

**STUDENT AFFAIRS**[Office of the Vice President  
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**Preamble**

Armstrong Atlantic State University exists to provide an environment in which intellectual achievement, scholarship and character development can flourish. The Armstrong community (students, faculty, administration and staff) willingly shares the responsibility for sustaining a creative and productive atmosphere through adherence to the highest standards of personal and professional conduct. All who are privileged to be a part of Armstrong campus life must remain cognizant that they are representatives of Armstrong Atlantic State University, whether they are on campus or elsewhere, and are therefore expected to avoid behavior which brings discredit or dishonor upon themselves or the university as an institution. Recognizing that trust is the cornerstone of all human relations, students will work to build and sustain the trust of their peers, the faculty and the administration by obeying both the letter and the spirit of the Honor Code and Code of Conduct.

**Student Responsibilities**

At each registration, students must agree to abide by the rules of the Honor Code and the Code of Conduct. The Honor Code and Code of Conduct shall be printed in the Armstrong Catalog, in the Students Illustrated and on the university website. It will be the responsibility of the Student Court or its designated representative to conduct an orientation program at the beginning of each semester for all new students to explain the Codes and allow discussion of the requirements for each Code. Any student desiring assistance with any matter related to these Codes is invited to seek assistance in the Division of Student Affairs.

Students are expected to:

1. Exercise honesty in all matters, both academic and personal in nature.
2. Be fair and courteous with others, treat them fairly and with respect, showing sensitivity to cultural, ethnic, and religious diversity and personal dignity.
3. Accept personal responsibility for appropriate behavior as defined by the Codes.
4. Know the offenses under each Code and the penalties for violating them.
5. Understand that they are responsible for knowing and following any additional written or verbal requirements given by the professor which relate to honor or conduct and which are inherent to the classroom or university functions.
6. Know what plagiarism is, as defined under the Honor Code; recognize that it undermines individual and academic integrity and ensure that it is avoided in both spirit and deed.
7. Understand that the Codes apply at all university activities whether on the main campus or at other locations.
8. Remember that they are representatives of Armstrong Atlantic State University and that they must always conduct themselves in a manner which brings credit upon themselves and the university.

## Faculty Commitments

In accordance with the University Mission Statement, the faculty is responsible for providing an atmosphere that fosters excellence in learning and student achievement. Faculty responsibilities to the university are detailed in the Armstrong Faculty Handbook in Article VII of the Regulations. Other relevant provisions of the Faculty Handbook are as follows:

1. The primary responsibility of a faculty member is the advancement of knowledge through teaching and scholarship. The faculty member is therefore committed to the development and improvement of scholarly competence both in self and in students. (Regulations, Art. III: Principles of Conduct; Sect. A, Para 1.)
2. As a teacher, the faculty member encourages the free pursuit of learning in each student. The teacher exemplifies to students the highest standards of scholarship and integrity and encourages student adherence to such standards. Recognizing the individual worth of each student, the teacher respects the confidential nature of the student-teacher relationship and makes every effort to ensure that any evaluation reflects the true merit of the student. Although the teacher may have subsidiary interests, these interests should never hamper or compromise his or her responsibility to students. (Regulations, Art. III: Principles of Conduct; Sect. A, Para 2.)
3. Academic dishonesty of any kind (giving or receiving unauthorized help on any assignment, test, or paper) is considered a violation of the Honor Code. At the beginning of each term it shall be the responsibility of each teacher to make clear what shall be considered unauthorized help in each course. (Regulations, Art. VI: Faculty-Student Relations; Sect. A.)

*Additionally, the faculty is committed to:*

- a. Reinforcing a sense of honesty and integrity in students, setting an example by treating all students with fairness and courtesy, and respecting diversity in all its forms.
- b. Providing clear instructions in written format (e.g., in the syllabus) for each course as to what constitutes violations of the Codes. Additional or supplemental verbal instructions that clarify assignments may be provided at the prerogative of the professor.
- c. Designing examination and assignments that fairly and reasonably measure the students' level of knowledge; and using examinations/assessments as teaching tools as well as evaluation mechanisms.
- d. Using examination formats that provide clear instructions and supervision as appropriate for examinations and assessments.
- e. Communicating to all students they are expected to know, understand, and adhere to the Honor Code and Code of Conduct.

