



## SEMINARY CODE OF CONDUCT

### INTRODUCTION

The mission of the REFORMED SEMINARY is to assist and educate students who love and believe the Lord Jesus Christ to acquire the knowledge and to prepare them to be faithful and effective for proclaiming the Word of God that will enable them to glorify God as building up of the church, the body of Christ, in the world.

At our Seminary, freedom to teach and learn is an essential aspect of the academic progress. Freedom to learn depends upon appropriate opportunities and conditions in the classroom, on campus, and in the greater academic community. The Seminary has developed procedures and policies to safeguard this freedom and to maintain an environment conducive to the learning process.

The purpose of publishing disciplinary regulations is to give notice of prohibited behavior. Any behavior that threatens the academic environment, threatens the learning process, hinders Christian beliefs, and the Seminary community. Therefore, the Seminary exercises its right to discipline and commits its policies and procedures, in the form of the *Seminary Code of Conduct*, to the protection and promotion of the academic enterprise. Students or any constituents who have been found responsible for violating this Code, or who otherwise pose a substantial danger to the Seminary community, may be suspended, expelled, or terminated from his/her position at the Seminary. Although, this Code is not written with the specificity of a criminal statute, it is binding upon the Seminary community.

### DEFINITION OF TERMS

- 1.1 Institution or Seminary stated within this Code of Conduct means the Reformed Seminary and all of its educational programs.
- 1.2 Seminary-sponsored activity means any activity on or off Seminary premises that is initiated, aided, authorized, or supervised by the Seminary or recognized student organizations.
- 1.3 Complainant means a person who makes a complaint or reports a violation of the Seminary Code of Conduct or other Seminary regulations and policies.
- 1.4 Distribution means any form of sale, exchange, or transfer.
- 1.5 Group means a number of persons who are associated with each other, but who have not complied with Seminary requirements for recognition as an organization.
- 1.6 Organization means a number of persons who have complied with Seminary requirements for recognition.
- 1.7 To be intentional means to be deliberate.
- 1.8 To be reckless means to be careless or heedless of the potentially harmful consequences of one's behavior, where risk of harm to persons, property or normal Seminary operations can be reasonably foreseen or anticipated.
- 1.9 Respondent means a person who has been accused of violating the Seminary Code of Conduct.
- 1.10 Student means any currently enrolled person for whom the institution maintains educational records, as defined by the Seminary and related regulations. It further includes persons who are eligible to receive any of the rights and



privileges afforded a person who is enrolled at the Seminary including, but not limited to, those individuals admitted to the Seminary and attending orientation programs.

1.11 Faculty is any person hired by the Seminary and any or all affiliated campuses to conduct classroom activities.

1.12 Weapon means any object or substance designed to inflict wound, cause injury, or incapacitate, including, but not limited to, all firearms, explosives, pellet guns, slingshots, martial arts devices, brass knuckles, switchblades, bowie knives, daggers, or similar knives, and chemicals such as mace or tear gas. A harmless instrument designed to look like a firearm, explosive, or weapon which used to assault or threaten another person, is expressly included within the meaning of weapon.

1.13 Seminary Official is a person employed by the Seminary in an administrative, supervisory, academic or research, or support staff position; a person or company with whom the Seminary has contracted; a person serving on the Board of Directors; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing given tasks at the Seminary.

1.14 Seminary premises includes all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the Seminary including adjacent streets, parking spaces and sidewalks.

1.15 The terms “shall” and “will” are used in the imperative sense.

1.16 The term “may” is used in the permissive sense.

1.17 The term “policy” is defined as any written rule or regulation of the Seminary.

## **SEMINARY AUTHORITY**

### **STUDENT CONDUCT ADMINISTRATOR**

The Director of Student Affairs or his/her designee is the student conduct administrator who directs the efforts of students and staff members in matters involving student discipline. The responsibilities of the Director of Student Affairs as a student conduct administrator include:

- a. Determining the disciplinary charges to be filed pursuant to this Code of Conduct.
- b. Interviewing, advising, and assisting parties involved in disciplinary proceedings and arranging for a balanced presentation before disciplinary conferences or the Faculty Committee on Academic Standing.
- c. Maintaining all student disciplinary records.
- d. Developing procedures for conflict resolution.
- e. Resolving cases of student misconduct, as specified in this Code.

### **STAFF CONDUCT ADMINISTRATOR**

The Director of Business Affairs or his/her designee is the staff conduct administrator who directs the efforts of students and staff members in matters involving staff discipline. The responsibilities of the Director of Business Affairs as a staff conduct administrator include:

- a. Determining the disciplinary charges to be filed pursuant to this Code and/or other Seminary employee policies or regulations.



