

Student Code of Conduct and Disciplinary Procedures

I. Purpose

Abraham Baldwin Agricultural College (ABAC) has the dual responsibility of educating students and helping them develop into mature citizens who take their place in the larger community. In order to accomplish this mission, the College seeks to develop an environment which fosters respect and integrity among its members. To facilitate this environment and to meet its educational goals, the College has adopted conduct regulations for individuals and organizations and has established a judicial process for dealing with alleged violations of those regulations.

Conduct which is of a disorderly nature and in violation of written policy shall subject the student or organization to disciplinary action. The student is also subject to city, state, and federal law. The College will not intervene nor will it ask special treatment for a student who has violated any law.

Proceedings under this Code may be instituted against students charged with a violation of a city, state, or federal law when the alleged conduct is also a violation of this Code. Proceedings under this Code may be carried out before, simultaneously with, or following civil or criminal proceedings, and will not be subject to challenge on the ground that criminal charges involving the same incident have been dismissed or reduced.

Generally, College conduct regulations shall apply to conduct which occurs on College premises. Further, the conduct regulations shall apply to conduct which occurs while a student is attending or participating in any College sponsored activity wherever that activity may take place, or any behavior, on or off College premises, which adversely affects the College community or the pursuit of its objectives.

All students are subject to the regulations outlined in the Code of Conduct, College Catalog, and Student Handbook. Unfamiliarity with these regulations is not a valid excuse for infractions.

Provisions of the Student Code of Conduct may be revised, supplemented, or amended as necessary at any time by the appropriate College authorities. The students and administration of Abraham Baldwin Agricultural College are bound by the regulations set forth in the following as well as any additional rules and regulations resulting from revisions to the Code during any academic year.

II. Definitions

When used in this Code:

1. The terms “College” and “Institution” mean Abraham Baldwin Agricultural College and all of its schools, divisions, departments, and programs.
2. The term “organization” means a number of persons who have complied with College requirements for recognition (charter).
3. The term “student” means any person who is taking or auditing classes at the College, or is matriculated in any College program.
4. The terms “College premises” and “College property” mean buildings or grounds owned, leased, operated, controlled, or supervised by the College.
5. The term “weapon” is defined in accordance with state law, and includes any object or substance designed to inflict a wound or cause injury.
6. The term “College sponsored activity” means any activity on or off College premises that is directly initiated or supervised by the College.
7. The terms “will” or “shall” are used in the imperative sense.

III. Academic Conduct Code

A. Academic Dishonesty

Academic irregularities include, but are not limited to, giving or receiving of unauthorized assistance in the preparation of any academic assignment; taking or attempting to take, stealing, or otherwise obtaining in an unauthorized manner any material pertaining to the education process; selling, giving, lending, or otherwise furnishing to any person any question and/or answers to any examination known to be scheduled at any subsequent date; fabricating, forging, or falsifying lab or clinical results; plagiarism in any form related to themes, essays, term papers, tests, and other assignments; breaching any confidentiality regarding patient information.

B. Disciplinary Procedures

1. When a faculty member suspects that a student has engaged in academic dishonesty, the faculty member will contact the Office of the Vice President for Academic Affairs. The Vice President for Academic Affairs will notify the student in writing of the report and will appoint a neutral person from among the faculty or staff to meet with the faculty member who reported the matter and the student(s) believed to have engaged in academic dishonesty. The purpose of the meeting, to be scheduled by the Office of the Vice President for Academic Affairs, will be to provide a facilitated discussion about what may have occurred. The faculty member who reported the matter, the student(s) believed to have engaged in academic dishonesty, and the facilitator are the only participants in the meeting. Audio nor video recordings of these proceedings will be permitted. Following the discussion, the facilitator

- will submit a form summarizing results of the proceedings to the Office of the Vice President for Academic Affairs.
2. The faculty member and student(s) may reach an agreement about the matter and, if dishonesty is involved, may determine the appropriate consequences. If no resolution is agreed upon, the matter will be forwarded to the Dean of Students, who will convene the Student Judiciary Committee to determine the outcome of the allegation.
 3. Guidelines for disciplinary procedures as outlined in Section V of the Student Code of Conduct will be applicable in cases involving alleged academic dishonesty. A written copy of the recommendations by the Student Judiciary Committee shall be sent not only to the student but also to the faculty member who made the allegations of academic dishonesty against the student, to the Vice President for Academic Affairs, and to the President.
 4. Prior to any finding of responsibility on the part of the student, the faculty member shall permit the student to complete all required academic work and shall evaluate and grade all work except the assignment(s) involved in the accusation of dishonesty. The faculty member may, however, take any action reasonably necessary to collect and preserve evidence of the alleged violation and to maintain or restore the integrity of exam or laboratory conditions.
 5. A student may not withdraw from a course to avoid penalty of plagiarism or other forms of academic dishonesty.

C. Appeals Process

Students have the right to appeal a Student Judiciary Committee hearing recommendation in accordance with the following procedures:

1. Requests for appeals must be submitted in writing to the Office of the Vice President for Student Affairs within five business days of the date of the letter notifying the student of the original decision. Failure to appeal within the allotted time will render the original decision final and conclusive.
2. Written requests for appeals must be specific and detailed as to the nature and substance of the student's complaint and must clearly indicate what action is requested. The written request should specify the grounds for appeal. Judicial recommendations may be appealed on the following grounds:
 - A violation of due process
 - Prejudicial treatment by the original hearing body
 - New evidence has become available which was not available at the time of the hearing.
3. Appeals shall be decided upon the record of the original proceedings, the written appeal submitted by the defendant,

and any written briefs submitted by other participants. Cases will not be reheard on appeal.

4. If the student is dissatisfied with the decision of the Vice President for Student Affairs, the student may request in writing that the President consider the appeal, but such request must be made within five business days of the Vice President's decision or the Vice President's decision will be considered final and conclusive.
5. Within five business days of receiving the appeal, the President will either rule on the appeal or refer the appeal to a special Presidential Panel. The Presidential Panel will review all facts and circumstances connected with the case and within five business days make a report of its findings to the President. After consideration of the Panel's report, the President will within five business days make a decision which shall be final so far as the College is concerned.
6. Should the student be dissatisfied with the President's decision, written application may be made to the Board of Regents for a review of the decision. This application must be submitted within twenty days following the decision of the President. Additional information regarding procedures for appealing to the Board is available in the Office of the Vice President for Student Affairs. The decision of the Board shall be final and binding for all purposes.

IV. Non-Academic Conduct Code

A. Alcohol

1. The possession, consumption, and/or manufacture of alcoholic beverages on Abraham Baldwin Agricultural College property is prohibited.
2. If a student is under the age of 21 and determined to be under the influence of alcohol, he/she will be cited for underage consumption of alcohol and referred to the appropriate authorities for disposition by the appropriate disciplinary process.
3. A student in an intoxicated state manifested by boisterousness, rowdiness, obscene or indecent appearance, or by vulgar, profane, lewd language or other disorderly behavior will be cited and referred to the appropriate authorities for disposition by the appropriate disciplinary process.
4. No student shall furnish or cause to be furnished any alcoholic beverage to any person under the legal drinking age of 21.

B. Drugs

1. The possession or use (without valid medical or dental prescription), manufacture, distribution, or sale of any drug controlled by federal or Georgia law is prohibited.
2. Possession and/or use of drug paraphernalia, including but not limited to any form of bong or smoking device, such as a hookah, even if not used or used for tobacco products, is prohibited.

C. Tobacco

1. The use of tobacco products in any building on campus is prohibited.
2. Smoking is not allowed within 25 feet of any building on campus.
3. Smoking is not allowed on the grounds of ABAC Place and Lakeside, except in designated smoking areas.

D. Damage to Property

1. Malicious or unnecessary damage or destruction of property belonging to Abraham Baldwin Agricultural College, its visitors, or to a member of the college community is prohibited.
2. Improper disposal of any form of litter on campus is prohibited.
3. Unauthorized writing on or defacing of College property is prohibited.

E. Disorderly Assembly

1. The Board of Regents (BOR) Policy Manual, Section 1902, states, "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 is considered by the Board to have committed an act of gross irresponsibility and shall be subject to disciplinary procedures, possibly resulting in dismissal or termination of employment" (BR Minutes, 1968-69, pp. 166-168; 1970-71, p. 98).
2. No person or group of persons shall obstruct the free movement of other persons about the campus, interfere with the authorized use of facilities, or prevent the normal operation of the College.

3. This section should not be construed so as to deny any students the right of peaceful assembly, within reasonable time, manner, and place regulations.

F. Disorderly Conduct

1. Disorderly or obscene conduct or breach of the peace on College property or at any function sponsored or supervised by the College or any recognized College organization is prohibited.
2. No person shall push, strike, or physically assault any member of the faculty, administration, staff, student body, or any visitor to the campus.
3. Conduct on College property or at functions sponsored or supervised by the College or any recognized College organization which materially interferes with the normal operation of the College or the requirements of appropriate discipline is prohibited.
4. No student shall enter or attempt to enter any dance, social, athletic, or any other event sponsored or supervised by the College without credentials for admission (official ABAC identification card and ticket, invitation, etc.) or in violation of any reasonable qualifications established for attendance. At such College functions a student must present proper credentials to properly identified College faculty or staff upon request.
5. Conduct and/or expressions which are obscene or which are offensive to the prevailing standards of an academic community are prohibited.
6. No student shall interfere with, give false name to, or fail to cooperate with any properly identified College officials while these persons are in performance of their duties.
7. Verbal or sexual harassment, terroristic threats or abuse, and sexual assault are prohibited.
8. No student shall deliberately fail to heed a disciplinary summons, oral or written, to report to an administrative official or an authorized Student Government Association (SGA) official or judicial committee.
9. Failure to comply fully with a disciplinary sanction is prohibited.
10. The use of cell phones, pagers, or any other electronic devices in a manner that causes a disruption in the classroom, library, or other college facilities is prohibited.

G. Falsification of Records

No student shall alter, counterfeit, forge, or cause to be altered, counterfeited, or forged any record, form, or document used by the College.

H. Explosives

No student shall possess, furnish, sell or use explosives of any kind on College property or at functions sponsored or supervised by the College or any registered College organization.

I. Fire Safety

1. No person shall tamper with, damage, or disconnect any fire safety equipment.
2. No student shall set or cause to be set any unauthorized fire in or on College property.
3. The possession or use of fireworks on College property or at events sponsored by or supervised by the College or any registered College organization is forbidden. Fireworks are defined as any substance prepared for the purpose of producing a visible or audible effect by combustion, explosion, or detonation.
4. The unlawful possession, sale, furnishing, or use of any incendiary device is prohibited.
5. No student shall make, or cause to be made, a false fire alarm or issue a false bomb threat.
6. Remaining in a campus facility during a fire alarm without permission by the appropriate authorities is strictly prohibited.

J. Weapons

1. Student possession of weapons on College property or at events sponsored by the College or any registered College organization is prohibited.
2. Permission to bring a weapon on campus for class demonstrations, training, etc., must be secured from ABAC Police Department.

K. Hazing

All rites and ceremonies of induction, initiation, or orientation, or private actions by individuals which tend to cause or allow mental or physical suffering are prohibited. Specifically, hazing is defined as any action taken or situation created intentionally, whether on or off campus, to produce mental or physical discomfort, embarrassment, harassment, ridicule, or the breaking of College rules.

L. Joint Responsibility for Infractions

1. Students who knowingly act in concert to violate College regulations will be given joint responsibility for such violation.
2. Students are liable for the actions of their visitors, if the student is aware of, or in the presence of the visitor, when the visitor violates articles of the Student Code of Conduct.