## I. GENERAL POLICIES

- A. The university is dedicated not only to learning and the advancement of knowledge, but also to the development of ethically-sensitive and responsible persons. It seeks to achieve these goals through sound educational programs and policies governing student conduct that encourage independence and maturity.
- B. The university may apply sanctions or take other appropriate action when student conduct interferes with the university's (a) primary responsibility of ensuring the opportunity for attainment of educational objectives; or (b) subsidiary responsibility of protecting property, keeping records, providing services and sponsoring non-classroom activities such as lectures, concerts, athletic events and social functions.
- C. Student representatives shall have an opportunity to participate in the formation and evaluation of all policies, rules, and sanctions pertaining to student conduct.
- D. Honor offenses discussed in this Code are not considered to be all inclusive; each Department or College may also promulgate course or discipline-specific Honor Code violations supplementing the University Armstrong. Such offenses shall be adjudicated according to the University Code.
- E. These rules and procedures apply to all students enrolled in Armstrong courses, regardless of the location or training site where the course or learning experience is conducted.
- F. Some departments may have additional rules or standards beyond this Code that apply to

all students within the department. It is each student's responsibility to learn and abide by their respective Department's separate Code, in addition to the Armstrong Code.

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## **II. HONOR OFFENSES**

- A. Honor offenses may be of two kinds: (a) general violations and (b) specific course or discipline-related problems as identified by individual instructors. General violations fall under four categories: Plagiarism, Cheating, Fabrication, and Facilitating Academic Dishonesty.\*
- B. Plagiarism is the intentional offering of the words, ideas, or computer data programs and/or graphics of others for one's own in any academic exercise. Examples of plagiarism include (but are not limited to):
1. The offering of another's work, whether verbatim or paraphrased, as original material in an academic paper;
  2. The offering of another's original ideas or concepts as one's own, in an academic paper or assessed exercise;
  3. The inclusion of another's material in one's own work without appropriate or accurate citation or credit.
- C. Cheating is (a) the intentional use or attempted use of unauthorized materials, information, or study aids in any academic exercise; and/or (b) intentional actions taken to gain unfair or undue advantage over others. Examples of cheating include (but are not limited to):
1. Receiving or providing unauthorized assistance on any work required to be submitted for any course.
  2. Using unauthorized materials or assistance during an examination, including looking at another's paper.
  3. Alteration or insertion of any academic grade or evaluation so as to obtain unearned academic credit.
  4. Taking, or attempting to take, an examination for another student. This act constitutes a violation for both the student enrolled in the course and for the proxy or substitute.
  5. Tampering with another student's work or impairing the professor's ability to assess the academic performance of another student.
  6. Using false excuses to obtain extensions of time or other considerations which would or may yield an unfair advantage over other students.
  7. Impeding the ability of students to have fair access to materials assigned or suggested by the professor (e.g., removal or destruction of library or other source materials).
- D. Fabrication is the intentional and unauthorized falsification or invention of information or citation in an academic exercise. Examples of fabrication include (but are not limited to):
1. The offering of contrived or fraudulently-created information as the result of systematic research that was never conducted.
  2. The deliberate alteration of legitimate research data to obtain a desired result.
  3. The alteration or distortion of laboratory experiments to reach a desired result.
  4. The deliberate distortion of another's work or results in order to rebut or undermine the original author's work or concept.
- E. Facilitating Academic Dishonesty is the intentional help, or attempt to help, another student to violate any provision of this Code. Examples of facilitating academic dishonesty include (but are not limited to):
1. Instigating, encouraging, or abetting plagiarism, cheating, or fabrication in others.
  2. Giving perjured testimony before the Student Court.
  3. Intimidating or attempting to intimidate witnesses appearing before the Student Court.
  4. Failing to report a suspected violation of the Honor Court.
  5. Deliberately misleading or deceiving university administrators conducting an investigation of a violation.