- b. Interviewing, advising, and assisting parties involved in disciplinary proceedings and arranging for a balanced presentation before disciplinary conferences or hearing officers.
- c. Maintaining all employee disciplinary records.
- d. Developing procedures for conflict resolution.
- e. Resolving cases of employee misconduct, as specified by Seminary policies governing employees.

### **CONFLICTS OF INTEREST**

All Members of the Seminary Community owe a duty of undivided and unqualified loyalty to the organization and may not use their positions to profit personally or to assist others in profiting in any way at the expense of the organization.

All Applicable Members of the Seminary Community are expected to regulate their activities so as to avoid actual impropriety and/or the appearance of impropriety which might arise from the influence of those activities on business decisions of the Seminary, or from disclosure or private use of business matters or plans of the Seminary.

If any person is in doubt about whether a situation constitutes a conflict of interest, the matter should be fully disclosed to that person's supervisor or the President so that a determination can be made. Violation of this policy will result in appropriate disciplinary action up to and including termination of employment, cessation of business with a vendor, and other appropriate remedies.

### **OUTSIDE FINANCIAL INTERESTS**

While not all inclusive, the following will serve as a guide to the types of activities by an applicable member, or immediate family member (spouse, parents, children, siblings) of such person, which might cause conflicts of interest:

- Financial and ownership interests in or employment by any outside concern which does business with the Seminary. "Ownership interests" include interests in a partnership in which the applicable member has more than a 5% ownership interest (including spouse and children) in a partnership. For purposes of this policy, an applicable member is not deemed to hold any ownership interest in a publicly-held corporation if his/her only interest in that corporation is an equity (stock) ownership of 5% or less (including spouse and children) of any class of that corporation's securities. The Seminary may, following a review of the relevant facts, permit ownership interests which exceed these amounts if management concludes such ownership interests will not adversely impact the Seminary's business interest or the judgment of the applicable member.
- Conduct of any business not on behalf of the Seminary, with any vendor, supplier, contractor, or agency, or any of their officers or agents.
- Representation of the Seminary by an applicable member in any transaction in which he/she or an immediate family member has a substantial personal interest.
- Disclosure or use of confidential, special or inside information of or about the Seminary, particularly for the personal profit or advantage of the applicable member or an immediate family member.



- Competition with the Seminary by an applicable member, directly or indirectly, in the purchase, sale or ownership of property or property rights or interests, or business investment opportunities.
- Disclosure of any personal activity or business opportunity which is within the scope of the activities of the Seminary and exploitation of such opportunity, except upon written approval of the President.
- Participation in a transaction with the Seminary for personal profit except upon the written approval of the President, which approval should be disclosed in the Conflict of Interest Statement.

#### SERVICES FOR COMPETITORS/VENDORS

Any applicable member shall not perform work or render services for any competitor of the Seminary or for any organization with which the Seminary does business or which seeks to do business with the Seminary outside of the normal course of his/her employment with the Seminary without the approval of the President or the applicable member's supervisor. Nor shall any such applicable member be a Board of Directors member, officer, or consultant of such an organization, nor permit his/her name to be used in any fashion that would tend to indicate a business connection with such organization.

#### CLASSROOM STANDARDS

The individual faculty member is primarily responsible for managing the classroom environment. If a student engages in any prohibited or unlawful acts or other behavior that results in disruption of a class, he/she may be directed by the faculty member to leave the class for the remainder of the class period. Longer suspensions from a class, or dismissal on disciplinary grounds, must be preceded by a disciplinary conference or hearing. Professors and instructors will encourage free discussion, inquiry, and expression in the classroom whenever possible. Student grades must be evaluated on academic performance based solely on class assignments and/or examinations, not on opinions expressed or on conduct unrelated to academic criteria, unless this conduct is disruptive to the academic endeavor.

#### STUDENT RIGHTS AND RESPONSIBILITIES

Students enrolled or applying for Reformed Seminary are not only members of the academic community but are also members of the larger society bearing the thoughts that The Reformed Seminary is established based on educational philosophy of teaching minority communities in the United States. Students, therefore, retain the rights, guarantees and protections afforded to and the responsibilities held by all citizens in regards to Christian beliefs. A student is not immune to prosecution by local, state, or federal law enforcement agencies irrespective of whether the Seminary initiates judicial proceedings in a given situation. As members of the Seminary community, students have a responsibility to know and follow the Seminary regulations. Violations of these regulations will result in action by the Office of Student Affairs and the Faculty Committee on Academic Standing.

Not every situation a student may encounter can be anticipated in a written document or stated in this Code of Conduct or Seminary regulations. Therefore, students are expected to act in a manner that demonstrates integrity, honesty, and respect for others and the campus environment.



