



Medical College of Georgia  
Student Handbook  
2009 – 2010

*Student Conduct Code and Procedures*

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## **Student Conduct Code and Procedures**

### **Student Rights**

Students will be accorded due process in disciplinary matters including a right to know of charges against them, the right to a hearing before a tribunal and the right to appeal to the President.

### **General Policies**

*Note:* Students are adult members of the community and are subject to prosecution for criminal acts on or off campus. Campus police are state law enforcement officers with full powers of arrest. Students may not assume that activities on the campus provide them with any special protection.

Prosecution for criminal acts on or off campus will not preclude action by the school where such acts also violate the Student Conduct Code. This action is not recognized legally as "double jeopardy." The Medical College of Georgia has an obligation to uphold the laws of the larger community of which it is a part. While the activities covered by the laws of the larger community and those covered by MCG's rules may overlap, the community's laws and MCG's rules operate independently and do not substitute for each other. MCG may enforce its own rules whether or not legal proceedings are planned or are under way, and may use information from third-party sources, such as law enforcement agencies and the courts, to determine whether university rules have been broken. Conversely, the university makes no attempt to shield members of the MCG community from the law, nor does it intervene in legal proceedings against a member of the community. Membership in the MCG community does not exempt anyone from local, state or federal laws, but rather imposes the additional obligation to abide by all MCG regulations.

The Medical College of Georgia subscribes to the principle that all enrolled students will be provided due process in judicial matters. Subscription to this principle assures each student of:

- a. Proper written notice of the charges against him/her.
- b. A hearing (oral proceeding before a tribunal)
- c. Access through proper appeal procedures to the president of the institution

Procedures providing due process will be prescribed by the Judicial Committee subject to the approval of the Faculty Organization, Student Affairs Committee and the president of the Medical College of Georgia. The Judicial Committee will administer these procedures. The final authority in judicial rules and procedures is the president.

The university may apply penalties or take other appropriate action when student conduct directly and significantly interferes with the university's:

- a. Educational responsibility for ensuring the opportunity of all members of the university community to attain their educational objectives
- b. Responsibilities for protecting property, keeping records, providing living accommodations and other services, and sponsoring non-classroom activities such as lectures and social functions
- c. Responsibility for maintaining individual student conduct appropriate to students on and off campus.

### **Institutional Authority for Discipline of Students**

The Board of Regents has adopted the following policy concerning institutional responsibility for the discipline of students. (BOR Policies, 401.01).

"Admissions, discipline, promotion, graduation and formulation of all rules and regulations pertaining to students of institutions of the University System are matters to be handled by the institution within the framework of regulations of the Board of Regents. Students violating rules and regulations of an institution may be punished, suspended, excluded or expelled as may be determined by the institution."

### **Student Conduct Code (Student Responsibilities)**

The following is a statement of the responsibilities of students, as individuals and as groups at the Medical College of Georgia. It is the official record of conduct rules and regulations affecting students.

The responsibilities apply to the Medical College of Georgia campus, property of other units of the University System of Georgia, institutions with formal or informal agreements with the Medical College of Georgia and MCG-sponsored functions on or off campus.

#### **A. Academic Dishonesty (Cheating)**

The university recognizes honesty and integrity as being necessary to its academic function. The following regulations protect the equity and validity of the university's grades and degrees, and help students develop standards and attitudes appropriate to academic life.

1. No student will receive assistance not authorized by the instructor in preparing any assignment, essay, laboratory report or examination to be submitted as a requirement for an academic course.

2. No student will knowingly give unauthorized assistance to another person in the preparation of any assignment, essay, laboratory report or examination to be submitted as a requirement for an academic course.

3. No person will sell, give, lend or otherwise furnish to any unauthorized person material that can be shown to contain the questions or answers to any examination scheduled to be given at any subsequent date, in any course of study offered by the university excluding questions and answers from tests previously administered and authorized for release by the administering faculty member.