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## **III. REPORTING PROCEDURES FOR HONOR OFFENSES**

Academic dishonesty is contrary to the purposes of the university, unfair to other students, and

demeaning to those who engage in it. It will not be tolerated at Armstrong Atlantic State University. A suspected honor violation may be reported in one of two ways:

- A. Self-reporting. Students who have committed an honor violation should report themselves to a university official in the Division of Student Affairs or to a faculty member.
- B. Reporting by others
  - 1. Anyone (faculty member or student) who is aware of an honor violation may tell persons believed to have committed the offense to report themselves to a university official in the Division of Student Affairs or to a faculty member no later than the end of the next class day. After this period, the person who is aware of the violation must inform either a university official in the Division of Student Affairs or a faculty member.
  - 2. Anyone (faculty member or student) who is aware of an honor violation may report the offense directly to a university official in the Division of Student Affairs without informing the accused.
  - 3. When the Division of Student Affairs receives a report of a possible honor offense in some manner other than in person (e.g., in writing or voice mail), the Division of Student Affairs shall expeditiously advise the person reporting the alleged violation that the Division of Student Affairs has received the report.
  - 4. Anyone wishing to report a suspected violation may come to the Division of Student Affairs or to the Office of the Vice President for Academic Affairs for assistance.

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#### **IV. ADJUDICATION PROCEDURES FOR HONOR OFFENSES**

If the severity of the offense, in the studied opinion of the faculty member, is of a magnitude to warrant suspension or expulsion from the university, formal adjudication procedures involving a hearing before the Student Court are required. Lesser offenses may be handled through an informal process in which the faculty member and the student jointly agree to resolve the issue. Student grades for an individual assignment and/or for the overall course will be held in abeyance until any appeals are concluded and the final decision on the case is rendered by the appropriate university official. Where sufficient evidence exists that a violation of a municipal, state, or federal law has occurred, the Vice President for Student Affairs shall refer the case and transmit the evidence to the appropriate law enforcement agency. The student may also be charged with the violation of the Code of Conduct if the interest of the university has been compromised by a student's conduct.

- A. Informal adjudication procedures.
  - 1. When a student becomes aware of another student's possible academic misconduct and chooses to report it to the professor, or when the professor suspects academic misconduct, the professor should inform the student(s) involved and undertake an investigation of the matter. If the professor is then convinced that a minor violation did occur, the professor and the accused have the option of attempting to resolve the issue informally and in a non-adversarial manner. If both agree, the following procedures may be utilized.
  - 2. For an informal and non-adversarial adjudication the following criteria pertain:
    - a. The offense must not rise to the level of a major violation in which expulsion or suspension is a potential penalty.
    - b. The faculty member will provide the student with written notice of a scheduled meeting at least three calendar days (excluding weekends) prior to the meeting. The purpose of the meeting will be to review and discuss the charges before a final decision is reached.
    - c. A neutral observer may be present at the request of the faculty member to facilitate the process so that relevant information from each party may be heard and evaluated.
    - d. Documentary evidence and written statements may be relied upon by the faculty member, as long as the student is allowed to respond to them at the meeting. Students may also be allowed to bring relevant witnesses.
    - e. If the accused admits to the violation, the professor and the student may then resolve the problem in a manner acceptable to both. If the accused denies the violation, or does not accept the sanction(s) determined by the professor, then the case must be referred to the Division of Student Affairs within 24 hours.

