. The student hearing panels will include in the written summary recommendations for appropriate disciplinary action to the Dean of Students. The Faculty Honor Committee decides sanctions and puts them in writing to be implemented by the Dean of Students. The Student hearing panels make recommendations in writing to the Dean of Students. The Dean of Students will review the case and recommendations and implement disciplinary action.

Panel Appointment Criteria

For Board or Committee specification appointment criteria see the Student Organizations' website (<http://www.deanofstudents.gatech.edu/policy/studentorg.code.html>) for the most recently approved constitutions and bylaws governing each of the Student hearing panels and the Faculty

Senate website (<http://www.facultysenate.gatech.edu>) for the most recently approved Statutes and Bylaws governing the Honor Committee.
Student Honor Committee Procedures

The Student Honor Committee ("SHC") is a committee of the Faculty Senate that shall hear all cases referred to it by the Dean of Students involving alleged dishonesty in academic matters on the part of Students. They shall also hear all cases of students with prior academic dishonesty history, unless the Accused is offered and accepts a sanction as part of an administrative resolution by the Dean of Students. Once a hearing has been scheduled before the SHC, the hearing cannot be cancelled and a student may not accept an administrative resolution without the approval of the Chairperson.

Undergraduate Judiciary Cabinet Procedures

The Undergraduate Judiciary Cabinet ("UJC") is a Student hearing panel that primarily shall hear allegations referred to it by the Dean of Students of undergraduate Student nonacademic misconduct. The typical case heard by the UJC is likely to result in a sanction of disciplinary probation, suspension held in abeyance, suspension, or expulsion if a violation is found to have occurred.

Institute Judicial Board Procedures

The Residence Hall Judicial Board ("RHJB") serves as the Institute Judicial Board (IJB) in cases referred to it by the Dean of Students involving Code of Conduct violations originating both inside and in the immediate vicinity of Housing. The RHJB is not serving as the IJB when adjudicating violations of the Housing Contract, as well as the Housing Community and Services Guide. The IJB is a Student hearing panel that shall hear allegations of Student nonacademic misconduct which will most likely result in a sanction of reprimand or disciplinary warning, if a violation is found to have occurred. The IJB also may hear allegations of substance abuse violations which could result in probation. It will not consider substance abuse cases involving endangering behavior.

Graduate Judiciary Cabinet Procedures

The Graduate Judiciary Cabinet ("GJC"), a Student hearing panel, shall hear allegations of graduate Student nonacademic misconduct referred to it by the Dean of Students.

Organizational Judicial Board Procedures

All organizational hearing panels (for example, IFC, NPHC, and Panhellenic, etc.) designated by the Dean of Students to hear allegations of organizational violations of Institute policy are recommending bodies to the Dean of Students.

If the Dean of Students does not receive a recommendation from the Organizational Judicial Board within 2 months of the case being formally forwarded to the Board, the Dean will render the Institute's decision without the benefit of the Board's recommendation. The group will retain the right to appeal the decision to the Vice President for Student Affairs. Failure of the Board to recommend is not grounds for an appeal.

Potential Sanctions

Sanctions that may be imposed in accordance with this Code include but are not limited to:

Ineligibility to hold an office in any Student Organization recognized by the Institute or to hold any elected or appointed office of the Institute.

Ineligibility to represent the Institute outside of the Institute or in a public activity of the Institute.

This includes representing the Institute at any official function, intercollegiate athletics or any forms of intercollegiate competition or representation

Reprimand

Verbal or written notice that the Accused's behavior is inappropriate.

Disciplinary warning

A warning that continuation or repetition of prohibited conduct may be cause for additional disciplinary action and/or removal from good standing.

Disciplinary probation

Notice to the Accused that any further major disciplinary violation may result in suspension or expulsion. Additional restrictions, conditions or loss of good standing may also be imposed. Violations of the terms of disciplinary probation, or any violation of this Code during the period of probation, will likely result in suspension or expulsion from the Institute.