M. Misuse of Student Identification Cards or Permits

1. Lending, selling, or otherwise transferring a student identification card or parking permit is prohibited.
2. The use of a student identification card or parking permit by anyone other than its original holder is prohibited.
3. No student may obtain under false pretenses any additional student identification cards or permits.
4. The creation of a fake identification card or parking permit as well as the altering of a valid student identification card or parking permit is prohibited. The replication and distribution of the same is also prohibited.
5. Failure to surrender a College identification card or permit to a properly identified and authorized College official is prohibited.
6. Intentionally damaging an ABAC identification card is prohibited. It is the student's responsibility to have a damaged card replaced.

N. Theft

1. No student shall sell anything not his or her own without written permission of the owner.
2. No student shall take, attempt to take, or keep in his or her possession items of Abraham Baldwin Agricultural College property or items belonging to students, student groups, College employees, or visitors without proper authorization.
3. The illegal or unauthorized use of another's personally identifiable information is prohibited. Violations include, but are not limited to, knowingly and willfully assuming and using any and all personal identifying information, including photographs, without the consent or authorization of said owner for the purpose of misrepresenting oneself. Using, selling, or transferring that information to obtain any benefits, credit, goods, services or other items of value in the name of said owner or to otherwise do harm to said owner is a violation of the Code of Conduct.

O. Unauthorized Entry or Use of College Facilities

1. No student shall make unauthorized entry into any building, office, or other facility; nor shall any student remain without authorization in any building after normal closing hours.
2. No student shall allow, aid, or assist persons in making unauthorized entry into any building, office, or other facility.
3. No student shall make unauthorized use of any facility. Upon appropriate notice by officials, authorization for the use of facilities may be withdrawn or otherwise restricted.
4. The possession of illegal articles on College property or in campus facilities is prohibited.
5. No student shall knowingly use College or student organization owned equipment, supplies, or property without proper authorization.

P. Traffic Violations

Traffic regulations as specified in the Abraham Baldwin Parking and Traffic Regulations booklet are considered to be part of the Student Code of Conduct. These rules and regulations will be used as a standard for all cases pertaining to the Traffic Court.

Q. Inappropriate Use of College Computing Facilities and Equipment

Rules and regulations regarding appropriate use of College computing facilities and equipment as specified in the Policy on Student Use of Technology Resources are considered to be a part of the Student Code of Conduct. Students are responsible for being aware of these policies and of abiding by them. The Policy on Student Use of Technology Resources can be found at <http://www.abac.edu/OITS/policy/studentuse.htm> and in the Policies section of this Handbook.

R. Student Housing Policy

1. Abraham Baldwin Agricultural College requires all new students to live on campus for a minimum of two semesters unless they meet one of the following criteria: (1) living with and commuting daily from the legal residence of a parent, legal guardian, or grandparent within a 50-mile radius of Tifton; (2) married; (3) single parent; (4) 21 years of age prior to September 1, of the current academic year; (5) have attended another college for a minimum of two semesters.
2. The Guide to Residential Living, distributed to each resident, contains procedures and rules for living in College residence halls. This booklet, the Housing Contract, and any "house rules" which have been approved by the Dean of Students

and posted in the residence halls are considered a part of the Student Code of Conduct.

3. Minor infractions of Housing policies and procedures will be dealt with through informal conferences with Residence Life staff. Students subject to an informal conference conducted by a member of the Residence Life staff are accorded the following procedural protections:
 - i. Written notice of charges prior to the scheduled conference.
 - ii. An explanation of the evidence against them.
 - iii. An opportunity to respond to evidence against them and to produce evidence on their behalf.
 - iv. The right to request administrative review of their case at the next highest level.
4. In cases where the alleged misconduct may result in expulsion, suspension, or disciplinary removal from College housing, the student defendant shall be afforded the opportunity for a hearing before the Dean of Students or the Student Judiciary Committee.

V. Disciplinary Procedures

A. Organization and Jurisdiction

1. Section 401.01 of the Board of Regents policies delegates to individual institutions the duty to discipline students within the framework of regulations of the Board of Regents. According to this policy, "Students violating rules and regulations of an institution may be punished, suspended, excluded, or expelled as may be determined by the institution" (BOR Policy Manual, Section 401.01). In carrying out the responsibility to discipline its students, Abraham Baldwin Agricultural College will apply disciplinary sanctions only after the requirements of due process, non-discrimination, and fairness have been met.
2. The President of ABAC has delegated the function of student discipline to the Vice President for Student Affairs, who has, in turn, designated the Dean of Students and his/her staff to handle the day-to-day disciplinary process.
3. The Dean of Students is assisted in the student disciplinary process by the Student Judiciary Committee. Cases may be assigned to the Student Judiciary Committee at the discretion of the Dean or upon request by the accused student or students.

4. Students whose cases are adjudicated in disciplinary conferences with the Dean of Students or his/her designee are provided the following procedural protections:
 - i. Written notice of the specific charges at least 72 hours prior to the scheduled conference.
 - ii. Reasonable access prior to and during the conference to any materials which would be considered "educational records" under the Family Educational Rights and Privacy Act of 1974. Personal notes of College staff members or complainants are not included.
 - iii. An opportunity to respond to the evidence and to call relevant and necessary witnesses.
 - iv. A right to be accompanied by an advisor. An attorney attending a conference may not actively represent the accused student but may give advice to the student regarding how to present his or her defense.
 - v. Written notification of the decision of the hearing officer within five business days of the conference.
 - vi. The right to appeal to a higher judicial body or College administrative official within five business days of receiving the judicial decision for any of the following causes:
 1. Violation of due process and/or student rights
 2. New evidence
 3. Prejudicial treatment by the hearing officer
 - vii. The right to have access to a recording of the disciplinary conference for the purposes of preparing for an appeal. Students may not bring their own recording devices to disciplinary conferences.
5. The Student Judiciary Committee will meet at the call of the Dean of Students. Proceedings of the committee shall be in accordance with the College Catalog and the Student Code of Conduct. The findings and recommendations of the committee will be forwarded to the Dean of Students for such action as may be deemed appropriate. The committee shall be composed of at least six faculty members and 1 staff member appointed for two-year terms and eight (8) students. Student members will be selected by an application process through the office of the Dean of Students. Student members will be selected by an application process through the office of the Student Government Association (SGA). The President of SGA shall appoint one sophomore, junior, or senior student member to be Chief Justice. The President's nominee shall be approved by a 2/3 vote of the Senators present.

6. All cases involving violation of ABAC traffic rules and regulations shall be heard by the Traffic Court. The Traffic Court consists of seven students, who are appointed by the SGA President. One of the sophomore, junior, or senior justices will be appointed by the SGA President to serve as chairperson of the Traffic Court. His/her nomination shall be approved by 2/3 vote of the Senate present.

B. Student Rights in the Disciplinary Process

In any disciplinary process at ABAC, an accused student shall be afforded the following rights:

1. The right to a fair and impartial hearing.
2. The right to a presumption of not being responsible for a violation until proven responsible as determined by clear and convincing evidence.
3. The right to be notified in writing of the charges against him or her; the specific rule or policy violated; and the time, date, and place of the scheduled hearing. This notification must occur in writing at least 72 hours prior to the hearing (except when the accused student postpones the hearing) provided that the student has informed the College of his or her current contact information. If the student has not furnished the College with current contact information, College officials have only to make a responsible attempt to notify the student with the most recent contact information provided.
4. The right to an advisor of his or her choice. An attorney attending a hearing may not actively represent the accused student but may give advice to the student regarding how to present his or her defense.
5. The right to question all witnesses who testify at the hearing and/or to challenge all written statements presented at the hearing.
6. The right to present witnesses to testify in his or her defense. The Dean of Students shall have the authority to limit the number of witnesses in order to avoid unreasonable delays where the testimony would be repetitious or unnecessary.
7. The right to be present during the entire hearing (except for closed judicial deliberation) and to know all evidence used in the proceeding. The student may, however, elect not to appear, and failure to appear shall not be construed as an admission of responsibility.
8. The right to remain silent and such silence shall not be construed as an admission of responsibility.

9. The right to be notified in writing of the decision of the judicial body or hearing officer within five business days of the date of the hearing.
10. The right to appeal to a higher judicial body or College administrative official within five business days of receiving the judicial decision for any of the following causes:
 - i. Violation of due process and/or student rights
 - ii. New evidence
 - iii. Prejudicial treatment by the original hearing body
11. The right to have access to a recording of his or her hearing for the purposes of preparing for an appeal. Students may not bring their own recording devices to disciplinary hearings.

C. Procedures for Disciplinary Hearings

Disciplinary hearings at ABAC are hearings to arrive at corrective recommendations regarding alleged student misbehavior. The administration of discipline is viewed as an educational process, not a criminal or civil trial proceeding. As such, the disciplinary procedures used are determined and administered by educators within the requirements of due process and protection of student rights.

The procedures used by all disciplinary committees are as follows:

1. Student judiciary hearings are presided over by the chair of the Student Judiciary Committee or his or her designee. The chair may exclude any person from the hearing who is materially interfering with the judicial hearing proceedings. Any disruptions of a judicial hearing can result in the possible immediate interim suspension of the student(s) involved in the disruption. The chair of the committee makes such a determination, and when that determination is made, those causing the disruption will be asked to leave the hearing and its premises. If they do not voluntarily leave, ABAC Police will escort them off the premises.
2. Recommendations of the Student Judiciary Committee are by a simple majority vote. A Student Judiciary Committee quorum is more than 50% of its membership being present. A hearing may proceed with less than a quorum if the accused elects to proceed.
3. The judicial hearing will follow this sequence:
 - i. An oath is administered to the accused.
 - ii. The alleged charge or charges are presented to the accused (Charges are prepared and presented by the Dean of Students or his/her representative).
 - iii. The chair calls for a response to each charge from the accused.
 - iv. Witnesses and documentation supporting the alleged violation(s) are presented.

- v. Comments and documentation supporting the accused's position are presented.
 - vi. Examination and questioning by the committee follow presentation of documentation and witness comments.
 - vii. Closing comments are presented by both parties, first the administration and then the accused.
 - viii. The Student Judiciary Committee goes into closed session to deliberate.
 - ix. The Student Judiciary Committee reconvenes and reads its findings and/or recommendation(s) to the accused. The accused is also notified of the right to appeal.
 - x. The hearing is adjourned.
4. All comments in the hearing are given under oath.
 5. The accused student may bring an advisor of his or her own choosing to the hearing. An attorney attending a hearing may not actively represent the accused student but may give advice to the student regarding how to present his or her defense.
 6. The Student Judiciary Committee has four charges: to determine the facts; to decide on the question of responsibility for any or all charges; to develop a suitable disciplinary recommendation; and to produce a well documented record of all proceedings.
 7. Committee deliberations are closed to all but members of the Student Judiciary Committee. The Student Judiciary Committee will hear only that information pertinent to the charge(s). Student Judiciary Committee deliberations concerning possible sanctions may draw upon the Dean of Students or his/her designee.
 8. The Student Judiciary Committee will advise the accused of its recommendation(s) at the conclusion of the deliberations. The recommendation(s) of the Student Judiciary Committee will also be communicated to the accused in writing following the conclusion of the hearing.
 9. The accused is also informed both verbally and in writing of the right to an appeal and is informed of how to pursue the appeals process.
 10. An audio recording of the hearing will be made and a transcription made available in the office of the Dean of Students.

D. Disciplinary Sanctions

One or more of the following sanctions may be imposed for violations of the Student Code of Conduct. This list is not exhaustive and may be enlarged or modified as needed.