- f. Should the faculty member conclude that there was no violation of the Honor Code, the case is closed.
    - g. Upon conclusion of the process, the faculty member and student must both sign and date the appropriate university form, detailing the specific offense(s) and the penalty assessed. Each party will retain a copy and the original shall be deposited with the Vice President for Student Affairs to assure that repeat offenders are penalized accordingly.
    - h. The student and the professor shall both be permitted a grace period of 72 hours in which to consider the process and penalty. Within that period, either may revoke the decision to accept the informal process and/or the penalty.
    - i. Should either party exercise the right of revocation, the case will then automatically be transferred to the Vice President for Student Affairs for formal proceedings.
    - j. If the alleged violation occurs during final examinations, a grade of Incomplete shall be issued until the matter is resolved.
  - 3. It is strongly recommended that the faculty member advise and consult with the department head (or college dean, if appropriate) throughout the process.
- B. Formal adjudication procedures for honor offenses.
- 1. If the accused opts for a hearing before the Student Court, or if the involved faculty member deems that the alleged offense is of sufficient severity to merit a major sanction, the following procedures pertain:
    - a. The Vice President for Student Affairs shall conduct an investigation into the alleged offense solely to determine whether there exists a sufficiency of cause or evidence to merit a continuation of the proceedings. In this investigative stage, the Vice President for Student Affairs shall follow the standing policies established within the Division of Student Affairs for this purpose.
    - b. If the Vice President for Student Affairs determines that the evidence available is insufficient or likely to be insufficient to enable the Student Court to reach a reasonable conclusion as to guilt or innocence, the Vice President for Student Affairs may, in accordance with established policies, recommend against further proceedings.
    - c. The above notwithstanding, the faculty member in whose class the alleged offense occurred shall have the right to have the case referred to the Student Court regardless of the investigatory conclusions of the Vice President for Student Affairs.
    - d. If the alleged violation occurs during final examinations, a grade of Incomplete shall be issued until the matter is resolved.
  - 2. If the investigation by the Vice President for Student Affairs determines there is sufficient cause or evidence to enable the Student Court to reach a reasonable conclusion as to the guilt or innocence of the accused, the case shall be forwarded to the Student Court.
    - a. The accused will be notified in writing by the Student Court, or its designated representative, of the nature and details of the alleged offense, along with the names of accusers and principal witnesses to be brought against them. This notification shall occur no fewer than five calendar days prior to the date of the Student Court hearing.
    - b. The Court shall be convened by its presiding officer to consider the evidence of the violation as soon as possible
    - c. A written copy of the Court's decision shall be given to the student concerned and to the Vice President for Academic Affairs as a recommendation for administrative action.
    - d. The Court shall recommend any authorized sanction or combination of sanctions that it deems to be warranted by the circumstances of the case.
- C. Procedural Rights of Students Before the Student Court
- 1. Any student whose case is referred to the Student Court shall be notified of such referral in writing by the Vice President for Student Affairs at least five calendar class days before the hearing and shall be apprised in the notice of the charges, along with the names of the accusers and the principal witnesses.
  - 2. The accused has the right to choose an advisor. This advisor will not participate directly in the proceedings, except to advise the client. It is customary, but not required, that the advisor will be drawn from the university community.
  - 3. The accused and the person bringing the charges shall be afforded an opportunity

to present witnesses and documentary or other evidence. The accused and any individual bringing the charges shall have the right to examine all witnesses and may, where the witnesses cannot appear because of illness or other cause acceptable to the Court, present the sworn statement of the witnesses. The Court shall not be bound by formal rules governing the presentation of evidence, and it may consider any evidence presented which is of probative value in the case.

4. The accused may not be made to bear witness against him or herself. The Court may not take the refusal of the accused to testify as evidence of guilt, but this proviso does not give the accused immunity from a hearing or from recommendations reached in a hearing simply because the accused does not testify.
5. The accused shall have access to a tape of the hearing, upon request of the student.
6. The substantive facts of a case may be reopened for consideration by the Student Court upon initiation of the accused. The accused shall not be put in double jeopardy.
7. All witnesses will be sequestered from the hearing room during the course of a hearing.
8. Witnesses may not discuss a pending case.
9. The Student Court, may at its discretion, exclude members of the media from proceedings occurring in the academic arena, as permitted by the laws of the State of Georgia.

D. Major Sanctions.

1. Expulsion: The permanent severance of the student's relationship with the university.
2. Suspension: The temporary abrogation of a student's relationship with the university.
3. Major sanctions ordinarily shall be imposed only upon the recommendation of the Student Court. In extraordinary circumstances, where gross violations of conduct rules disrupt the proper functioning of the university, students may be summarily suspended by the Vice President for Student Affairs, or the President of the University.

E. Minor Sanctions

1. Restrictions: exclusion from such specified student privileges as may be consistent with the offense committed.
2. Written reprimand: a written statement of disapproval to the student which will be retained in the student's file as long as he remains at Armstrong Atlantic State University.
3. Disciplinary Probation: Notice to the student that any further violation may result in suspension or expulsion. Disciplinary probation may include restrictions, reprimands, or other appropriate sanctions.
4. Assignment of a grade of "0" for either the course assignment at issue or for the overall course grade (i.e., complete loss of credit for the course).

