



OFFICE OF STUDENT SUPPORT
AND STUDENT CONDUCT

Behavioral, Regulations, Procedures, and Sanctions

Value 1: Respect for Worth of the Individual

Behavioral Regulations

The following list of violations of the Student Code of Conduct is an example of behaviors that may result in disciplinary action. It is not to be regarded as all inclusive. In the event of ambiguity, inconsistency, or a need for further clarification arises regarding what constitutes a violation of the Student Code of Conduct shall make the final determination. Any student or student organization found responsible for misconduct is subject to sanctions.

Albany State University Freedom of Expression Policy

<https://www.asurams.edu/docs/legal-affairs/policies/Freedom-of-Expression-Policy.pdf>

Section 1: Abduction and Kidnapping

A person commits the offense of kidnapping when they _____ or _____ any person without lawful authority or warrant and holds such a person against his or her will. Enticing, persuading or forcible seizing and carrying of any student, faculty, staff or University official from one place to another without that person's _____.

Section 2: Assault

- a. Physical _____ or _____ of physical harm without a weapon resulting in little or no physical injury to involved persons. Includes but is not limited to any physical contact of an _____ or _____ nature
- b. Physical harm without a weapon resulting in _____ physical injury to another person. Includes but is not limited to any violence, physical abuse, injury, or physical harm of another person.

Section 3: Attempted Offenses

An attempt to commit an act, on _____ property, or _____ members of the University community (that is faculty, staff, student, or campus visitor) in an offense that would be in violation of any law, code of conduct, rule, regulation of local, state or federal criminal code.

Section 4: Dangerous, Threatening and/or Unsafe Behavior and/or Gang Activity

- a. Any conduct or behavior that threatens or endangers the _____ or safety of any person in the University environment, including _____.
- b. A direct _____ to inflict injury or damage. This includes but is not limited to verbal threats to injure or harm another, horse playing, practical jokes, abductions, kidnapping, and gang related activity.

Section 5: Harassment (Verbal or Physical) and/or Bullying

Speech or other expression (words, pictures, symbols) that constitutes _____ and is sufficiently severe, pervasive, or persistent so as to interfere, limit, or deny one's ability to participate in or benefit from an educational program. Fighting words may include, but are not limited to, _____ or _____ that:

- a. Are directed to an individual or individuals based on that person's race, color, sex, religion, creed, age, sexual orientation, gender, gender identity, disability, veteran status or national origin, and _____ violence, tend to incite an immediate breach of the peace or _____ a violent response.
- b. In the context of this policy, fighting words are those which are commonly understood to convey _____ and _____ or _____ for human beings.

1. When determining whether speech is such as would provoke a violent response or incite an immediate breach of the peace, it is not necessary to show that the person(s) addressed by the speech was or were actually _____ to violence or hostile action.
 2. Conduct will be evaluated on a _____ basis, considering all circumstances involved.
- c. Following, placing under surveillance, or contacting (in person, by phone, electronically, or by any other means) another person without his or her permission for the purpose of harassing or intimidating that person. _____ or _____ means a knowing and willful course of conduct that serves no legitimate purpose and causes emotional distress by placing another person in _____ for the safety of themselves or others.
- d. Any act of _____ or _____ directed against any person or group of persons.

Section 6: Hazing

To subject a student to an activity which: (1) _____ or is likely to endanger the physical health of a student; (2) _____ or _____ the student through the use of social or physical pressure to consume any food, liquid, alcohol, drug, or other substance which subjects the student to a likely risk of vomiting, intoxication, or unconsciousness; or (3) causes an individual _____ or _____ as a condition or precondition of gaining acceptance, membership, office or other status in a student _____, whether or not such group is formally recognized by the university.

- For purposes of this definition, Hazing occurs _____ of whether the action, activity, or situation is intentionally, negligently, or recklessly caused, and

regardless of a student's _____ to participate. Also, for purposes of this definition, “student group” or “school organization” means _____ association, corporation, order, club, society, fraternity, sorority, athletic team, or a group living together which has students or alumni as its principal members, including local affiliate organizations.

- Any other activity that meets the definition of “hazing” under applicable _____, including but not limited to the State of Georgia’s Max Gruver Act.

Albany State University Hazing Disclosure

<https://www.asurams.edu/student-affairs/hazingdisclosure.php>

Section 7: Retaliation

- Anyone who has made a report or complaint, provided information, assisted, participated or refused to participate in any manner in the Sexual Misconduct Process, shall not be subjected to _____.
- Anyone who believes that of they have subjected to retaliation should immediately contact the _____ or their designee.
- Any person found to have engaged in retaliation in violation of this Policy shall be subject to _____ action.