1. **EXPULSION:** permanent separation of the student or organization from the College. The student or organization will be barred from College premises. Students who are expelled from the College are

not entitled to any refund of tuition, housing, meal plan, or other fees.

2. **SUSPENSION:** separation of the student or organization from the College for a period of time with two conditions: (1) the student may not return or the organization be reinstated before a specified date; and (2) readmission is not automatic. The student or organization shall not participate in any College sponsored activity and may be barred from the College's premises. Students who are suspended from the College are not entitled to any refund of tuition, housing, meal plan, or other fees.
3. **INTERIM SUSPENSION:** The Vice President for Student Affairs or a designee may suspend a student for an interim period pending disciplinary proceedings, such interim suspension to become immediately effective without prior notice, whenever there is evidence that the continued presence of the student on the College campus poses a substantial threat to the student or to others or to the stability and continuance of normal College functions. A student suspended on an interim basis shall be given an opportunity to appear personally before the Vice President for Student Affairs or a designee within five business days from the effective date of the interim suspension in order to discuss the following issues only: (a) the reliability of the information concerning the student's conduct; (b) whether the conduct and surrounding circumstances reasonably indicate that the continued presence of the student on the College campus poses a substantial threat to self or to others or to the stability and continuance of normal College functions.
4. **DISCIPLINARY PROBATION:** notice to the student or organization that any further violations of College rules and regulations will likely result in suspension. Disciplinary probation may also include the setting of restrictions on participation in College activities or entry into certain College facilities.
5. **DISCIPLINARY WARNING:** notice to the student or organization that further misconduct may result in more severe disciplinary action.
6. **RESTRICTION:** exclusion from participation in campus organization leadership or membership; involvement in campus social, recreational, sporting, or recruitment activities; residence hall visitation or access; the use of campus facilities; identification card privileges; or parking or driving privileges on campus.
7. **RESTITUTION:** the student or organization is required to make payment to the College or to other persons or groups for damages incurred as a result of a violation of the Code of Conduct. Restitution may take the form of appropriate service or other compensation.

8. FORCED WITHDRAWAL: from the academic course within which an offense occurred, without credit for the course.
9. CHANGE IN GRADE: with the concurrence of the instructor, for the course in which an offense occurred.
10. REFERRAL/PROFESSIONAL ASSESSMENT: referral to the Student Development Office or other professional counseling/evaluation service.
11. PARENTAL AND/OR GUARDIAN NOTIFICATION: The Family Educational Rights and Privacy Act (20 USCS 1232g.i) provides in pertinent part that institutions of higher education are not prohibited “. . . from disclosing, to a parent or legal guardian of a student, information regarding any violation of any federal, state, or local law, or of any rule or policy of the institution, governing the use or possession of alcohol or a controlled substance, regardless of whether that information is contained in the student’s education records, if (A) the student is under the age of 21; and (B) the institution determines that the student had committed a disciplinary violation with respect to such use or possession.”
12. OTHER SANCTIONS: other sanctions may be imposed instead of or in addition to those specified above.

E. Appeals Process

Students/organizations have the right to appeal a Student Judiciary Committee or administrative hearing recommendation in accordance with the following procedures:

1. Requests for appeals must be submitted in writing to the Office of the Vice President for Student Affairs within five business days of the date of the letter notifying the student of the original decision. Failure to appeal within the allotted time will render the original decision final and conclusive.
2. Written requests for appeals must be specific and detailed as to the nature and substance of the student’s complaint and must clearly indicate what action is requested. The written request should specify the grounds for appeal. Judicial recommendations may be appealed on the following grounds:
 - A violation of due process
 - Prejudicial treatment by the original hearing body
 - New evidence has become available which was not available at the time of the hearing.
3. Appeals shall be decided upon the record of the original proceedings, the written appeal submitted by the student, and any written briefs submitted by other participants. Cases will not be reheard on appeal.

4. If the original decision in the case was not rendered by the Vice President for Student Affairs, he/she shall consider the appeal and give a decision.
5. If the student is dissatisfied with the decision of the Vice President, the student may request in writing that the President consider the appeal, but such request must be made within five business days of the Vice President's decision or the Vice President's decision will be considered final and conclusive.
6. Within five business days of receiving the appeal, the President will either rule on the appeal or refer the appeal to a special Presidential Panel. The Presidential Panel will review all facts and circumstances connected with the case and within five business days make a report of its findings to the President. After consideration of the Panel's report, the President will within five business days make a decision which shall be final so far as the College is concerned.
7. Should the student be dissatisfied with the President's decision, written application may be made to the Board of Regents for a review of the decision. This application must be submitted within twenty days following the decision of the President. Additional information regarding procedures for appealing to the Board is available in the Office of the Vice President for Student Affairs. The decision of the Board shall be final and binding for all purposes.

F. Traffic Court Proceedings

1. Students receiving a parking violation have the right of appeal for seven (7) calendar days from the date of ticket issuance. If an appeal has not been completed within this time, the ticket stands.
2. If a student wishes to appeal a ticket, he/she must present the ticket to the office of the ABAC Police Department. If the student wishes to appear before the Traffic Court, he/she will be given an instruction sheet which explains the time and place of the next Traffic Court proceeding. If the student wishes not to appear before the Traffic Court but to submit a written appeal, he/she will complete a form supplied by the ABAC Police Department.
3. On the day of each Traffic Court proceeding, the Traffic Court Chief Justice will obtain from the ABAC Police Department a list (or docket) of students scheduled to appeal in person to the Traffic Court or any written appeals.
4. During the Traffic Court proceedings, students appealing in person are called to the podium individually and given an opportunity to explain their appeal. Justices may ask questions to obtain further explanation of the violation. Students must present a copy of their ticket to the court; if they fail to bring the ticket, they must obtain a

copy from the ABAC Police Department before the appeal can be heard.

5. After discussion, the justices vote by paper ballot. Ballots are tallied by the Chief Justice. After the count, the Chief Justice stamps the ticket approved, denied, or reduced. If the ticket is denied or reduced, the ticket is returned to the student and he/she is instructed to pay the ticket in the Student Financial Services Office.
6. If a student is scheduled to appear before the Traffic Court and fails to appear, the appeal is automatically denied.
7. Written appeals are read and discussed. Following discussion, the justices vote by paper ballot. The Chief Justice tallies the ballots and marks the appeal form approved, denied, or reduced.
8. After all cases are heard, the list of appeals is returned to the Police Department with the results recorded.
9. Students can determine the status of written appeals by phoning or stopping by the ABAC Police Department office.

G. Traffic Court Appeals

Students/organizations have the right to appeal a Traffic Court recommendation in accordance with the following procedures:

1. Requests for appeals must be submitted in writing to the Office of Students within five business days of the date of the Traffic Court Hearing. Failure to appeal within the allotted time will render the original decision final and conclusive.
2. Written requests for appeals must be specific and detailed as to the nature and substance of the student's complaint and must clearly indicate what action is requested. The written request should specify the grounds for appeal. Traffic Court recommendations may be appealed on the following grounds:
 - A violation of due process
 - Prejudicial treatment by the Traffic Court
 - New evidence has become available which was not available at the time of the hearing.
3. The Dean of Students will inform the Chief Justice of the Student Judiciary Committee of appeals of Traffic Court decisions. The Chief Justice will convene the Student Judiciary Committee to hear the case within five business days of receiving the appeal.
4. In hearing Traffic Court appeals, the Student Judiciary Committee will follow procedures set forth in **Section C** above.
5. The student will have five business days from the date of the Student Judiciary Committee hearing to appeal in writing to the Vice President for Student Affairs. The decision of the Student Judiciary Committee stands if the student fails to submit the written appeal within the allotted time.

6. The Vice President will have five business days from the date on which the appeal is received to render a decision. The student will be notified in writing of the Vice President's decision.
7. The decision of the Vice President for Student Affairs is final and binding.

Policies and Procedures

The following policies and procedures are reproduced here for the convenience of students. This is not a complete list of ABAC policies. The Policy Manual of the Board of Regents, the ABAC Policy Manual, the College Catalog, and the ABAC web site contain additional policies which govern the lives of students at ABAC. It is the student's responsibility to know and abide by all University System of Georgia and College policies.

Student Role in Institutional Decision Making

Students at ABAC have the right to participate in policy making of the Institution. There is a minimum of two student members on all College committees that make decisions related to students. These students, appointed by the president of the SGA, have full voting rights in the individual committees and are encouraged to be active participants. Student representatives on each committee are encouraged to report all committee actions and considerations to the Student Senate. This right is subject to supervision as delineated in the Policies of the Board of Regents of the University System of Georgia and the policies of this institution.

SGA Constitution and By-Laws

CONSTITUTION

(Revised and Ratified by the Student Body Spring Semester 2008)

Preamble

We, the students of Abraham Baldwin Agricultural College, desiring a more representative and efficient Student Government, wanting better communications between students and the college's administration and faculty, seeking to cultivate and preserve the ideals of good citizenship on the campus, and hoping to maintain a more complete and fruitful atmosphere of learning at this college, do hereby establish this Constitution for the Student Government.

ARTICLE I: Name

The name of this organization shall be the Student Government Association of Abraham Baldwin Agricultural College.

ARTICLE II: Purpose

The purpose of this organization is to act as an agent in the presentation of matters of student welfare, to advise in all matters affecting the affairs of the student body and its organizations, and to promote and further the interests of the student body.

ARTICLE III: Membership

Section 1. The Student Government Association shall be composed of a Legislative, an Executive, and a Judicial Branch.

Section 2. The Student Senate shall constitute the Legislative Branch of this government and shall have legislative authority within the limits established by this Constitution and its By-Laws.

Membership of this Senate shall consist of one representative per each chartered student club or organization at ABAC; other students who do not represent a student club or organization elected at large; the President, Vice-President, Secretary, Club Coordinator, Treasurer, Parliamentarian, and Chief Justices of the Student Government; Class Officers; Faculty Advisors; two Campus Activities Board (CAB) representatives; two Residential Housing Association (RHA) representatives.

Faculty advisors and the SGA Elections Committee will ensure that members of the Senate reflect the diversity of the student body in terms of race, sex, religion, national origin, disabilities, age, and academic majors. The Senate will fill vacancies within the constituency where the vacancy occurs and with attention to maintaining diversity among the membership of the Senate.

The following will be non-voting members of the Senate: President; Vice-President; Secretary; Club Coordinator; Treasurer; Parliamentarian; Chief Justices; Class officers; Faculty Advisors; representatives of CAB and RHA.

The Vice-President of SGA may cast a vote only if it will alter the outcome of that vote.

Section 3. The Executive Branch of this Student Government shall execute authority within the limits of this Constitution.

The Executive Branch shall consist of the SGA Officers (President, Vice-President, Secretary, Club Coordinator, Treasurer, and Parliamentarian) and Class Officers.

The members of the Executive Branch shall be charged with the execution of all procedures established by this Constitution and By-Laws and by all mandates of the Student Senate.

Section 4. The Judicial Branch of the Student Government shall have judicial authority as specified under the Rules of Procedure.

The Judicial Branch shall consist of a Student Judiciary Committee, a Traffic Court, and other lower courts as appointed by the President of the SGA with 2/3 vote approval of the Student Senate present.

The Student Judiciary Committee shall consist of seven (7) faculty/staff members appointed for two-year terms and eight (8) students. Student members will be selected by an application process through the office of the Student Government Association. The President of SGA shall appoint one sophomore, junior, or senior student member to be Chief Justice. The President's nominee shall be approved by a 2/3 vote of the Senators present. The Chief Justice shall report to the SGA each week the number, type, and disposition of cases heard.