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## V. CONDUCT OFFENSES

A. Personal misconduct which includes, but is not limited to, the following:

1. Disorderly or obscene conduct or breach of the peace on university property or at any functions sponsored or supervised by the university or any recognized university organization.
2. Physically assaulting, or threatening physical assault against, any member of the faculty, administration, staff, or student body, or any visitor to the campus.
3. Sexual assault (i.e., intentionally making physical contact with the intimate parts of the body of another for sexual gratification without the consent of that person).
4. Sexual harassment (i.e., unwelcome sexual advances or conduct, creation of a hostile environment as perceived by the complainant, or the demand for sexual favors in return for some benefit).
5. Any disruption of a positive learning environment in the classroom or actions which impede the ability of other students in the classroom to learn or the ability of the professor to teach (e.g., blatantly inappropriate personal behavior, cellular phones, pagers).
6. Personal conduct on university property, or at functions sponsored or supervised

by the university or any recognized university organization, which materially interferes with the normal operation of the university or the requirements of appropriate discipline.

7. Any act of intimidation or harassment, physical force or violence, or threat of physical force or violence that is directed against any person or group of persons including, but not limited to, acts motivated by ethnicity, race, national origin, religion, gender, sexual orientation, disability or political beliefs.
8. Theft or abuse of computer facilities or computer time, including but not limited to:
  - a. unauthorized entry into, or manipulation or transfer of, a file;
  - b. unauthorized use of another individual's identification or password;
  - c. use of computing facilities to interfere with the work of another student, faculty member or university official;
  - d. use of computing facilities to interfere with a university computing system.
9. No student shall use the university computing facilities to violate federal, state or local laws or university policy. For purposes of this provision, "Computing facilities" includes computers and data and/or voice communications networks.
10. Interfering with, giving false name to, or failing to cooperate with, any properly-identified university employees while these persons are in the performance of their duties.
11. Lewd, indecent, obscene conduct or expression.
12. Conduct that is a crime under the criminal laws of Georgia, or of the United States, which takes place on university property or at a university activity.
13. Entering, or attempting to enter, any event which is sponsored or supervised by the university or any recognized university organization, whether on- or off-campus, without credentials for admission (e.g., ticket, identification card, invitation, etc.) or other reasonable criteria established for attendance. At these university functions, a student must present proper credentials to properly-identified university faculty or staff upon request.
14. The malicious or unauthorized intentional damage or destruction of property belonging to a member of the university community, or to a visitor of the campus.

#### B. Campus Disruption

Students and faculty have the right to a campus atmosphere which is free of violence, disruption, or distraction. The instigation or incitement of, or the participation in, any act which endangers, disrupts, or otherwise disturbs the rights of students or faculty, is a violation of the Code of Conduct.

1. No student shall assemble on campus for the purpose of creating a riot, destruction, or disorderly diversion which interferes with the normal operation of the university. This shall not be construed so as to deny any student the right of peaceful, non-disruptive assembly.
2. No student or group of students shall obstruct the free movement of other persons about the campus or interfere with the normal operation of the university, including teaching, research, administration, disciplinary procedures, or other university activities.
3. The abuse or unauthorized use of sound amplification equipment indoors or outdoors during classroom hours is prohibited. (Use of sound amplification equipment must have prior approval by the Division of Student Affairs.)

#### C. Miscellaneous Violations of the Code of Conduct: The following rules and regulations are intended to provide a safe, secure, and productive environment for the enjoyment and appreciation of the university community.

1. Falsification of Records
  - a. No student shall alter, falsify, counterfeit, forge, or cause to be altered, falsified, counterfeited, or forged any records, forms or documents used by the university.
  - b. Violation of contractual agreements between a student and the university including, but not limited to, written financial aid agreements, will be subject to discipline under this Code.
2. Explosives
  - a. No student shall possess, furnish, sell, or use explosives of any kind on university property or at functions sponsored by the university or any recognized university organization.
  - b. No student shall make, or cause another individual to make, false bomb threats.
3. Fire Safety
  - a. No student shall tamper with fire safety equipment.