### PROTECTION OF FREEDOM OF EXPRESSION

Students have the right to freedom of expression; however, that right must be exercised with reason and discretion. Although students may take exception to the information or views presented in any class, they are responsible for learning the content of any course for which they are enrolled.

### PROTECTION AGAINST IMPROPER ACADEMIC EVALUATION

Students have the right to protection against prejudiced or capricious academic evaluation. However, students are responsible for maintaining the standards of academic performance established for each course for which they are enrolled. Students who believe they have been improperly evaluated should express their concern to the instructor. If the student is not satisfied after verbally or in written communication with the instructor, then he or she should submit "Academic Record Correction Request Form" to the Office of Academic Affairs to conduct formal hearings or procedures to hear from the instructor in regards to the evaluation and the records per student.

### PROTECTION AGAINST DISCLOSURE

Information about student beliefs, views, and political associations which faculty, staff, and administrators learn in the course of their work should not be used to prejudice students. Discretion will be exercised in circumstances where disclosure is necessary for the greater welfare of the student or the Seminary community.

## **EMPLOYEE RIGHTS AND RESPONSIBILITIES**

### 1. Access to higher education

Within the limits of its facilities, the institution and its courses, programs and activities shall be open to all applicants who are qualified, according to its admission requirements.

- The institution shall make clear to the students the standards of its programs.
- Admission to the Seminary shall be in compliance with federal and state laws and regulations that prohibit illegal discrimination.

### 2. Classroom Expression

- Discussion and expression of all views relevant to the subject matter are permitted in the classroom, subject only to the responsibility of the instructor to maintain order and reasonable academic progress.
  - Faculty comportment shall be in accordance with standards set forth by the American Association of University Professors.
  - Students shall not be penalized for expressing controversial views relevant to the subject matter in class.
- Evaluation of a student's academic performance shall be neither prejudiced nor capricious.

### 3. Personal Expression

- Discussion and expression of all views is permitted within the institution subject only to requirements for the maintenance of order. Support of any cause, by orderly means which does not disrupt the operation of the institution, is permitted.



- Groups and campus organizations may invite to hear any persons of their own choosing, subject only to the requirements of the use of institutional facilities and regulations of the Seminary.
- Students' dress and grooming, of any style, are permitted subject to legal prohibitions.
- Orderly picketing and other forms of peaceful protest are permitted on institutional premises. Interference with entrances to institutional facilities, intentional interruption of classes or damage to property exceeds permissible limits.

#### 4. Privacy

- Information about student views, beliefs and political associations acquired by faculty and staff in the course of their work as instructors, advisers and counselors is confidential and is not to be disclosed to others unless under legal compulsion or with permission of the student.
- The privacy and confidentiality of all student records shall be preserved. Official student academic records, supporting documents and other student files shall be maintained only by full-time members of the institution's staff employed for that purpose and students employed by them who may have access in line of employment. Separate files shall be maintained for the following: academic records, supporting documents and general educational records, records of disciplinary proceedings, medical and psychiatric records, and financial aid records.
- No record may be made in relation to any of the following matters except upon the express written request of the student: religion, political or social views, and membership in any organization other than honorary and professional organizations directly related to the educational process.
- Agencies of the Seminary which keep student records must make students aware of how and to whom those records may be divulged. No information in any student file may be released to anyone except with prior written consent of the student concerned or as stated below:
  - Administrators may have access to student records for internal educational and administrative purposes.
  - Members of the faculty may have access to academic records for internal educational and administrative purposes.
  - Non-academic records shall be routinely available only to administrators and staff charged with their maintenance. Faculty and staff may have access to all records for statistical purposes.
  - Unless under legal compulsion, all other information regarding students' records shall be denied to any person making an inquiry .

#### **PROSCRIBED CONDUCT**

The Reformed Seminary Code of Conduct applies to conduct that occurs on Seminary premises, at Seminary sponsored activities, and to off-campus conduct that adversely affects the Seminary Community and/or the pursuit of its objectives. Each member of the community shall be responsible for his/her conduct from the time of application for admission or employment through the actual awarding of a degree or termination of employment, even though conduct may occur before classes (or employment) begins or after classes (or employment) end, as well as during the academic year and during periods between terms of actual enrollment (or while on leave or vacation) even if his/her conduct is not



discovered until after a degree is awarded or employment terminated. The Seminary Code of Conduct shall apply to a student's conduct even if the student withdraws from school while a disciplinary matter is pending. For student behavior, the Director of Student Affairs or his/her designee shall decide whether or not the Seminary Code of Conduct shall be applied to conduct occurring off-campus on a case-by-case basis.