The Traffic Court shall consist of seven (7) students, who are appointed by the SGA President. One of the sophomore, junior, or senior justices will be appointed by the SGA President to serve as Chief Justice of the Traffic Court. His/her nomination shall be approved by 2/3 vote of the Senate present. The Traffic Court Chief Justice shall report to the SGA each week the number, type, and disposition of cases heard.

The Dean of Student Life and Housing or his/her designee serves as advisor to the Traffic Court.

Section 5. The SGA agrees to adhere to all policies and procedures of ABAC and all local, state, and federal laws. SGA does not discriminate on the basis of race, creed, color, gender, age, religion, national origin, veteran status, handicap status, or sexual orientation. Nor does the SGA tolerate hazing of any student in connection with or as a condition or precondition of gaining acceptance, membership, office, or other status in the SGA.

ARTICLE IV: Elections

Section 1. All persons who have paid the student activities fee at ABAC shall be entitled to vote for the officers and representatives, referendums, and recalls.

Section 2. The Election Committee shall supervise all election activity.

Section 3. The Elections Committee shall designate places for holding an election. The places for holding an election shall be posted on the SGA web site or submitted for publication in the student newspaper prior to the election.

ARTICLE V: Provisions for Meeting

Section 1. The Senate shall meet every week, beginning with the second week of every semester at an established time and place, and at such times deemed necessary by the President of SGA.

Section 2. All members of the Senate shall be required to attend all its meetings.

Section 3. The meeting of the Student Senate shall be open to all members of the college community and proceedings shall be made available to the student newspaper for publication, with the exception of the special closed session as defined in Section 5.

Section 4. The President of the SGA may call a meeting of officers of the SGA, Chairpersons of Standing Committees, and Class Officers for the purpose of (1) preparing the agenda for the general meeting; (2) advising the President; or (3) directing proposals, inquiries, resolutions, regulations, etc. to the appropriate standing committee for consideration.

Section 5. Once annually, the Vice-President will call a special closed meeting for the purpose of voting on the Impact Award. This meeting and vote will be open only to voting members of the Senate, the SGA Executive Board, and representatives of the RHA and CAB. This session is not recorded in the minutes.

ARTICLE VI: Method of Replacing or Amending the Constitution

Section 1. The Senate shall propose amendments to this Constitution whenever 2/3 of its membership deems it necessary.

Amendments shall be submitted to the Student Body in session for explanation.

One week after the explanatory session, the Elections Committee shall submit the proposed amendment to the Student Body for ratification or rejection.

Ratification shall require a 2/3 vote of the votes cast.

Section 2. The Senate shall propose replacing this Constitution whenever 2/3 of its membership deems it necessary.

The proposed constitution will be published for review by the Student Body.

One week after publication, the Senate will hold a public forum for discussion of the proposed constitution.

One week after the public forum, the Elections Committee shall submit the proposed constitution to the Student Body for ratification or rejection.

Ratification shall require a 2/3 vote of the votes cast.

BY-LAWS
*(Revised and Ratified by the Student Senate
Spring Semester 2008)*

ARTICLE I: Qualifications of Officers

Section 1. President and Vice President

1. Must be a rising sophomore, junior, or senior in good standing and have been an elected or appointed member of SGA for at least one semester prior to running for office.
2. Must have a 2.5 cumulative grade point average at the time of election and must maintain a 2.5 cumulative grade point average throughout the term of office.
3. Must plan to attend ABAC through spring semester of the next year.
4. Must carry and complete a minimum of four credit hours per semester at ABAC during the term of office.
5. Must attend the leadership retreat at the beginning of fall semester.
6. Must not be enrolled at any college or university other than ABAC during the term of office.
7. Must comply with all rules and regulations of the Student Code of Conduct.

Section 2. Other SGA Officers, including Secretary, Club Coordinator, Treasurer, and Parliamentarian

1. Must be a rising sophomore, junior, or senior in good standing and have been an elected or appointed member of SGA for at least one semester prior to running for office.
2. Must have a 2.0 cumulative grade point average at the time of election and maintain it throughout the term of office.
3. Must be planning to attend ABAC through spring semester of the next year.
4. Must carry and complete a minimum of four hours per semester at ABAC during the term of office.
5. Must attend the leadership retreat at the beginning of fall semester.
6. Must not be enrolled at any college or university other than ABAC during the term of office.
7. Must comply with all rules and regulations of the Student Code of Conduct.

Section 3. Class Officers

1. Must be a student in good standing. Sophomore, Junior, and Senior Class Presidents must have been an elected or appointed member of SGA for at least one semester prior to running for office.
2. Must have a 2.0 cumulative grade point average upon election and maintain it throughout the term of office.
3. Must plan to attend ABAC through spring semester of the next year.
4. Must carry and complete a minimum of four hours per semester at ABAC during the term of office.
5. Must attend the leadership retreat at the beginning of fall semester.
6. Must not be enrolled at any college or university other than ABAC during the term of office.
7. Must comply with all rules and regulations of the Student Code of Conduct.

Section 4. Senator

1. Must represent the club or organization from which he/she is elected or the Student Body at large.
2. Must have a 2.0 cumulative grade point average upon election and maintain it throughout the term of office.
3. Must plan to attend ABAC through spring semester of the academic year for which elected.
4. Must carry and complete a minimum of four hours per semester at ABAC during the term of office.
5. Must attend the leadership retreat at the beginning of fall semester.
6. Must not be enrolled at any college or university other than ABAC during the term of office.
7. Must comply with all rules and regulations of the Student Code of Conduct.

Section 5. Members of the Judiciary

1. Must have a 2.0 cumulative grade point average at the time of taking office, with the exception of freshman members, and must maintain it throughout the term of office.
2. Must plan to attend ABAC through spring semester of the academic year for which appointed.
3. Must carry and complete a minimum of four semester hours per semester at ABAC during the term of office.
4. Must not be enrolled at any college or university other than ABAC during the term of office.
5. Must comply with all rules and regulations of the Student Code of Conduct.

Section 6. Campus Activities Board (CAB) Representatives

1. Must be a member of CAB.
2. Shall be elected by CAB.
3. Must have and maintain a minimum 2.0 cumulative grade point average.
4. Must carry and complete a minimum of four hours per semester at ABAC during the term of office.
5. Must not be enrolled at any college or university other than ABAC during the term of office.
6. Must comply with all rules and regulations of the Student Code of Conduct.

Section 7. Residential Housing Association (RHA) Representatives

1. Must be a member of RHA
2. Shall be elected by RHA.
3. Must have and maintain a minimum 2.0 cumulative grade point average.
4. Must carry and complete a minimum of four hours per semester at ABAC during the term of office.
5. Must not be enrolled at any college or university other than ABAC during the term of office.
6. Must comply with all rules and regulations of the Student Code of Conduct.

Section 8. Chairs of Committees

1. Must have and maintain a minimum 2.0 cumulative grade point average.
2. Must carry and complete a minimum of four hours per semester at ABAC during the term of office.
3. Must not be enrolled at any college or university other than ABAC during the term of office.
4. Must comply with all rules and regulations of the Student Code of Conduct.

Article II: Duties of Officers

Section 1. President

1. Function as head of the Student Body in all student affairs and in student relations with the various constituencies of the College.
2. Call and preside over all meetings of the Student Body.
3. Appoint all committee chairpersons subject to the majority approval of the Student Senate and serve as an ex-officio member on all committees of the Senate.

4. See that all elections are announced and held as prescribed by the SGA Constitution.
5. Appoint with 2/3 approval of the Senate the following officers: Secretary, Club Coordinator, Treasurer, Parliamentarian, and Chief Justice.
6. Shall have the power with 2/3 approval of the Senate to remove any officer whom he/she has appointed.
7. Attend all regularly scheduled meetings of the Student Senate.

Section 2. Vice-President

1. Act in the full capacity of the SGA president in case of his/her absence and succeed him/her in case of vacancy.
2. Chair the Election Committee.
3. Preside over meetings of the Student Senate.
4. Prepare an agenda for each Senate meeting.

Section 3. Secretary

1. Record, preserve, and have available for inspection to all members of the Student Senate upon request and sufficient notice all papers, proceedings, rolls of attendance, and any other records of the Senate.
2. Post to the SGA web page minutes of the weekly meetings of the Student Senate.
3. Perform all other duties of the Secretary of the Senate and the Student Body.
4. Attend all regularly scheduled meetings of the Senate.

Section 4. Club Coordinator

1. Record, preserve, and have available for inspection an up-to-date list of all chartered student clubs and organizations and their officers.
2. In cooperation with the Dean of Student Life and Housing, approve all projects, fundraisers, and activities planned by clubs or organizations at least two weeks prior to the proposed event. If the event involves a large number of people, it must also be approved by Public Safety.
3. Be responsible for posting all approved events to the online Student Activities Calendar and all communications and announcements to the Student Message Board.
4. Serve as chairperson of the Chartering Committee.
5. Attend all regularly scheduled meetings of the Student Senate.

Section 5. Treasurer

1. Record, preserve, and have for inspection to all members of the Student Senate upon request and sufficient notice all financial transactions of the Senate.
2. Attend all regularly scheduled meetings of the Student Senate.

Section 6. Parliamentarian

1. Keep order in the Student Senate according to *Robert's Rules of Order, Revised*.
2. Attend all regularly scheduled meetings of the Senate.

Section 7. The Senate

1. Represent the entire Student Body in all matters affecting students.
2. Charter student organizations and with 2/3 approval of the Student Senate exercise the authority to revoke any student organization's charter as recommended by the Chartering Committee.
3. Exercise general supervision over all student activities.
4. Take charge of all mass meetings of the Student Body and all matters requiring a definite expression of the student sentiment.
5. Keep an annual report of its proceedings and accomplishments in the SGA office and archives of the information for all interested persons.
6. Elect a President Pro Tempore for its membership to act in full capacity in the absence of the presiding officer of the Senate.
7. Reserve the right at any time to call for a financial standing of any chartered organization or Senate committee.

Section 8. The Student Judiciary

1. Enforce the SGA Constitution.
2. Try cases involving violations of the Student Code of Conduct, subject to the legal powers vested in the College officials by the Legislature and the Board of Regents, and upon assignment by the Dean of Student Life and Housing.
3. Recommend to the President of the SGA the establishment of lower courts.
4. Shall have the authority by 2/3 agreement to recommend impeachment proceedings against any member of the SGA; such action may be taken as a result of the violation of any of the principles in the Student Code of Conduct or the SGA Constitution.
5. One member shall execute the Oath of Office as written in Article IV of these Bylaws.
6. The Chief Justice shall attend all regularly scheduled meetings of the Student Senate.

Section 9. The Traffic Court

1. Hear student appeals of cases involving violations of the ABAC Parking Rules and Regulations.
2. The Chief Justice of the Traffic Court shall attend all regularly scheduled meetings of the Student Senate.

Article III: Committees and Councils

Section 1. All Committees and Councils are subject to the authority of the SGA.

Section 2. Standing Committees

1. There shall be three (3) major committees of the Student Government Association: the Student Life Committee, the Academic Affairs Committee, and the External Affairs Committee.
2. Chairpersons of these committees shall be appointed by the President of SGA, subject to approval by the Senate.
3. The Chairperson of any committee, at his/her discretion, may form a subcommittee to investigate an item under jurisdiction of that committee. A subcommittee will have a life span of the semester in which it is formed plus the following semester to complete its work.
4. The Student Life Committee shall deal with all non-academic items, including financial aid, resident life, dining facilities, and any other items relate to student life at ABAC. After doing research, the committee will report its findings before the Senate for further action, if needed. This committee will work directly with the Vice President for Student Affairs. The full Student Life Committee shall meet at least twice per semester.
5. The Academic Affairs Committee shall deal with academic items, including institutional credits, courses, the College Catalog, and any other items related to academic matters. After doing research, the committee will report its findings before the Senate for further action, if needed. This committee will work directly with the Vice President for Academic Affairs. The full Academic Affairs Committee shall meet at least twice per semester.
6. The External Affairs Committee shall deal with items which affect students off campus and outside the immediate realm of the SGA. This committee is especially interested in how students are affected by the local, state, and federal governments; student life off campus; and other issues normally outside the direct influence of the SGA. This committee will work directly with the Director of Public Relations. The full External Affairs Committee shall meet at least twice per semester.