- b. The unauthorized possession, sale, furnishing, or use of an incendiary device is prohibited.
- c. No student shall set, or cause to be set, any unauthorized fire in or on university property.
- d. No student shall make, or cause to be made, a false fire alarm.
- e. The possession or use of fireworks on university property or at events sponsored by the university or any recognized university organization is prohibited. Fireworks are defined as any substance prepared for the purpose of producing a visible or audible effect of combustion, explosion, or detonation.

4. Weapons

Students are prohibited from possession of firearms on university property or at events sponsored or supervised by the university or any recognized university organization. The possession or use of any other offensive weapon is prohibited. (Exceptions may be made for official use authorized by the university or as authorized by special procedures approved by the Criminal Justice Training Center for its students who are sworn peace officers.)

5. Hazing

All rites and ceremonies of induction, initiation, continued membership, or orientation into university life or into the life of any university group which tend to promote or inflict physical or mental suffering, or include the destruction of public or private property, are prohibited.

6. Joint Responsibility for Infractions

Students who knowingly act in concert to violate university regulations have individual and joint responsibility for such violations.

7. Student Identification Cards:

- a. Lending, selling, or otherwise transferring a student identification card is prohibited.
- b. The use of a student identification card by anyone other than its original holder is prohibited.

8. Theft

No student shall take, attempt to take, or keep in his possession items belonging to students, faculty, staff, student groups, or visitors to the campus without proper authorization.

9. Drugs

The possession or use (without valid medical or dental prescription), manufacture, furnishing, or sale of substances controlled by Federal or Georgia law is prohibited.

10. Alcohol

Neither alcoholic beverages nor their consumption are permitted in any university facilities, buildings, or property, except as provided for in the standing university policy on alcohol. This exemption notwithstanding, under no circumstances is anyone under the age of 21 permitted to consume alcoholic beverages in any university facilities, buildings, or properties.

11. Gambling

The playing of cards or any other game of chance or skill for money or other items of value is prohibited.

12. Tobacco

Use of all tobacco products is prohibited in all university buildings.

13. Unauthorized Entry or Use of University Facilities

- a. No student shall make unauthorized entry into any university building, office or other facilities, nor shall any person remain without authorization in any building after normal closing hours.
- b. No student shall make unauthorized use of any university facility.

D. Repeated violations of published rules or regulations of the university, which cumulatively indicate an unwillingness or inability to conform to the Code of Conduct, will result in sanctions of escalating severity.

E. Violation of Outside Law: Violation of local, state or federal law, on or off the campus, constitutes a violation of the Code of Conduct and may result in administrative university sanctions, in addition to those of the appropriate law enforcement department.

F. Additional Violations: Under this Code of Conduct, sanctions may be imposed for the violation of any university rule subsequently promulgated by the university.



G. Group Offenses:

1. Offenses by recognized groups fall under the jurisdiction of the Student Activities Committee and shall be referred to that committee for action.
2. Actions of individual members of a group which constitute a conduct offense shall be dealt with under the provision of the Student Code of Conduct.

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## **VI. REPORTING PROCEDURES FOR CONDUCT OFFENSES**

It is imperative that all conduct violations be adjudicated promptly and fairly. Therefore, all conduct violations will be immediately reported to a university official in the Division of Student Affairs by any person who has knowledge of the commission of any such violation.

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## **VII. ADJUDICATION PROCEDURES/CONDUCT OFFENSES**

Where sufficient evidence exists that a violation of a municipal, state, or federal law may have occurred, the Vice President for Student Affairs shall refer the case and transmit the evidence to the appropriate law enforcement agency. The student may also be charged with violation of the Code of Conduct if the interest of the university has been abused by a student's conduct.

A. Formal adjudication procedures for conduct offenses. (NB: there are no informal adjudication procedures for conduct offenses; all such violations must utilize the following steps.)