Section 8: Representation without Consent

- Representing the University or any recognized student organization without the specific prior _____ of the officials of that group.
- Representation without consent also includes _____ a suspended organization (i.e. fraternity or sorority) or attempting to join an organization through _____ membership procedures.

Section 9: False Complaints/Statements

- Individuals are prohibited from knowingly giving false statements to an institution _____.
- Any person found to have _____ submitted false complaints, accusations, or statements, including during a hearing, in violation of applicable Board or institution policy shall be subject to appropriate disciplinary action (up to and including suspension or expulsion) and adjudicated pursuant to the institution's policy.

Section 10: Dating Violence

- _____ committed by a person who is or has been in a social relationship of a romantic or intimate nature with the alleged victim. The existence of such relationship shall be determined based on the totality of the circumstances including, without limitation to: (1) the _____ of the relationship; (2) the _____ of relationship; and (3) the frequency of _____ between the persons involved in the relationship.
- Dating violence includes, but is not limited to, sexual or physical _____ or the _____ of such abuse. Dating violence does not include acts covered under the definition of Domestic Violence.

Section 11: Domestic Violence

Violence committed by a _____ or _____ spouse or intimate partner of the alleged _____; by a person with whom the alleged victim shares a _____ in common; by a person who is _____ with, or has cohabitated with, the victim as a spouse or intimate partner, or by a person similarly _____ to a spouse of the alleged victim.

Section 12: Nonconsensual Sexual Contact

Any physical contact with another person of a sexual nature _____ the person's consent. It includes but is not limited to the touching of a person's _____ (for example, genitalia, groin, breasts, or buttocks); touching a person with _____ intimate parts; or _____ a person to touch his or her own or another person's intimate parts. This provision also includes "Fondling" as defined by the Clery Act.

The Clery Act

<https://www.clerycenter.org/the-clery-act>

Section 13: Nonconsensual Sexual Penetration

Any _____ of the vagina, anus, or mouth by a penis, object, tongue, finger, or other body part without the person's _____; or _____ between the mouth of one person and the genitals or anus of another person _____ the person's consent. This provision also includes "Rape, Incest, and Statutory Rape" as defined by the Clery Act.

Section 14: Sexual Exploitation

Taking _____ or _____ sexual advantage of another for one's own advantage or benefit, or for the benefit or advantage of anyone other than the one being exploited. Examples of sexual exploitation may include, but are not limited to, the following:

1. _____ of sexual privacy;
2. _____ another individual;
3. Non-consensual photos, video, or audio of _____;
4. _____ distribution of photo, video, or audio of sexual activity, even if the sexual activity was consensual;

5. Intentional _____ of nonconsenting individuals who are partially undressed, naked, or engaged in sexual acts;
6. Knowingly _____ an STD or HIV to another individual through sexual activity;
7. Intentionally and inappropriately _____ one's breasts, buttocks, groin, or genitals in non-consensual circumstances; and/or,
8. Sexually-based _____.

Section 15: Sexual Harassment (Student on Student)

_____ verbal, nonverbal, or physical conduct based on _____ (including gender stereotypes), determined by a Reasonable Person to be so severe, pervasive, and objectively offensive that it effectively _____ a person equal access to participate in or to benefit from an institutional _____ program or activity in violation of Title IX.

Section 16: Sexual Harassment (Other than Student on Student)

Unwelcome verbal, nonverbal, or physical _____, based on sex (including gender stereotypes), that may be any of the following:

1. Implicitly or explicitly a term or condition of _____ or _____ in a course, program, or activity;
2. A basis for employment or _____ decisions; or,
3. Is sufficiently severe, persistent, or pervasive to _____ with one's work or educational performance _____ an intimidating, hostile, or offensive work or learning environment, or interfering with or limiting one's ability to _____ in or to _____ from an institutional program or activity.

The USG also prohibits unwelcome conduct determined by a Reasonable Person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to a USG education program or activity in _____ of Title IX.

Title IX Policies and Resources <https://sites.ed.gov/titleix/policy/>

Section 17: Sexual Misconduct

Includes, but is not limited to, such unwanted behavior as _____ violence, _____ violence, _____ sexual contact, sexual _____, sexual _____ and _____.

Section 18: Stalking

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to _____ for their _____ or the safety of _____ or suffer substantial _____ distress. For the purposes of this definition:

1. Course of conduct means two or more acts, including, but not limited to, acts in which the _____, _____ or through _____ parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with person’s property.
2. _____ emotional distress means significant _____ or _____ that may but does not necessarily, require medical or other professional treatment or counseling.

Conclusion: It all comes down to _____!

For More Information: Contact the Office of Student Support and Student Conduct at:

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504 College Drive
Albany, GA 31705
Telephone: (229) 500-2052/Email: OSSSC@asurams.edu