Section 3. Special Committees

1. Censure Committee

- i. Shall consist of the SGA President, SGA Vice-President, SGA Secretary, Class Presidents, and one SGA Advisor. The SGA Secretary shall be the chairperson.
- ii. Shall consider absences of the SGA members (all those directly connected with the SGA and its subsidiaries) from regularly scheduled meetings and recommend actions to the Senate, at the next regularly scheduled meeting, concerning those cases. All SGA members must submit a written excuse for their absence, either 24 hours prior to, or within 24 hours following the Senate meeting. Failure to submit a written excuse shall result in an unexcused absence ruling by the Censure Committee.
- iii. Shall have the prerogative to make recommendations to the Senate concerning actions to be taken with regard to the SGA officials and their failure to perform their appointed duties.
- iv. Any SGA member who has less than a 2.0 grade point average will be given a semester's probation. At the end of that semester, voting rights can be reinstated if the GPA is raised to 2.0. If the GPA is not raised to 2.0, the Censure Committee will recommend suspension. Students may challenge the recommendation of the Censure Committee before the Senate. Suspension will be enforced by a majority vote of the Senate present.

2. Elections Committee

- i. The Vice-President of SGA shall serve as chair of the Elections Committee
- ii. Shall supervise all election activity according to the guidelines set forth in the SGA Constitution and Bylaws.
- iii. Shall establish the official campaign period of all elections; this period will last not less than three consecutive class days and no more than one calendar week prior to the election.
- iv. Shall hold elections immediately after the close of the official election campaign.
- v. Shall certify that every candidate fulfills the qualifications for the office to which he/she aspires.

Every candidate shall personally file with the Elections Committee an official application to qualify as a candidate. No candidate may file an application for more than one SGA office in an election. The Elections Committee shall set and publicize a deadline for filing application and will furnish the proper forms of this application.

A candidate shall be approved by the Elections committee only upon submission of a valid and complete application, after checking the student's cumulative grade point average, and securing the signature of the Vice President for Student Affairs. The Elections Committee shall be the judge of a valid and complete application.

After the Elections Committee has approved the application of the candidate, the name of the candidate shall appear on the ballot unless the candidate submits a written request for withdrawal to the chair of the Elections Committee at least 72 hours prior to an election.

Shall post to the SGA web page and submit to the student newspaper for publication an announcement of the election, including dates, prior to receiving applications.

Any regular SGA election shall be held no sooner than the second full week and no later than the sixth week of the term, the specific date being set by the Elections Committee.

The elections of SGA Officers and Sophomore, Junior, and Senior Class officers shall be held during the spring term of the school year preceding the year in which they are to serve.

The election of Freshman Class officers and Senators shall be held during the fall term of the school year during which they are to serve.

vi. Shall supervise balloting.

Each student shall have the privilege of voting for as many candidates as there are seats to be filled from his or her class or proper electoral unit in the election.

The Elections Committee shall post to the SGA web page and submit for publication in the student newspaper and on the student radio station full proceedings and instructions for guidance of voters at each election. These regulations shall be submitted at least one week prior to the election.

No persons other than the officers of the election and the voter shall be permitted access to the balloting area, except upon authority from the officer holding the election.

If a voter experiences technical difficulties while voting, it is the responsibility of the voter to inform the election officials of the difficulty before the close of the polls. He/she may report such difficulties by emailing sga@abac.edu or calling the SGA office. Individual difficulties reported after the polls close will not alter the results of the election. If for any reason it is impossible to determine the voter's choice for any office to be filled, his/her ballot shall not be counted for that office, but this shall not invalidate the ballot so far as it is properly marked.

In all elections, the polls shall be opened and remain opened as deemed necessary by the Elections Committee; however, the hours of election shall be submitted for publication in the student newspaper and posted to the SGA web page prior to an election.

All SGA elections shall be by secret ballot.

The ballot box is any receptacle provided by the officer or person holding an election for receiving the ballots.

The officer or person and judges appointed to hold an election shall not commence counting the votes given in the election until that poll has been closed.

No persons shall remove the ballot box used at an SGA election from the place where such election is held from the opening of the polls of such election until the closing of said polls.

In case of a tie for representative or lack of a majority for SGA or class officers, the election for that office will be declared indecisive and a run-off between the two candidates receiving the highest number of votes shall be held within one week of the original election.

All ballots cast shall be kept for one week following the election.

vii. Shall oversee contested elections.

The contesting candidate(s) shall give written notice, within 24 hours or within one school day after the official results are announced, to the chairperson of the Elections Committee of intentions to contest the election and reasons for doing so.

The Elections Committee shall hear the appeal of the candidate(s) contesting the election and make a recommendation to the Senate.

The Senate shall hear the final appeal of the candidate(s) contesting the election at its next meeting and the recommendation of the Elections Committee.

The Senate shall, by 2/3 vote, act on the recommendation of the Elections Committee.

- viii. Shall have the authority with the consent of the SGA to make all rules and regulations necessary for the conduct of any election in all cases not otherwise provided for herein.

3. Chartering Committee

- a. The Club Coordinator shall serve as chairperson of the Chartering Committee.
- b. Shall consist of five members, in addition to the chairperson, who shall appoint the members.
- c. Shall be responsible for chartering and de-chartering clubs and organizations on the campus of ABAC with prior approval of a 2/3 vote of the Senate.
- d. Shall determine whether to place a club or organization on probation for the remainder of the semester.
 - 1. If a club or organization is placed on probation, it is still allowed representation in the Senate.
 - 2. Clubs or organizations cannot host any activities nor have any fundraisers while they are on probation.
 - 3. A club or organization may appeal the decision of the Chartering Committee to the Senate, where a 2/3rd vote by the Senate will overrule the Chartering Committee decision.
 - 4. The student activities budget of the club or organization which the Chartering Committee has placed on probation will remain frozen until the Senate has overruled the Chartering Committee decision.
 - 5. A club or organization which is placed on probation for more than one semester or is found guilty of serious violations of the Student Code of Conduct will be subject to de-chartering upon recommendation by the Chartering Committee and 2/3 vote of the Senate.

A de-chartered club or organization forfeits all rights to any student activities funds.

A club or organization which has been de-chartered by vote of the Senate can appeal that decision to the Dean of Students.

The President shall set up any additional special committees when necessary. Chairpersons of these committees shall be appointed by the President of SGA, subject to approval by the Senate.

Article IV: Methods of Admitting and Removing Members

Section 1. All duly elected and appointed members of the SGA will be admitted for membership upon taking an Oath of Office, administered by a member of the Student Judiciary Committee. The Oath is as follows:

I, _____, solemnly swear to persevere in my duties as a representative for the students of Abraham Baldwin Agricultural College, to work for a better student government and to maintain the dignity of the office during my term. I do solemnly swear to execute my office faithfully and honestly and to respect and preserve the Constitution and Bylaws on which our Student Government is founded.

Section 2. All members shall serve until their replacements are elected and sworn in. In the spring, newly elected SGA officers shall be sworn in at the SGA Banquet.

Section 3. No member of the Senate may serve two interests in the SGA.

Section 4. All SGA officers must maintain the specific qualifications for their offices throughout the term of office. If these qualifications are not maintained, the Censure Committee shall recommend appropriate action to be taken by the Senate. Dismissal from office will require a 2/3 vote of the Senate.

Section 5. Any member of the SGA who is arrested and convicted of a crime or who is found guilty of violating the Student Code of Conduct shall be presented before the Censure Committee for review. The Censure Committee shall then recommend appropriate action to be taken by the Senate.

Section 6. Any member of the SGA who has three unexcused absences in one semester, as determined by the Censure Committee, may be removed from office by recommendation of the Censure Committee and approval by the Senate.

Section 7. If an elected representative position becomes vacant due to resignation or dismissal, the SGA will issue a public call for interested parties as needed.

This public call shall consist of flyers posted giving the opening and closing date of the applications. Applicants will then be screened by the Elections Committee to ensure that eligibility requirements for the position are met. Applicants will then be given an opportunity to address the SGA (maximum of two minutes). Applicants will then be presented to the SGA for approval or rejection by secret ballot. A 2/3 majority of voting member present is required for acceptance.

Those applicants approved according to the above procedure will hold the office until such time as that office comes up for regularly scheduled election.

The President of SGA is responsible for orientation of the approved representatives.

Section 8. If the President of SGA submits a letter of resignation, the Vice-President of SGA shall replace the President. The President's letter of resignation shall be submitted to the President Pro Tempore of the Senate and to the Chief Justice of the Student Judiciary.

Section 9. Any SGA officer may request a leave of absence for one semester to improve his/her grade point average.

Article V: Custody of Funds

Section 1. All funds of the SGA are kept in custody of ABAC and under the authority of the Vice-President of Fiscal Affairs.

Section 2. All motions for appropriations from the contingency fund shall be tabled until the next meeting.

Section 3. Appropriations out of the SGA must be passed by 2/3 vote, at a regularly scheduled Senate meeting. Any appropriation over 100 dollars shall be automatically tabled until the next meeting.

Article VI: Definition of a Quorum

Section 1. A quorum of the Senate shall consist of 50 percent plus one of the voting membership of the Senate, and no official business shall be transacted without a quorum.

Section 2. In the event the Senate voting membership falls below 50 percent of the allotted membership determined by enrollment there shall be no official business conducted.

Section 3. All motions pertaining to regular business shall be passed by a simple majority of those present and voting.

Article VII: Parliamentary Authority

Robert's Rules of Order, Revised, shall be the final authority on the parliamentary procedure observed at all meetings of the Senate when not in conflict with the provisions of this Constitution.

Article VIII: Scholarships and Awards

Section 1. SGA Memorial Scholarship

The scholarship will initially memorialize Larry Reese, the late Student Union President.

The SGA Memorial Scholarship will be sponsored by the SGA, and the funds will be managed by the ABAC Foundation.

Each year, SGA will contribute 100 percent of funds raised for the scholarship to one recipient.

SGA may add the names of other students who have demonstrated campus involvement and/or leadership prior to their death to the SGA Memorial Scholarship fund.

Section 2. Impact Award

Awarded annually by the SGA, the Impact Award recognizes the contributions of a college administrator, faculty, or staff member to students' extracurricular activities.

Only one Impact Award will be given each year.

Members of the SGA select the recipient of the award.

Voting for the award shall be by secret ballot in a special closed meeting for the purpose of voting on the Impact Award.

The President of ABAC and the SGA President will count the ballots and shall lock the results in a ballot box. If the President of ABAC is among the nominees for the award, the President of SGA shall choose another person who is not nominated to assist in counting the votes.

The result of the voting shall not be revealed until the night of the Student Leadership Banquet. All ballots shall be kept until after the Student Leadership Banquet.

Article IX: Method of Amending the Bylaws

Section 1. The Bylaws of this Constitution shall be proposed by the student Senate and passed by 2/3 majority vote of the Senate.

Section 2. Amendments of the Bylaws may be proposed at any regularly scheduled Senate meeting. All amendments must be tabled for one week, and no final action can be taken until the next regularly scheduled Senate meeting. All amendments will require a 2/3 vote of the Senate during a regularly scheduled meeting.