1. The Vice President for Student Affairs shall ensure that the best interests of any accused student are served, regardless of whether disciplinary action is taken, by making sure that the student is advised of his rights.
2. Where the evidence establishes that a conduct offense may have occurred, the Vice President for Student Affairs shall advise the accused of the charges being considered. The student then has the right to have the offense handled administratively by the Vice President for Student Affairs or to have the case referred to the Student Court.
  - a. If the student prefers that the case not be referred to the Student Court, the student shall be required to sign a document waiving the right to such a hearing.
  - b. The case will then be adjudicated by a university official in the Division for Student Affairs.
3. If the accused opts for a hearing before the Student Court, the accused will be notified in writing by the Student Court, or its designated representative, of the nature and details of the alleged offense, along with the names of accusers and principal witnesses to be brought against him/her. This notification shall occur no fewer than five calendar days prior to the date of the hearing.
4. If the student chooses to have the case heard by the Student Court, the Court shall be convened by its presiding officer to consider the evidence of the violation as soon as possible after the violation is reported, but no sooner than five calendar class days after notification of the accused.
5. A written copy of the Court's decision shall be given to the student concerned and to the Vice President for Student Affairs as a recommendation for administrative action.
6. The Court shall recommend any authorized sanction or combination of sanctions which it deems to be warranted by the circumstances of the case.

B. Procedural Rights of Students

1. Any student whose case is referred to the Student Court shall be notified of such referral in writing by the Vice President for Student Affairs at least three class days before the hearing and shall be apprised in the notice of the charges along with the names of the accusers and the principal witnesses.
2. The accused has the right to choose an advisor. This advisor will not participate directly in the proceedings, except to advise the client. It is customary, but not required, that the advisor will be drawn from the university community.
3. The accused and the person bringing the charges shall be afforded an opportunity to present witnesses and documentary or other evidence. The accused and any individual bringing the charges shall have the right to cross-examine all witnesses

and may, where the witnesses cannot appear because of illness or other cause acceptable to the Court, present the sworn statement of the witnesses. The Court shall not be bound by formal rules governing the presentation of evidence, and it may consider any evidence presented which is of probative value in the case.

4. The accused may not be made to bear witness against him or herself. The Court may not take the refusal of the accused to testify as evidence of guilt, but this proviso does not give the accused immunity from a hearing or from recommendations reached in a hearing simply because the accused does not testify.
5. The accused shall have access to a tape of the hearing, upon request of the student.
6. The substantive facts of a case may be reopened for consideration by the Student Court upon initiation of the accused.
7. All witnesses will be sequestered from the hearing room during the course of a hearing.
8. Witnesses may not discuss a pending case.
9. By prior agreement, the accused will be allowed such observers of the hearing as may be commensurate with the space available. Otherwise, to protect the privacy rights of the accused, hearings will be closed, except that the university may also have observers in addition to the advisors to the Student Court.

#### C. Major Sanctions

1. Expulsion: The permanent severance of the student's relationship with the university.
2. Suspension: The temporary abrogation of a student's relationship with the university.
3. Major sanctions ordinarily shall be imposed only upon the recommendation of the Student Court. In extraordinary circumstances, where gross violations of conduct rules disrupt the proper functioning of the university, students may be summarily suspended by the Vice President for Student Affairs, the Vice President for Academic Affairs, or the President of the University

#### D. Minor Sanctions

1. Restrictions: exclusion from such specified student privileges as may be consistent with the offense committed.
2. Written reprimand: a written statement of disapproval to the student which will be retained in the student's file as long as he remains at Armstrong Atlantic State University.
3. Restitution: Reimbursement for damage to or misappropriation of property. This may be in the form of appropriate service or other compensations and may be imposed in addition to other sanctions.
4. Disciplinary Probation: Notice to the student that any further violation may result in suspension or expulsion. Disciplinary probation may include one or more of the following: restrictions, reprimand, and/or restitution.

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## **VIII. THE STUDENT CONDUCT COMMITTEE, THE STUDENT COURT AND ADVISORS TO THE STUDENT COURT**

#### A. Student Conduct Committee:

1. The Student Conduct Committee shall be responsible to the faculty for recommending policies relating to the Academic Honor Code and the Code of Conduct, for formulating or approving rules, enforcement procedures, and sanctions within the framework of existing policies, and for recommending changes in the administration of any aspects of the Honor Code and the Student Code of Conduct. The Conduct Committee will also interview and select members for the Student Court.
2. The Committee shall consist of five faculty members, the Vice President for Student Affairs and four students. The four students will be the president and vice president of the Student Court, the President of the Student Government Association, and one student-at-large. The faculty members will be appointed by the faculty in accordance with the faculty statutes.
3. The Vice President for Student Affairs shall assist the Conduct Committee in the development of policy and in the discharge of its responsibilities. He shall coordinate the activities of all officials, committees, student groups, and tribunals for

student conduct.