4. Plagiarism is prohibited. Themes, essays, term papers, tests and other similar requirements must be the work of the student submitting it. When direct quotations are used, they must be indicated, and when the ideas of another are incorporated in the paper, they must be appropriately acknowledged.

5. Fraudulent research activity is prohibited. Misrepresentation of data collection and analysis, including falsification, fabrication or omission of data is prohibited.

6. Any person taking, or attempting to take, steal or otherwise procure in any unauthorized manner any material or information pertaining to the conduct of a class including tests, examinations, laboratory equipment, roll books, etc., violates this regulation.

## B. Conduct Irregularity

1. Damage to Property: Malicious damage or destruction of property belonging to the university or to a member of, or visitor to, the university community is prohibited.

### 2. Disorderly Assembly

a. No person will assemble on campus to create a riot or destructive or disorderly diversion that interferes with the normal educational process and operation of the university. This section does not deny any students the right of peaceful assembly in accordance with university policy.

b. No person or group of persons will obstruct the free movement of other persons about the campus, interfere with the use of university facilities or prevent the normal operation of the university. (See the Board of Regents Policy Statement on Student Conduct in Appendix B.)

c. The abuse or unauthorized use of sound amplification equipment indoors or outdoors during classroom hours is prohibited.

### 3. Disorderly Conduct

- a. Behavior which disturbs the academic pursuits, or infringes upon the privacy, rights or privileges of other persons is prohibited.
- b. No person will push, strike, physically assault (including acquaintance rape), harass (verbally, physically or sexually), haze or threaten any member of the faculty, staff, student body or any visitor to the university community.
- c. Disorderly conduct on or in university property or functions sponsored by the university or any recognized university organization is prohibited.
- d. No student will enter or attempt to enter any dance, social or other university-sponsored event without required credentials for admission, i.e., ticket, identification card, invitation, etc., or any other reasonable qualifications for attendance established by the sponsors. At such university functions a student must present proper credentials to appropriately identified personnel upon their request.
- e. Conduct which is lewd, indecent, obscene or patently offensive to the prevailing standards of an academic community is prohibited.
- f. No person will interfere with, or fail to cooperate with, any properly identified university faculty or staff personnel while these persons are performing their duties.
- g. Students are required to wear the MCG photograph identification badge while on campus or other property operated by the university. The badge must be visible at all times and presented upon the request of a university official.

4. Dress: Dress is primarily a matter of individual judgment. Students, however, are expected to be neat and clean and to exercise good judgment in their appearance pursuant to our professional setting.

### 5. Falsification of University Records (including misrepresentation by omission)

- a. No person will alter, counterfeit, forge, falsify or cause to be altered, counterfeited, forged or falsified, any university record.
- b. Each person must complete any university record accurately and honestly.
- c. No person will give false information or fail to disclose information to university representatives.

6. Drugs and Narcotics: The use, possession or distribution of narcotics, amphetamines, barbiturates, marijuana, hallucinogens and any other dangerous or controlled drugs not prescribed by a properly licensed physician is prohibited on or off campus.

7. Violations of Law Governing Use of Alcohol: Violations of any federal, state or local laws on or off campus governing the use, manufacture, distribution, sale and transportation of alcoholic beverages is prohibited. Alcoholic beverages are strictly prohibited on campus except at approved events (see MCG Administrative Policies and Procedures 2.2.01) and within individual residence hall living units (rooms/apartments) as described in residence hall policies.

8. Conduct Irregularity while Under the Influence: Any student guilty of a conduct irregularity while under the influence of any mind-altering substance may be subject to more severe disciplinary action than might otherwise be given (for example: while performing direct patient care).

9. Violation of local, state or federal law, on or off the campus, which constitutes (or creates a substantial likelihood of) material interference with the normal, orderly operation and processes of the university, is prohibited.