Student Activities Policies and Procedures

Student organizations at ABAC exist to support the overall objectives of the college. Operating on the basis of voluntary participation and self-government, student organizations are an integral part of the college community, and as such are obligated to contribute to the academic attainment and general development of the individual student. Student organizations offer the individual an opportunity to broaden his/her environment and to make new friends. Skills and experiences obtained through membership in student organizations serve as a valuable supplement to the formal curricula. Recognition of a group or organization grants to that group the right to use College facilities and to identify themselves with the College. Organizations applying for recognition by the College will be evaluated on the manner in which their constitutional objectives support the overall objectives of the organization as well as ABAC and are in agreement with the policies of the Board of Regents. In all circumstances, the College reserves the right to take appropriate action against any student organization for violating individual organizational policies, the Student Code of Conduct, or institutional policies.

Recognition

An organization seeking recognition must submit the following information in writing to the Office of Student Life on the form furnished by that office:

1. Name of the organization
2. Explanation of any extra-campus affiliation (e.g., National Parent Organization)
3. Purpose(s) for organization (including explanation of why the organization is desirable on campus)
4. Qualifications for membership with non-discrimination statement
5. Fees, dues, and other considerations for membership (only dues for state or national fees shall be made mandatory)

6. Time and location of meetings
7. Faculty advisor
8. Time of election of officers
9. Number of students interested (a minimum of 10 is required)
10. Proposed constitution, including officer and leadership structure

The Office of Student Life shall examine each application and reject those not submitted in proper form. The application is then forwarded to the Chartering Committee of the SGA.

Rights of Student Organizations

Upon being chartered by the College, an organization is eligible:

1. To use the phrase "Abraham Baldwin Agricultural College" when referring to its chapter of club.
2. To use college facilities and certain equipment, subject to the Board of Regents' policies and the College regulations governing the use of facilities and equipment
(Club Advisor must go to ABAC website at www.abac.edu/Scheduling/Available/ to check the availability of the building and room).
3. To apply for student activities fee money.

Rules Governing Use of Student Activities Fees by Student Organizations

1. Travel: registration, mileage, rentals, food, and transportation will fall under Travel and Special Events. Applications for these funds should be sent to the Student Activities Fee Funding Committee.
2. Student conferences: fees can be used to send delegates who are presenting a program or engaging in competition, running for a state or national office, or receiving recognition. All other students attending must pay their own way.
3. SA will pay only national or regional dues and not individual or local dues.
4. No clothing of any type will be purchased, unless it is a uniform that will remain the property of ABAC.
5. Clubs purchasing food for banquets or refreshments for student activities must retain records, and meals may not exceed per diem amounts set by state regulations (\$6 for breakfast, \$7 for lunch, and \$15 for dinner).
6. Postage will not be paid with SA funds.
7. SA fees cannot be used by clubs to provide scholarships for members, cash prizes, gifts, or honoraria.
8. Clubs are encouraged to earn money through fundraising activities and not rely solely on money from SA.
9. Monies must be spent on exactly what is stated on the request.

10. Clubs and activities are mandated to use WPLH and *The Stallion* to publicize events. The media plan should be attached to the application for funds.
11. Groups must assess each event/program by surveying attendees. Assessment forms, attendance sheet, and expense receipts must be turned in within 48 hours after the travel or event/program to the office of the Vice President for Student Affairs, second floor of the Branch Student Center.

Responsibilities of Student Organizations

Campus displays: Displays of posters, notices, or banners may be placed where specifically designated when approved by the Office of Student Life, ABAC Place Town Hall.

Collective responsibility: Each organization shall be held responsible for individual violations incurred by any of its members in conjunction with the club activities.

Damages: A student organization shall be financially responsible for any unwarranted or malicious damage to any facility or equipment assigned to its use.

Disorderly activities: An organization shall be responsible for any of its activities which cause a riot, disturbance, or disorderly diversion which interferes with the normal operation of the College. This section should not be construed so as to deny any organization the right of peaceful assembly.

Eligibility for Membership and Officers

Active Membership shall be open to students who are regularly and currently enrolled at ABAC and in good standing.

A student must maintain a minimum 2.0 cumulative GPA and be in good standing with the College in order to be eligible to serve as an officer of a student organization or to represent the organization and the College in any off-campus activity, meeting, competition, conference or workshop.

Financial Responsibility

The use of allocated student activities money must conform to the purposes and practices approved by the Student Activities Fee Funding Committee.

Organizations shall carry on business transactions and contractual regulations with punctual and timely discharge of valid obligations and prudent use of funds.

All monies collected or expended by an organization must be approved by the faculty advisor and records must be available for audit at any time.

Information to be filed with the Office of Student Life

A list of officers must be submitted to the SGA Club Coordinator within ten working days of the beginning of each term.

This and any other information that may be required must be submitted in the proper form with ten working days of the beginning of each term to the SGA Club Coordinator

Rights and Ceremonies

Any activity which in any part takes place in public, which in any way involves persons outside the organization, which is not confined to a single building must be approved by the Office of Student Life prior to the activity.

All rights and ceremonies of introduction, initiation, or orientation into college life which tend to allow unreasonable physical or mental suffering are prohibited. No organization shall condone, encourage, or require unlawful acts by its members at any time. Organizations shall be responsible for observing all College regulations.

Petitions: Because of the College's responsibility for information and knowledge of such activities, all petitions which may be circulated among the whole or part of the student body must be registered with the Office of Student Life.

Organization publications: All organizational publications must be submitted to the Office of Student Life for approval before being circulated.

Evaluations

All organizations must have provisions for evaluating their overall activity. Evaluation is important for organizational accountability and planning purposes. There should be a clearly explained evaluation scheme so that all members understand exactly the criteria for evaluation and the evaluation process.

Financial responsibility is a very important part of the evaluation process. Also, numbers of students involved, successful and unsuccessful endeavors, and notable organizational accomplishment are important items of the evaluation process.

Review and Enforcement

The Office of Student Life and/or Club Coordinator shall have the power periodically to review all student organizations to see if they have been financially responsible and to see if they have acted within College regulations. A club may not discriminate against any person according to his/her race, creed or sex. All complaints against organizations shall be processed by the Office of Student Life and/or the Club Coordinator. An organization may appeal the imposition of any penalty to the Vice President for Student Affairs, who shall review the action and affirm, reverse, or modify the penalty. The Vice President may utilize the services of an existing or ad hoc committee in determining the issues involved. Furthermore, upon notice and hearing, the Vice President for Student Affairs may review at any time the charter of any student organization, or any decision on disciplinary charges against any student organization and make whatever final disposition of the matter he/she deems necessary for the best interests of the College.

The student organization may be assessed with the following penalties:

1. Public reprimand
2. Restriction of any or all privileges
3. Monetary fines or withholding or withdrawal of all allocated student activities monies
4. Restitution for damages
5. Probation of charter
6. Suspension of charter
7. Withdrawal of charter. Reactivation of any student organization must be accomplished in the same manner in which any student organization is originally chartered and with specified restrictions.
8. Community service

House Bill 1225, entitled Student Organization Responsibility for Drug Abuse Act, which became effective July 1, 1990, in the State of Georgia, provides that any student organization that knowingly engages in illegal drug activity will be expelled from its college campus for a minimum of one year. A student organization may appeal to the Board of Regents, or, in some cases, to certain superior courts.

Student Grievance Policy and Procedures

ABAC recognizes the importance of providing procedures for fair and equitable resolution of student grievances.

A grievance may not be filed in relation to administrative decisions regarding the routine operation of the College, including but not limited to the scheduling of classes, tuition and fee assessments, financial aid awards, reservation of facilities, or policies of the Board of Regents. There is a separate process for the appeal of grades, reinstatement of financial aid, academic exclusion, and matters which pertain to the Student Code of Conduct.

Resolution of grievances should be achieved at the lowest administrative level and in the most equitable way possible. The burden of proof rests with the student who claims a grievance. Students who elect to use the grievance process should not fear prejudice or reprisal for initiating the process or participating in its resolution.

Grievance Procedures

1. A student who has a grievance should first seek to resolve the problem by discussion with the individual involved within five business days of the occurrence. If this informal means fails to resolve the problem, the student should discuss the grievance with the individual's immediate supervisor within five business days of the meeting with the individual involved.
2. The supervisor will meet with the student and will offer a solution to both the student and the individual involved. The supervisor will forward a written summation of the grievance and action taken to the appropriate chief administrator or vice president.

If the solution is satisfactory to both parties, no further action will be required. If the solution is not acceptable to the student, an appeal can be made within five business days.

3. Within five business days of the end of the Step 2 process, the student may appeal in writing to the appropriate chief administrator or vice president, i.e., the administrator who is responsible to the President of the college for the function in which the grievance has been filed. The chief administrator or vice president will meet with the student to determine the nature of the grievance. The chief administrator or vice president may ask for time to conduct an investigation to determine the merit of the case. If it is determined that the grievance has merit, a solution will be provided to both the student and the individual involved. If the solution is satisfactory to both parties, no further action will be required. If the student is not satisfied, he/she may within five business

days appeal in writing to the President. The chief administrator or vice president will forward a written summation of the grievance and reply to the President of the College.

4. Within five business days of the end of the Step 3 process, the student may appeal in writing to the President of the College. The President may choose to refer the grievance to a Student Grievance Hearing Committee. If the grievance is referred to the committee, the committee will review the case and make a recommendation to the President. The President will inform the student of the decision. The decision of the President will become the final decision on the grievance. There is no further appeal.

Procedure for Student Grievance Hearing Committee

The committee shall be composed of one administrator, two faculty members, one staff member, and two students. The committee will be appointed by the President of the College on an as needed basis. A quorum will consist of at least five of the six members being present to hear the complaint.

The Student Grievance Hearing Committee shall establish its own procedures in accordance with the following stipulations:

1. Only committee members, parties to the action and their advisors, and witnesses testifying before the committee shall be permitted in the hearing.
2. At the hearing, the student with a grievance, appropriate College personnel, and witnesses for each party may testify and may be questioned by committee members.
3. A tape recording or other record of the hearing shall be preserved for reference and review until the case has been finally resolved.

After all evidence has been heard, the committee shall arrive at a decision. Only committee members who have been present for the entire hearing may vote on the case. A majority vote of qualified members shall constitute a decision.

Upon receipt of the committee's written recommendation, the President of the College shall render a final decision on the grievance.

Discriminatory Harassment Policy and Procedures

Non-Discrimination Policy Statement

The Board of Regents stipulates that no student of the University System, on the ground of race, color, sex, religion, creed, national origin, age or handicap, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity conducted by the Board of Regents of the University System of Georgia or any of its several institutions now in existence or hereafter established (BR Minutes, October, 1969, p. 154; 1979-80, p. 15)

Discriminatory Harassment Grievance Procedure

Complainants who believe that they are victims of discriminatory harassment are encouraged to use the college's internal procedures as described here to resolve complaints. They may also file discriminatory harassment complaints with appropriate state or federal agencies under Title VII of the Civil Rights Act of 1964.

The complainant may elect any of several procedures. The complainant may seek an informal resolution by 1) conferring with the administrators who oversee the respondent; or 2) submitting a written complaint to one of the individuals identified on the ABAC campus for receiving complaints. The complainant may also initiate the formal procedures with the Affirmative Action officer for the college. The ABAC Student Development Office is also available for personal counseling.

Complainants are encouraged to explore informal procedures before filing a formal complaint. At the informal stage, efforts can be made to educate both parties about discriminatory harassment including what it does and does not involve. The review can be constructively educational for all parties. For minor violations, an apology and promise not to repeat the offense may be sufficient restitution. However, where a serious violation of the policy is found, or resolution at the informal level is not satisfactory to the complainant or respondent, then the formal procedures may be initiated.

