

OVERVIEW OF THE CONDUCT PROCESS

- a. Action may begin upon notification to the Office of Community Standards (<https://catalog.clayton.edu/student-handbook/student-resources-services/student-support-services/office-community-standards/>) of a complaint and/or alleged violation.
 - i. If the alleged complaint is related to academic misconduct, Procedures for Adjudicating Alleged Academic Conduct Infractions (<https://catalog.clayton.edu/student-handbook/student-policies/disciplinary-procedures/procedures-adjudicating-alleged-academic-conduct-infractions/>) will be followed.
 - ii. If the alleged complaint is related to Sexual Misconduct, the Sexual Misconduct Policy (<https://www.clayton.edu/human-resources/current-employees/office-of-institutional-equity/>) will be followed.
- b. The student, in conference with the conduct officer, will be informed of the complaint and/or alleged violation and, all rights and responsibilities related to—and the process and status of—an investigation. The accused student will enter a response to each charge and select a method for disposition of the case.
- c. When an investigation is complete, the student will be presented with a Specification of Charges form by the conduct officer or the instructor (if applicable) if evidence warrants charges.
- d. If the student denies responsibility for the alleged violation(s) and requests a hearing before a hearing officer or the University Hearing Panel, such hearing will be conducted in accordance with established procedures, and where a decision will be based on a preponderance of the information.
- e. *Confidentiality*: Where a complainant or alleged victim requests that his or her identity be withheld or the allegation(s) not be investigated, the institution will consider whether or not such request(s) can be honored while still providing a safe and nondiscriminatory environment for the institution. The institution will inform the requesting party that the institution generally cannot guarantee confidentiality. Further, honoring the request may limit the institution's ability to respond fully to the incident and may limit the institution's ability to discipline the respondent.
- f. *Retaliation*: An individual who, in good faith, reports what she or he believes to be student misconduct, participates or cooperates in, or is otherwise associated with any investigation, shall not be subjected to retaliation. An individual who believes he or she has been the target of retaliation for reporting, participating or cooperating in, or otherwise being associated with an investigation will immediately contact the appropriate department or individual(s) for that institution. Any person found to have engaged in retaliation in violation of the student conduct policy shall be subject to disciplinary action, pursuant to the institution's policy.
- g. *False Complaints*: An individual who intentionally gives false statements to an institution official, or who submits false complaints or accusations, including during a hearing, which is in violation of policy, shall be subject to disciplinary action pursuant to institutional policy.
- h. *Amnesty*: The welfare of students in our community is of paramount importance. At times, students on and off#campus may need assistance. Clayton State University encourages students to report alleged behavior violations, especially for misconduct involving a

victim and to offer help and assistance to others in distress. Students may hesitant to report or to offer assistance to others, fearing they may be found in violation of conduct policy. For example, a student who has been drinking but is under the legal age might hesitate to help take a victim of sexual misconduct victim to the Campus Police. Clayton State University provides amnesty for students involved in drug or alcohol infractions who offer help to others in need and/or report misconduct. While policy violations cannot be overlooked, the university will not use that information against the individual or voluntarily report it to law enforcement. However the university may provide educational options as appropriate.

- i. *Student Records*: All student conduct (disciplinary) records are considered part of a student's educational record and are considered confidential in accordance with the Family Education Rights and Privacy Act (<http://www2.ed.gov/policy/gen/guid/fpco/ferpa/>) (FERPA) of 1974, except in limited circumstances as required by law. Student conduct files will be held in the Office of Community Standards/Office of the Vice President of Student Affairs for five (5) years after the student's graduation date or last date of attendance. Case files involving suspension or expulsion are kept indefinitely.
- j. *Communication*: Clayton State University provides each student with an e-mail address. This email is the official method of communication for all University Conduct correspondence. The student will be responsible for monitoring this address on a regular basis for official communications from Clayton State University faculty and administrators. All student conduct correspondence will be sent to the Clayton State Student email address and will be considered received based on the delivery date of the email. In cases where a student does not respond in a reasonable time frame, other reasonable efforts will be made to locate the student through ordinary channels such as telephone or regular mail.
- k. Information from complaints may be shared as necessary to investigate and to resolve the alleged misconduct. Complaints shall be investigated and resolved as outlined below. The need to issue a broader warning to the community in compliance with the Clery Act shall be assessed in compliance with federal law.

Additional information regarding the Office of Community Standards location, office hours and online reporting are available on the Office of Community Standards website (<https://www.clayton.edu/community-standards/>).