10. Fire and Explosion Safety

a. No person will tamper with fire safety equipment.

b. No person will set or cause to be set any unauthorized fire in or on university property.

c. The possession or use of fireworks or explosives on university property is forbidden. Fireworks and explosives are defined as any substance prepared to produce a visible or audible effect by combustion, explosion or detonation.

d. No person will make or cause to be made a false alarm.

11. Gambling: The playing of cards, pool or other games of skill or chance for money or other items of value is prohibited.

12. Theft: No person will take, attempt to take or keep in his possession, items of university property or items belonging to students, faculty, staff, patients or student groups without proper authorization. This includes theft by fraud and/or deception and encompasses, among other things, illegalities involving financial matters.

13. Unauthorized Entry or Use of University Facilities:

a. No person will make unauthorized entry into any university building, office or other facility nor will any person remain without authorization in any building after normal closing hours.

b. No person will make unauthorized use of any university facility. Upon appropriate notice by university officials, authorization for the use of university facilities may be withdrawn or otherwise restricted.

14. Firearms and other lethal weapons:

Firearms and other lethal weapons are prohibited on campus.

15. Violation of professional ethics in clinical work and in dealing with patients and members of the medical community is prohibited.

16. Any violation of the policies and regulations of the Medical College of Georgia or the Board of Regents of the University System of Georgia is prohibited. Many of these policies are available through the institutional website at [www.mcg.edu](http://www.mcg.edu).

## **Administration of Judicial Procedures**

### **A. System for Conducting Hearings**

#### **1. Types of Hearing Bodies.**

a. Honor councils may operate within the various schools of the institution, where such courts have jurisdiction over their respective students in matters of academic cheating and plagiarism.

b. Students living in the residence halls are bound by the provisions of the housing agreement, the housing rules and regulations as communicated by the Housing Office and the student responsibilities stated herein. Violations may result in the university canceling the housing agreement and/or the filing of judicial charges. The director of housing provides initial jurisdiction and may refer violations directly to the campus judicial system.

c. The Judicial Committee will have jurisdiction over disciplinary matters not governed by the honor council of the respective school and will have total jurisdiction over students enrolled in a school in which an honor system does not operate.

2. Concurrent Violations (Overlapping Jurisdiction). In cases in which a student indicates he is being tried by an improper hearing body, he may request that his case be transferred to a different hearing body by petitioning a committee composed of the chairmen of the two judiciary bodies and the Director of Campus Life Services. (The director of Campus Life Services will be a non-voting member of this group.)

3. Composition and Organization of the Judicial Committee.

a. The Judicial Committee will consist of 11 members: a (faculty) chairman and five students (one from each school) appointed by the president of the Student Government Association and five faculty/administrators (one from each school) appointed by the president of the Medical College of Georgia. When a judicial hearing is required, a panel of five or more for the hearing will be selected (plus the chairman) with at least two faculty and two student members on the panel. The chairman will be non-voting except in case of a tie. The committee term of office will be June 1-May 31.

b. The Director of Campus Life Services or his designated representative will represent the institution's interests as the judicial officer.

c. At least once each year, the Judicial Committee will review the organization and operation of the court procedure.

4. Amendments to due process procedures and rules may be made by the Judicial Committee upon approval of the Faculty Organization, Student Affairs Committee and the president.

#### B. Jurisdiction

The Judicial Committee will have authority over all the enrolled students (full- and part-time), including online and distant campus students, of the Medical College of Georgia.

### **Judicial Committee Proceedings**

1. Any member of the faculty, administrative staff or a student(s) may bring charges against a student(s) by presenting them in writing (along with any available evidence) to the dean of the appropriate school and director of Campus Life Services except for cases under the jurisdiction of the individual schools' honor councils. The director of Campus Life Services will then forward the charges to the chairman of the Judicial Committee.