Discriminatory Harassment Informal Procedures

The ABAC Student Development Office and various staff members provide assistance to students on a confidential and informal basis. The Vice President for Student Affairs can provide information about complaint procedures and rights of appeal and, if requested, can seek informal resolution between the complainant and the respondent. Alleged incidents between students may be settled on an informal basis and may include mediation. Serious incidents between students may result in formal action being taken through administrative processes or through the Student Judiciary Committee.

Alleged incidents involving students with faculty or staff may be initiated through one of the coordinators identified through the College but should also be referred by those coordinators to the Director of Human Resources. The coordinator, in conjunction with the Director of Human Resources, will then involve other college administrators in the informal process to resolve the complaint.

It is the responsibility of each unit to use its complaint process and other resources in a way that minimizes the burden imposed on the person who has complained and that resolves matters in such a way that discriminatory conduct is discouraged.

Discriminatory Harassment Formal Procedures

The formal grievance procedure will follow the established College grievance procedures for all faculty and staff as outlined in the ABAC Policy Manual. The formal grievance procedure for students will follow the guidelines as set forth in this Handbook under "Student Grievance Policy and Procedures."

Sexual Harassment Policy and Procedures

Sexual Harassment Policy Statement

Sexual harassment of any member of the college community is prohibited and will subject the offender to possible disciplinary action up to and including dismissal from the College after compliance with due process requirements. Sexual harassment is also prohibited by the University System of Georgia and by state and federal law.

Definition of Sexual Harassment

The Equal Opportunity Commission definition states that unwelcome sexual advances, request for sexual favors, and other verbal or physical contact of a sexual nature constitute sexual harassment when:

1. submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment or academic standing; or
2. submission to or rejection of such conduct by an individual is used as a basis for employment or academic decisions affecting an individual; or
3. such conduct unreasonably interferes with an individual's work or academic performance or creates an intimidating, hostile, or offensive working or academic environment (Note that an isolated comment usually does not meet the hostile environment definition of sexual harassment. Hostile environment harassment usually requires repeated instances of offensive behavior).

Mediation

The mediation procedure is available to complainants who want action taken in their behalf but do not wish to use informal or formal complaint procedures at this stage.

The complainant could contact one of the College's sexual harassment representatives or the Director of Human Resources or other college administrator to report the alleged sexual harassment. Complainants should be made aware of the channels for informal and formal reporting of sexual harassment incidents. Normally complaints would be referred to the Director of Human Resources or the Vice President for Student Affairs at this stage for possible resolution. Any actions, beyond simply consulting with the complainant, must include having either the Director of Human Resources or the Vice President for Student Affairs contact the respondent for a reply. If action is taken beyond talking, then the appropriate supervisors should also be communicated with in order to seek an informal resolution. The suggested procedures for informal sexual harassment complaints can be found in subsequent paragraphs.

Suggested Procedure for Handling Informal Sexual Harassment Complaints for Students

1. A student who feels that he/she has been sexually harassed shall express that concern verbally to the Vice President for Student Affairs or the Director of Human Resources and provide him/her with a written statement of the incident.
2. A copy of the written statement shall be distributed within five working days to the person named in the statement and to the President of the College. The President will then notify the immediate supervisor (faculty and staff only).
3. An informal meeting comprised of one of the above representatives and the person named in the statement shall be held to discuss the incident within ten days from the date of the complaint. Based on the results of this meeting, a decision will be made as to whether the issue may be resolved at this juncture or if further action is appropriate.
4. If deemed necessary, the person named in the statement, the immediate supervisor (faculty and staff only), two of the above representatives, the president, and the alleged victim shall meet and an informal resolution of the matter will be decided on.

NOTE: A copy of the resolution of this informal complaint will not be maintained in the personnel file and shall not be included in any evaluative methods.

Suggested Procedure for Handling Formal Sexual Harassment Complaints for Students

1. The complainant will contact his/her respective sexual harassment representatives and will state the nature of the problem. If the complainant wishes to pursue the matter informally, then procedures for "Informal Complaints" will be followed.
2. A complainant will be afforded the opportunity to file a sworn statement (affidavit) with the College's Affirmative Action officer, and in the presence of one or both corresponding sexual harassment representatives, setting forth in substantial detail the alleged incident(s) of sexual harassment, including the action requested. Documentation from the meeting shall be sent to the President of the College.
3. The Affirmative Action officer will invite sworn statements from witnesses suggested by the complainant. [Total elapsed time from date of complaint to completion of this step: five (5) working days.] Documentation shall be forwarded to the President.
4. The Affirmative Action officer will present the alleged harasser with a copy of the victim's complaint and other sworn statements, if any, and provide the accused an opportunity to file a reply sworn statement (affidavit). Documentation shall be forwarded to the President.
5. The Affirmative Action officer shall then invite sworn statements from witnesses named by the accused. [Total elapsed time from date of complaint to completion of this step: 10 working days.] Documentation shall be forwarded to the President.
6. Depending upon the state of the evidence at this stage (e.g., admission or denial by the employee; corroborative witnesses supporting complainant's allegations; corroborative witnesses who support the employee's denial), the Affirmative Action officer may choose to invite both the complainant and the accused and the Grievance Committee to appear and discuss the status of the case, affording each an opportunity to summarize their respective positions. No attempt will be made to discourage the complainant from pursuing the sexual harassment charge. [Total elapsed time: fifteen (15) working days from date complaint received.] Documentation shall be forwarded to the President.
7. A full report of the investigation, with the statements and other evidentiary matter attached, will be provided by the Affirmative Action officer to a properly constituted Grievance Committee. The Grievance Committee shall make findings of fact and recommendations to the President or his/her designated representative concerning the disposition of the case (i.e., whether the evidence fairly describes the elements of a charge of sexual harassment, in light of all evidence submitted by both sides). [Total elapsed time from receipt of complaint to presentation of the case to the Grievance Committee: 20 working days.]

8. If the President accepts the findings of the Grievance Committee that sexual harassment has occurred, or recommends that further action is warranted, the President, or his/her designated representative, will commence due process procedures identical to those appearing in the Regents' Policy Manual, Section 803. In the case of a student, due process beyond the college is direct appeal to the Board of Regents.
9. The faculty member, classified employee, or student will be provided with a notification letter. [Elapsed time from receipt of complaint to service of the notification of letter: 30 working days.]

NOTE: Processing time standards contained herein serve as institutional guidelines only.

Sexual Assault Victim's Bill of Rights

The following rights shall be accorded, by all campus officers, administrators, and employees of Abraham Baldwin Agricultural College, to victims of campus-related sexual assaults:

The right to have any and all sexual assaults against them treated with seriousness; the right, as victims, to be treated with dignity; and the right for campus organizations which assist such victims to be accorded recognition.

The right to have sexual assaults committed against them investigated and adjudicated by the duly constituted criminal and civil authorities for the governmental entity in which the crimes occurred; and the right to the full and prompt cooperation and assistance of campus personnel in notifying the proper authorities. The foregoing shall be in addition to any campus disciplinary proceedings.

The right to be free from any kind of pressure from campus personnel that victims not report crimes committed against them to civil and criminal authorities or to campus enforcement and disciplinary officials; or report crimes as lesser offenses than the victims perceive them to be.

The right to be free from any kind of suggestion that campus sexual assault victims not report, or under-report, crimes because victims are somehow responsible for the commission of crimes against them; victims were negligent or assumed the risk of being assaulted; or by reporting crimes they would incur unwanted personal publicity.

The same right to legal assistance, or ability to have others present, in any campus disciplinary proceeding that the institution permits to the accused; and the right to be notified of the outcome of such proceeding.

The right to full and prompt cooperation from campus personnel in obtaining, securing, and maintaining evidence (including a medical examination) as may be necessary to the proof of criminal sexual assault in subsequent legal proceedings.

Policy & Programs to Prevent Drug & Alcohol Abuse

Policy

To prevent the use of illicit drugs and the abuse of alcohol, the ABAC Student Code of Conduct prohibits the unlawful manufacture, distribution, sale, possession, or use of illicit drugs and alcohol by students on College property or as part of any College-related activities.

Health Risks

Abuse and dependence upon alcohol and other psychoactive drugs are classified as organic mental disorders by the American Psychiatric Association and the World Health Organization, and as such they are associated with distressing psychological, behavioral, and biological symptoms; impairment in one or more important areas of functioning; or significantly increased risk of suffering, death, pain, or important loss of freedom.

Counseling Services

The Student Development Office provides individual counseling to ABAC students for substance abuse and other personal concerns. There is no charge for this service. Clients are informed of the nature and purpose of any assessment, treatment, educational or training procedure and are given freedom of choice with regard to participation. When the Student Development Office is not able to provide the necessary services, clients are informed of alternative resources and appropriate referrals are made.

To the extent permitted by law and ethical standards, all information received in counseling is considered confidential and is not disclosed to any other person or campus unit without the written permission of the clients.

In matters of student discipline, the Student Development staff may provide assessment and consultative services to clients, colleagues, or units of the College in ways which improve the campus environment, maintain the anonymity of clients, and preserve the confidential nature of all counseling relationships.

Sanctions

In addition to possible fines and imprisonment for violation of local, state, and federal drug and alcohol laws, students are subject to sanctions under the ABAC Student Code of Conduct for violation of policies governing alcohol and other drugs. These sanctions may include but are not limited to fines,

community service, mandatory courses on drug and alcohol abuse, parental notification, probation, and suspension or expulsion from the College. The following policies of the Board of Regents of the University System of Georgia also apply to ABAC students who violate drug and alcohol policy:

406.01 The Board of Regents has determined that the use of marijuana, controlled substances or other illegal or dangerous drugs constitutes a serious threat to the public health, welfare, and academic achievement of students enrolled in the University System of Georgia. Therefore, all student organizations, including but not limited to societies, fraternities, sororities, clubs, and similar groups of students which are affiliated with, recognized by, or which use the facilities under the jurisdiction of institutions of the University System, are hereby charged with the responsibility of enforcing compliance with local, state and federal laws by all persons attending or participating in their respective functions and affairs, social or otherwise.

As provided by the Student Organization Responsibility for Drug Abuse Act, any such student organization which, through its officers, agents or responsible members, knowingly permits, authorizes or condones the manufacture, sale, distribution, possession, serving, consumption or use of marijuana, controlled substances, or other illegal or dangerous drugs at any affair, function, or activity of such student organization, social or otherwise, is hereby declared to be in violation of the laws of this state and shall have its recognition as a student organization withdrawn and, after complying with the constitutional requirements of due process, shall be expelled from the campus for a minimum of one calendar year from the date of determination of guilt. Such organization shall also be prohibited from using any property or facilities of the institution for a period of at least one year. Any lease, rental agreement or other document between the Board of Regents or the institution and the student organization which relates to the use of the property leased, rented or occupied shall be terminated for knowingly having permitted or authorized the unlawful actions described above. All sanctions imposed by this policy shall be subject to review procedures authorized by the Board of Regents (Article VIII of the Bylaws).

An appeal to the Board of Regents shall not defer the effective date of the adverse action against the student organization pending the Board's review unless the Board so directs. Any such stay or suspension by the Board shall expire as of the date of the Board's final decision on the matter (BR Minutes, 1989-90, p. 384).

This Policy amendment is intended to implement The Student Organization Responsibility for Drug Abuse Act of 1990 (Ga. Laws, 1990, p. 2033).