4. All regulations or rules relating to student conduct that are proposed by any university official, committee or student group, and for which sanctions may be imposed in the name of the university, must be submitted to the Committee for consideration and review prior to submission to the faculty and the student body. The Committee shall have ten days in which to review the same.

B. Student Court:

1. The Student Committee will be selected by the Student Court Selection Committee and will be composed of no less than 12 students. Due consideration will be given to equitable apportionment of such members on the basis of academic class, race, and sex. Students on academic probation may not serve. All appointments will be issued and accepted in writing. Appointments will be made as needed to keep the Student Court staffed to do business in a prompt manner. These appointments may constitute permanent or temporary replacements as the Student Conduct Committee deems necessary.
2. The Student Court will elect a president, vice president, and a secretary from its membership. The president will preside at all meetings. The vice president will assume the duties of the president if the president is absent. A quorum of the court shall consist of seven members. A two-thirds majority secret ballot vote is required to reach a finding of guilty. Sanctions and other issues may be decided by simple majority vote.
3. Student Court members shall examine their consciences carefully to determine whether they can, in good conscience, serve on a panel hearing a particular case. In the event that there is any doubt whatsoever, such members shall excuse themselves from duty on the panel in question.

C. Advisors to the Court:

1. An advisor and an associate advisor to the Student Court shall be appointed by the President of the University.
2. Ordinarily the advisor will serve in that office for one year only and usually will be succeeded in the position by the associate advisor. Therefore, after the initial appointments, the associate advisor will be appointed each year. The succession of an associate to the advisor position should occur on the last day of Spring Semester. If, for any reason, the advisor is unable to complete his/her term, the associate advisor shall succeed to the office of advisor and another associate advisor shall be appointed by the above procedures. If neither advisor is on campus, a temporary advisor will be appointed.
3. It shall be the duty of the advisor to consult with the Court and to offer advice to the president and the members of the Court on substantive and procedural questions. The advisor, or the associate advisor in the event the advisor is unable to attend, shall be present at all meetings and hearings of the Court. The advisor may not vote or participate directly in the conduct of hearings before the Court, except through the chair or acting chair of the Court. The advisor should be governed at all times by the principle that a hearing before the Student Court is primarily the responsibility of the students.

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## **IX. APPEALS PROCEDURES**

- A. Determination of guilt or imposition of punishment: The accused shall have no right of appeal, in any forum, from either the determination of guilt or the punishment imposed, if any.
- B. Procedural irregularities or flaws: The accused shall have the right of appeal only for possible procedural flaws or irregularities that are sufficient to deny, or give the appearance of denying, inherent fairness and justice to the accused.
- C. The student shall have five days from the receipt of notice of the final administrative action by the Vice President for Student Affairs to appeal to the President of the University, provided that the basis for the appeal is limited to procedural irregularities of flaws.

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## **X. SUPERVISION OF THE STUDENT COURT**

- A. As an institutional means of responding to reported infractions of the Honor Code and the Code of Conduct, the Student Court is ultimately responsible to the President of the University.
- B. The Vice President for Student Affairs and the advisors will, in accordance with Article V, Section B.5 of the Statutes in the University Faculty Handbook, provide general supervision of the Student Court and will provide other guidance or services as directed by the President of the University.
- C. Taped records of all testimony, and exhibits of evidence which by their nature may reasonably be maintained, shall be held in the Division of Student Affairs.

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## XI. REVISION OF THE CODES

- A. Revision or amendment of misconduct offenses by the Student Court Committee will require confirmation by majority vote of those faculty and student members voting and will require that two-thirds of the Committee be present.
- B. All amendments establishing additional rules of conduct and/or imposing sanctions shall be placed in writing and issued at least once in an official publication. The university's failure to comply with these requirements shall be a complete defense to any charge of violation of a rule of which the student has no actual knowledge. A student's failure to familiarize himself with these additional rules shall be posted on the bulletin board in the Memorial College Center for a period of ten days before the effective date thereof.

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