Suspension Held in Abeyance

The sanction of suspension may be held in abeyance. If the Accused is found in violation of this Code during the time of Suspension Held in Abeyance, the Suspension shall take effect immediately without review or hearing. Additional sanctions appropriate to the new violation also may be given. The Accused who has been issued a Suspension Held in Abeyance sanction is deemed "not in good standing" with the Institute. The length of the Suspension Held in Abeyance shall be decided by the hearing panel or as a term of the administrative resolution.

Suspension

Exclusion for a period of time from the Institute Premises, and other privileges or activities set forth in the suspension notice. A suspended Student or Student Organization shall immediately leave campus and not enter the campus or its resources during the period of suspension, except when on official school business. Such suspension also may include academic restrictions, including denial of transfer credit for coursework completed at another institution during the period of suspension. Violation of this stipulation can adversely affect the Accused's chances for readmission. The Dean of Students will determine when the Accused has met the requirements for readmission.

Expulsion

Permanent termination of the Accused's status, and exclusion from Institute Premises, privileges, and activities.

Non-standing related sanctions

Restitution

Repayment to the Institute or to an affected party for damages resulting from a violation of this Code.

Fine

A monetary penalty, paid to the Institute.

Grade Change

Change of grade for the course in which a violation of the Academic Honor Code occurred.

Programmatic Sanctions

Assignment to educational programs that address issues important to the campus community (i.e., alcohol, community issues, anger management, etc.).

Restrictions

Exclusion from participation in social, privileged, or extra curricular activities for a specified period of time.

Other Sanctions

Other sanctions may be imposed instead of or in addition to those specified such as discipline service hours, counseling assessments, and research projects.

The Institute will develop sanctioning guidelines for some violations of the Code. Guidelines are provided to give an understanding of likely sanctions but are not a required or guaranteed response to a violation.

F. APPEAL PROCEDURES

1. These procedures apply to individual Student allegations. The process for Student Organization appeals is outlined in the Student Organization Code of Conduct which can be found on the Office of the Dean of Students website and in the appendices of this Code. If accused students are dissatisfied with the action taken by the Dean of Students, they may appeal the case in writing to the Vice President of Student Affairs of Georgia Tech within seven (7) calendar days after the action about which there is a complaint was delivered. Such an appeal shall cite reason for dissatisfaction with the previous decision. An appeal is not a new hearing and shall be limited to review of the record of the initial hearing, supporting documents, the Student's appeal and the response of the panel and the Institute for one or more of the following purposes:
 - To determine whether the original hearing was conducted fairly in light of the charges and evidence presented;
 - To determine whether the original hearing was conducted in conformity with prescribed procedures;
 - To determine whether the sanctions imposed were appropriate for the violation which the Student was found to have committed; and/or
 - To determine whether new evidence, not available at the time of the hearing is relevant to the final decision.
2. The Vice President of Student Affairs and the Student Grievance and Appeal Committee ("SGAC") may contact any person or entity needed to adequately review the appeal.
3. The Vice President of Student Affairs, within ten (10) Working Days, shall refer the appeal to the SGAC. (See the Faculty Senate website (www.facultysenate.gatech.edu) for the most recently approved Statutes and Bylaws governing the SGAC.) Within ten Working Days, the SGAC shall review all facts and circumstances connected with the case and shall make its report thereon to the Vice President of Student Affairs. Within five working days after receiving the SGAC report and after consideration of the committee's report, the Vice President of Student Affairs shall make a decision. The Vice President of Student Affairs may:
 - overturn the SGAC's recommendation;
 - uphold the recommendation;
 - modify the recommendation; or
 - remand the case to the original hearing panel.
4. The Board of Regents of the University System of Georgia (the "Board") is the final appellate authority for all cases involving Students who have been suspended or expelled. Should aggrieved persons be dissatisfied with the decision of the Vice President of Student Affairs, they may apply to the Board, without prejudice to their position, for a review of the decision. The application for review shall be submitted in writing to the executive secretary of the Board within a period of twenty (20) business days following the delivery of the decision of the Vice President of Student Affairs. The controlling Bylaws of the Board governing appeals may be found at <http://www.usg.edu/admin/humres/bylaws/bylaws.html#VIII>. This application for review shall state the decision complained of and the redress desired. A

review of the Board is not a matter of right but is within the sound discretion of the Board. If the application for review is granted, the Board, or a committee of the Board, shall investigate the matter thoroughly and render its decision thereon within sixty (60) days from the filing date of the application for review or from the date of any hearing that may be held thereon. The decision of the Board shall be final and binding for all purposes.