2. The judicial officer, in consultation with the chairman of the Judicial Committee, will notify the student (in writing) of the charges being brought forth. At this time, the chairman will inform the student of the student's right to remain silent and to select a person, not an attorney, from the university to assist in his defense. A written statement of the specific charges

will contain (a) possible punishment or penalty, (b) the grounds which, if proven, would justify the expulsion or suspension under the rules, regulations or standards, (c) names of the witnesses against the accused, (d) a report on the facts to which each witness will testify and (e) the date, time and place of the hearing, given to the student at least five days prior to the hearing to allow the student time to prepare a defense. Hearings will be held within one academic semester following the filing of the charges. If a student does not enroll in a semester during which a hearing is scheduled, he must return for the hearing as any regularly enrolled student.

3. At the discretion of the judicial officer, the student may be offered the opportunity to waive the hearing and accept the decision of the judicial officer regarding punishment without contesting the charges. The student will sign a written waiver which states that he is fully aware of the rights to which a student is entitled and that the student also agrees to accept the penalty decision of the judicial officer. A student may be tried without being present at the hearing if the accused student chooses not to appear and does not sign the appropriate waiver.

4. The committee will be called into session by the chairman. Five voting members must be present for a quorum. The hearing will be closed. Guests may attend by consent of the accused student, judicial committee members and the judicial officer.

5. The proceedings of the meetings will call for the judicial officer to present the case of the institution along with the evidence and witnesses that he deems appropriate. The student will then have the opportunity to present his defense personally. After both cases have been presented, the committee will have an opportunity to question both the judicial officer and the student. The student, his representative and the judicial officer may remain in the hearing for all presentations. A tape recording will be made of the procedures of the Judicial Committee except for the deliberation. This tape recording will be made available to the accused student by the Campus Life Services office if he wishes to appeal. The recording will be kept on file for three years and will be available to the student at his request.

6. The student and the judicial officer, along with their witnesses, will then be excused from the room for the committee to deliberate. A majority is needed for a determination.

7. When the committee has reached a consensus, it will call the accused student back into the room to read its findings. Written reports of the meeting, including the final recommendation, will be made to the vice president for enrollment and student services.

8. The Vice President for Student Services and Development may accept, reject or modify the committee's recommendation.

9. Upon receiving the Vice President for Student Services and Development's decision, the student shall be notified of his right to appeal within five days to the president of the Medical College of Georgia.

10. Students have the right to appeal final decisions of the president to the Board of Regents of the University System in accordance with Article IX of the Bylaws of the Board of Regents.

## **Penalties**

The following are possible penalties for an infraction of the Student Conduct Code of the Medical College of Georgia. This list is not complete and other penalties may be chosen to meet the particular circumstances in any given case.

1. Expulsion: The permanent denial of the individual's privileges to attend the university.
2. Dismissal: The involuntary, indefinite separation from the university. Re-admission may be contingent upon satisfying specific conditions imposed as a part of the penalty.
3. Suspension: The termination of the student's privilege to attend the university for a specified period. The penalty imposes no bar to re-admission upon expiration of the period.
4. Administrative probation with restrictions: An official warning that the student's conduct violates the Student Conduct Code but is not sufficiently serious to warrant expulsion, dismissal or suspension. This type of probation may be imposed for varying periods of time. The restrictions imposed may vary according to the gravity of the offense. More serious restrictions include: the inability to hold office in the university, the inability to represent the university at any official function and the termination of financial aid administered by the university. Continued enrollment depends on maintaining satisfactory citizenship during probation. A favorable recommendation normally will not be furnished by the university during probation.
5. Administrative probation: An official warning that the student's conduct violates the Student Conduct Code but is not sufficiently serious to warrant expulsion, dismissal or suspension. This type of probation does not carry concurrent restrictions. Continued enrollment depends on maintaining satisfactory citizenship during probation. A favorable recommendation normally will not be furnished by the university during probation.
6. Restitution: A payment by the student found guilty of financial injury to an innocent party in cases involving theft, destruction of property or deception.
7. Academic sanctions: In addition to other penalties, faculty may impose appropriate academic sanctions.
8. Community and/or clinical service effort.