406.04 (Paragraph 3) Disciplinary sanctions for students convicted of a felony offense involving the manufacture, distribution, sale, possession or use of marijuana, controlled substances or other illegal or dangerous drugs, shall include the forfeiture of academic credit and the temporary or permanent suspension or expulsion from the institution. All sanctions imposed by the institution shall be subject to review procedures authorized by the Board of Regents (Article VIII of the Bylaws).

Academic Freedom Policy

Abraham Baldwin subscribes to the "1940 Statement of Principles on Academic Freedom and Tenure" published by the American Association of University Professors. With respect to academic freedom and related responsibilities, these principles are as follows:

The purpose of this statement is to promote public understanding and support of academic freedom and tenure and agreement upon procedures to assure them in colleges and universities. Institutions of higher education are conducted for the common good and not to further the interest of either the individual teacher or the institution as a whole. The common good depends upon the free search for truth and its free exposition.

Academic freedom is essential to these purposes and applies to both teaching and research. Freedom in research is fundamental to the advancement of truth. Academic freedom in its teaching aspect is fundamental for the protection of the rights of the teacher in teaching and of the student to freedom in learning. It carries with it duties correlative with rights.

The teacher is entitled to full freedom in research and in the publication of the results, subject to the adequate performance of his other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.

The teacher is entitled to freedom in the classroom in discussing his subject, but he should be careful not to introduce into his teaching controversial matter which has no relation to his subject. Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of the appointment.

The college or university teacher is a citizen, a member of a learned profession, and an officer of an educational institution. When he speaks or writes as a citizen, he should be free from institutional censorship or discipline, but his special position in the community imposes special obligations. As a man {sic} of

learning and an educational officer, he should remember that the public may judge his profession and his institution by his utterances. Hence he should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that he is not an institutional spokesman. ("1940 Statement," AAUP)

In the classroom, faculty members should make every effort to create an environment in which intellectual diversity is valued and students have the assurance that they will not be penalized for expressing opinions or beliefs that differ from others' views.

Students who feel they have been penalized because of expressed opinions or beliefs have the right to file a formal written complaint to this effect with the Vice President for Student Affairs or the appropriate dean. The complaint will be investigated and a determination will be made as to whether disciplinary action is necessary. If students remain unsatisfied with the outcome of the investigation, they have the right to appeal in writing to the Academic Vice President.

Family Educational Rights and Privacy Act of 1974 (FERPA)

Institutional Policy

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. They are:

1. The right to inspect and review the student's education records within 45 days of the day the college receives a request for access. Students should submit to the Registrar written requests that identify the record(s) they wish to inspect. The Registrar official will make arrangements for access and notify the student of the time and place where the records may be inspected.
2. The right to request the amendment of the student's education records that the student believes are inaccurate or misleading. Students may ask the College to amend a record that they believe is inaccurate or misleading. They should write the College official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the College decides not to amend the record as requested by the student, the College will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.
3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception which

permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the College in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the College has contracted (such as an attorney, auditor, or collection agent); or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the College to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-4605

No personally identifiable information from the education records of a student will be disclosed to any third party by any official or employee of the College without written consent of the student. FERPA guidelines state that institutions may release, without written consent, those items specified as public or directory information for currently enrolled students and for former students unless the student completes a written request with the Enrollment Services Office to prohibit the release of directory information. The request must be completed in the Enrollment Services Office by the end of the published official drop/add period or it will be assumed that directory information may be disclosed for the current academic term. A request to prohibit the release of directory information will remain in effect until the student notifies the Enrollment Services Office in writing. FERPA defines directory information as information contained in an educational record of a student that generally would not be considered harmful or an invasion of privacy if disclosed.

Directory information includes, but is not limited to, student's name, address, telephone listing, email address, photo, date and place of birth, major field of study, grade level (freshman, sophomore, junior, senior), enrollment status (full-time, part-time, or number of credit hours), participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees, honors and awards received (including honors such as Dean's list) and the most recent previous educational agency or institution attended by the student.

Student Use of Technology Resources Policy

The technology resources at ABAC support the educational programs of the College. Since computing resources are limited, it is important that these resources be used in an efficient manner for meaningful projects. This policy is not intended to be exhaustive and ABAC reserves the right to limit, restrict, or extend computing privileges and access to its technology resources.

General Guidelines for Computer Lab Users

Users of the labs are expected to be responsible in their use of equipment and respectful of the rights of other individuals.

In support of its mission of teaching and service, ABAC provides access to technology resources for students, faculty, staff, and other authorized users within institutional priorities and financial capabilities. The technology resources of ABAC, including facilities, hardware, software, networks, and computer accounts, are the property of the State of Georgia. The use of these resources is a privilege granted by ABAC to authorized users to conduct business. ABAC requires all persons authorized to use its technology resources to do so responsibly and in compliance with all state and federal laws, all contractual and license agreements, and all policies of ABAC and the Board of Regents of the University System of Georgia. Authorized users of the College's technology resources must act responsibly to maintain the integrity and security of these resources. Each user of an college's computing resources is ultimately responsible for the use of that computing resource and for the use of his or her computer account.

Inappropriate Use of Technology Resources

1. No one shall knowingly endanger the security of any College technology resource, nor willfully interfere with authorized usage by circumventing or attempting to circumvent normal resource limits, logon procedures, or security regulations.
2. No technologies shall be connected to the institution's technology resources that interfere with authorized usage of those resources. The College reserves the right to restrict the use of any technologies that may endanger the security and/or integrity of its technology resources.
3. Encroaching on or disrupting another person's use of College computers is prohibited. Actions that waste computing resources (misuse of disk space to store files or playing games that are not part of a class assignment) are prohibited. Examples of such acts include but are not limited to: Internet gaming; Internet radio; Internet file transfers; sending excessive messages either locally or off-campus (including but not limited to electronic chain letters); initiating denial of service attacks; spamming; sniffing; running scams; reconfiguring; or using an inordinately high percentage of bandwidth.

4. The institution's technology resources and network facilities shall not be used for personal gain or commercial purposes.
5. Misrepresenting a person's identity or relationship to the College when obtaining or using institutional computer or network privileges is prohibited.
6. Attempting to access any files or accounts other than your own, reading, altering, or deleting any other person's computer files or electronic mail without specific authorization is prohibited.
7. Copying, downloading, installing, distributing, infringing, or otherwise using any software, data files, images, text, or other materials in violation of copyrights, trademarks, service marks, patents, other intellectual property rights, contracts, or license agreements is prohibited. All usage of technology resources shall be in compliance with federal and state copyright laws and in full conformance with the Regents Guide to Understanding Copyright and Fair Use.
8. Creating, installing, or knowingly distributing a computer virus, "Trojan horse," or other surreptitiously destructive program on any institutional computer or network facility, regardless of whether any demonstrable harm results, is prohibited.
10. Modifying or reconfiguring any College computing resource or network facility is prohibited.
11. Users of ABAC technology resources shall have no expectation of privacy of materials stored on those resources. The College reserves the right to access any of its computer resources when federal or state laws or institutional policies may have been violated or where institutional contractual obligations or institutional operations may be impeded. Computer users should not place confidential information in computers without protecting it appropriately. The College cannot and will not guarantee the privacy or confidentiality of computer files, electronic mail, or other information stored or transmitted by its computers. All computer usage on ABAC technology resources and network facilities is subject to the provisions of the Georgia Open Records Act, O.C.G.A. §50-18-70 et seq.
12. Authorized computer users shall take full responsibility for messages that they transmit through the College's technology resources. The College's technology resources shall not be used to transmit any communications prohibited by law, including but not limited to fraudulent, harassing, or threatening messages.
13. Damaging the hardware (spilled drinks or foods, marking on the hardware with pens/pencils) is prohibited.
14. Disruption of other individuals in the lab (excessive noise, loud talking, listening to audio content without headphones) is prohibited.
15. Except for resources made available for public use in the library, all College technology resources and facilities are provided exclusively for the use of ABAC faculty, staff, and students, and individuals associated

with programs and institutions approved by the OITS. Unescorted children and other individuals not approved by the OITS are expressly prohibited from using either institutional resources or facilities. Similarly, approved users are solely responsible for the actions of unapproved users (children, friends) with them in labs and other facilities, and may be asked to leave if any actions by these individuals are deemed disruptive. Repeated offenses may result in the loss of facility privileges.

Student Misuse of Technology Resources

Persons misusing the College's technology resources in violation of federal and state laws, Board of Regents and institutional policies are subject to disciplinary actions by the institution and/or forfeiture of their computer privileges.

In the event such misuse of computer resources threatens to compromise the integrity or jeopardize the security of institutional computer resources or harm authorized users of those resources, the institution's director of technology or his/her designee is authorized to take any and all necessary actions, including the immediate confiscation and/or disabling of an institutional computer resource or the temporary or permanent termination of a computer account, to protect, investigate, and ensure the security and proper use of the computer resources.

1. Allegations that students have violated the Student Use Policy will be dealt with in accordance with existing policies for allegations of student misconduct.
2. An initial report of the student violating the policy shall be immediately made to the person responsible. The computer lab supervisor will then determine the details of the alleged violation and make a determination that the details did, or did not, violate the Student Use Policy.
3. If the lab supervisor cannot determine if the policy was violated or there is any dispute between the student and the lab supervisor over the determination that the policy had been violated then the issue may be referred to an administrative panel set forth in the section below, College Authority, for a determination whether or not the alleged activity violated the Student Use Policy. This panel shall provide, in a timely fashion, a determination that the alleged acts did, or did not, violate the Student Use Policy.
4. Once a determination has been reached that the student has violated policy, the lab supervisor shall follow these guidelines:
 - i. First violation. The lab supervisor should make sure the student understands the policy, and that his/her acts were a violation of the policy. No formal disciplinary action need be taken, but the matter should be documented for future reference.

- ii. Second violation (of the same nature as the first). The lab supervisor should provide the student with a written notice that the policy was violated, that this was a second occurrence of the same violation, and that future violations will result in disciplinary action.
- iii. Third violation (of the same nature as the first). The lab supervisor should provide written notice to the student that his/her repeated violation of the Policy on Student Use of Technology Resources constitutes a breach of discipline, and the matter will be handled in accordance with the ABAC Student Conduct Code.
- iv. Repeated violations, each of a different nature, which indicate to the lab supervisor that the individual concerned demonstrates an intentional disregard of the Student Use of Technology Resources Policy, may also be considered together as a breach of discipline, and may be handled in accordance with the ABAC Student Conduct Code.

College Authority

Authority for these guidelines lies with the Institutional Technology Committee. Interpretation of questionable acceptable usage will be determined by the committee. Until an issue is resolved, questionable use will be considered "not acceptable."

Violations will be handled within accordance of the ABAC Student Conduct Code for appropriate disciplinary action. Disciplinary actions may include loss of access privileges to academic computing resources. The Student Code of Conduct, including guidelines related to reasonable search and seizure, as written in the Student Handbook apply to all aspects of academic computing facilities and resources.

Definitions

Technology Resource: Technology resources comprise all computers, computer peripherals, and electronic data replication, storage, transmission, and manipulation devices owned and/or controlled by any part of ABAC or connected to the institution's communications facilities, including departmental computers and the institution's computing network facilities accessed by anyone from anywhere.

Authorized Use: Authorized use of ABAC technology resources is use of technology resources that is consistent with the education and service mission of the institution and consistent with this policy.

Authorized User: Authorized users are as follows:
Current faculty, staff, and students of ABAC
Individuals with explicit permission from OITS
Individuals whose access furthers the mission of the institution and whose usage does not interfere with other users' access to technology resources.

Acknowledgement of Receipt

I hereby acknowledge receipt of the 2009-2010 ABAC student Handbook and agree to read and be familiar with its contents, and abide by the rules and regulations put forth in it.

X