G. RECORD KEEPING AND RELEASE OF INFORMATION FOR INDIVIDUAL STUDENT CASES

Maintenance of Discipline Files

Disciplinary records of students found responsible of any charges against them will normally be retained for five (5) years from the date of the most recent notice of disciplinary action. Disciplinary records containing records of suspension and expulsion will be permanently retained. A case referral results in the creation of a disciplinary file in the name of the accused student. This file shall be voided if

- (1) There are no charges filed, or
- (2) The case is determined to be an informational file only, or
- (3) The Student is found not responsible for the charges,

Voided files will be so marked, shall not be kept with the active disciplinary records, and shall not leave any Student with a disciplinary record. If the Student is not enrolled when five (5) years have passed and disciplinary action did not result in suspension, suspension held in abeyance, or expulsion, or a Student terminates enrollment more than five (5) years after a violation, the record is destroyed.

Release of Information: Open Records Act

The State of Georgia's Open Records Act, O.C.G.A. § 50-18-70 et seq. makes most records of the state open to public inspection. Such records include, but are not limited to: (1) directory information under FERPA (see below) and (2) records of completed hearings regarding Student Organizations.

Parental Notification

Parents of Students under the age of 21 may be notified when a Student is found responsible for violating the Georgia Tech Student Policy on Alcohol and other Drugs when any of the following occur:

Student endangers themselves or others while under the influence of alcohol or other substances. Specific instances include DUI, fighting, alcohol poisoning, and hospitalization. When the Dean of Students determines that any future violations of the Institute's policy will most likely result in suspension from Georgia Tech. When a hearing officer determines that any future violations of the Institute's policy will likely result in removal from housing.

Other Releases

The Institute complies with the current The Family Educational Rights and Privacy Act ("FERPA"). At the time of printing, FERPA generally provides that personally identifiable information may not be released without the Student's consent. However, there are a number of exceptions to this rule, including, but not limited to, the following:

1. Institute Officials, including teachers, who have a legitimate educational interest in the information;
2. Officials of other schools in which the Student seeks admission or intends to enroll, on the condition that the Student, upon request, receives a copy of the record that

has been transferred and has an opportunity to challenge, upon request, the content of the record;

3. Parents of a dependent Student defined in the Internal Revenue Code, as evidence by a notarized affidavit stating that the Student is a dependent for income tax purposes;
4. Appropriate parties in a health or safety emergency. Factors to consider in determining whether personally identifiable information should be disclosed shall include:
 - a. the seriousness of the threat to the health and safety of the Student or other individuals;
 - b. the necessity of gaining the information to deal with the emergency;
 - c. the ability of the parties to whom the information is disclosed to deal with the emergency; and
 - d. the extent to which time is of the essence in dealing with the emergency.
5. In response to a judicial order or lawfully issued subpoena. The university official must make a reasonable effort to notify the Student of the order or the subpoena several days in advance of compliance, except when the subpoena was issued for a law enforcement purpose and states that the Student is not to be notified.
6. In response to an applicable Open Records request.

Transcript Encumbrances

In pending cases that could result in suspension or expulsion, the Dean of Students will normally place a temporary encumbrance (hold) on a Student's records. The Dean of Students will also place a hold on a Student's records if the Student fails to respond to an official request to meet or if the Student fails to complete assigned sanctions.

H. APPENDICES

Policies found at <http://www.deanofstudents.gatech.edu/integrity>

Academic Honor Code

Conduct Code and Disciplinary Procedures for Student Organizations

Georgia Institute of Technology Student Policy on Alcohol and Illegal Drugs

Georgia Tech Student Policy on Sexual Harassment and Sexual Misconduct

Regents Statement on Disruptive Behavior

Board of Regents Policy 406.01: Withdrawal of Recognition of Student Organizations

Policy for Dealing with Student with Psychological Difficulties

Other Relevant Policies

Computer Use and Network Policy

GT Parking and Transportation Services Motor Vehicle Registration