9. Such other sanctions as may be recommended by the Judicial Committee.

10. Temporary suspension.

11. When criminal charges are pending against a student for violation of local, state or federal laws, action may be deferred on university disciplinary charges arising out of the same facts until the student's criminal trial has been completed, not including appeals, if such deferral is deemed in the best interest of the student and the university community. However, a deferral of disciplinary action may stipulate that the student not be allowed to graduate or enroll for subsequent semesters until the disciplinary charges have been settled. If such stipulations are imposed, the student may at any time request that the charges be heard immediately pursuant to student conduct code and procedures.

### **Judicial Records**

In the case of dismissal and expulsion, a notation of the penalties will be made on the student transcript (Dismissal for Disciplinary Reason).

If a student requests transcripts to be sent to another party and a judicial conviction subsequently takes place regarding an incident occurring prior to the transcript forwarding, a follow-up transcript will be sent including an appropriate statement regarding the action.

### **Temporary Suspension**

When, in the judgment of the president, provost or their designated representatives, teaching or research activities, administrative functions, extracurricular programs or other authorized activities on institutional premises are obstructed or disturbed by a student's behavior and when such behavior is continued beyond a request that it be terminated, the president, provost or their designated representatives may temporarily suspend that student for a maximum of 10 calendar days. Effective immediately, the student's activities are subject to the restrictions set forth under regular suspension.

A report on the student's behavior and of the suspension action will be forwarded to the Campus Life Services office. Referral then will be made to the Judicial Committee, which must provide a hearing for the student involved not later than 72 hours after the effective date of the temporary suspension. Referral and hearing procedures will be the same prescribed for any other disciplinary situation.

If the Judicial Committee recommends disciplinary action less severe than suspension, the period of temporary suspension will automatically terminate. If the committee's decision recommends either suspension or expulsion, the temporary suspension will continue during any period of appellate review. In either case, normal channels for appealing the committee's decision will be open for use by the student involved pursuant to the student conduct code and procedures.

If the student is found not guilty, he will be permitted to make up all academic work missed during his temporary suspension.

### **Provisions for Honor Systems within Each School**

Schools handle disciplinary actions according to their individual honor codes. Copies of the honor codes may be obtained from:

1. School of Allied Health--No honor code. Any judicial actions taken follow the procedures listed in the Student Handbook under Student Conduct Code.
  
2. School of Dentistry--Associate Dean for Student Admissions and Alumni, School of Dentistry, room 1106, (706) 721-2813. *Student Conduct Code*. (30 page PDF file)  
<http://www.mcg.edu/sod/documents/conductcode.pdf>
  
3. School of Graduate Studies--No honor code. Any disciplinary actions taken follow the procedures listed in the Student Handbook under Student Conduct Code.
  
4. School of Medicine--Associate Dean for Student Affairs, CB-2340.  
[http://www.mcg.edu/som/StdAffairs/Honor\\_System/](http://www.mcg.edu/som/StdAffairs/Honor_System/)
  
5. School of Nursing--No honor code. Any disciplinary actions taken follow the procedures listed in the Student Handbook under Student Conduct Code.

### **Appeals**

Any person in the University System aggrieved by a final decision of the president of an institution may apply to the Board of Regents, without prejudice to his or her position, for a review of the decision. The application for review shall be submitted in writing to the Board's Senior Vice Chancellor for Support Services or designee within a period of twenty days following the decision of the president. It shall state the decision complained of and the redress desired. A hearing before the Board (or a Committee of or appointed by the Board) is not a matter of right but is within the sound discretion of the Board.

The Board may, in its discretion, refer a matter for mediation, arbitration, or evaluation of settlement options. If an application for review is granted, the Board, a Committee of the Board, a Committee appointed by the Board, or a hearing officer appointed by the Board shall investigate the matter thoroughly and report its findings and recommendations to the Board. The decision of the Board shall be final and binding for all purposes.