The following actions are prohibited and constitute a violation of the Seminary Code of Conduct. The Director of Student Affairs oversees all cases involving alleged violations of Conduct.

To determine whether an organization is responsible for a violation of the code of conduct, all circumstances will be considered, including, but not limited to:

- a) whether the misconduct was committed by one or more members of the organization;
- b) whether officers of the organization had prior knowledge of the misconduct;
- c) whether organization funds were inappropriately reimbursed;
- d) whether the misconduct occurred as a result of an organization-sponsored function; and
- e) whether members of the organization intentionally lied about the incident.

### 1. Academic Dishonesty

Academic Dishonesty means that student or faculty knowingly performed, attempted to perform, or assisted another in performing any act of academic dishonesty.

The Reformed Seminary honors all intellectual properties including all copyrights, patents, trademarks, trade secrets and computer software, applies to students as well as to faculty and staff. All infringements of student, faculty and staff on intellectual properties are subject to punishment by law and by Reformed Seminary Policy.

All Reformed Seminary students are required to respect intellectual rights of fellow students and faculty members. Any activities such as copying or borrowing works are strictly prohibited. Any course material, printed information, documents, any visual material, recorded course works, and academic development are strictly protected by Reformed Seminary.

Furthermore, the Seminary strongly believes that education and campus life is an on-going, critical, ever-challenging, and constructive communication among students, faculty, and administration not excluding academy and church, and the sources of knowledge which are used to inform it. When sources of information are not acknowledged or shared, the communication loses its power and authority, students lose their voice, and the sources lose their integrity.

Therefore, at the Reformed Seminary, plagiarism is considered a serious threat to good learning and academic standards because it threatens the communication necessary for better educational conditions at the Reformed Seminary.



The followings are the list of academic dishonesty the Seminary strongly opposes and prohibits; the student violator of these items shall be permanently expelled from the Seminary without any possibility of re-entry and faculty violator of these items shall face judiciary actions against him/her which may result in termination of employment agreement with the Seminary:

**Plagiarism:** A student or faculty plagiarizes if student or faculty uses the ideas, words or work of another person as their own ideas, words or work. Plagiarism is to be distinguished from inadequate and/or inappropriate attempts to acknowledge the words, works or ideas of someone else. Plagiarism includes, but is not limited to:

- Copying unacknowledged passages from textbooks;
- Reusing in whole or in part the work of another student or persons modified or otherwise;
- Obtaining materials from the Web and submitting them, modified or otherwise, as one's own work;

**Cheating:** Any constituent of the Seminary is considered cheating if the constituent does not abide by the conditions set for a particular learning experience, items of assessment and/or examination. Cheating includes, but is not limited to:

- Falsifying data obtained from surveys or similar activities;
- Copying the answers of another student in an examination or allowing another students to copy answers in an examination;
- Taking unauthorized materials into an examination;
- Sitting in examination for another student or having another person at an examination on behalf of oneself;
- Removing an examination question paper from an examination room where this is contrary to instructions;
- Improperly obtaining and using information about an examination before an examination;
- Making changes to an assignment that has been marked then returning it for re-marking claiming that it was not correctly marked.

**Collusion:** A student colludes when student works without the permission of the instructor with another person or persons to produce work which is then presented as work completed independently by the student. Collusion includes, but is not limited to:

- Writing the whole or part of an assignment with another person;
- Using the notes of another person to prepare an assignment;
- Using the resource materials of another person that have been annotated or parts of the text highlighted or underlined by another person;
- Allowing another student, who has to submit an assignment on the same topic, access to one's own assignment under conditions which would give that other student an advantage in submitting his or her assignment.

**Other:** A student commits an act of academic dishonesty when student inhibits or prevents other people's legitimate learning or teaching. Such actions include but are not limited to:

- Any infringement of the library rules, including specifically (i) withholding books from the library in such a



way as prevents other students having access to the books at the time they may need them (ii) defacing books from the library, or (iii) stealing books from the library;

- Any disruption of classes;
- Any other conduct which unreasonably impairs the rights of other persons to pursue their work, studies or research.

## 2. Other Acts of Dishonesty

- Intentionally furnishing false information to the Seminary and its officials; or misusing affiliation with the Seminary to gain access to outside agency services; or using false information or Seminary resources to compromise the name of the Seminary. Forgery, unauthorized alteration, or unauthorized use of any Seminary document or electronic transmission, or instrument of identification, or academic and non-academic records, signatures, seals, or stamps thereof.
- Forgery, alteration, or misuse of any Seminary document, record, or instrument of identification.
- Causing, condoning, or encouraging the completion of any Seminary record, document, or form dishonestly.
- Offering or causing to be offered any bribe or favor to a Seminary official in order to influence a decision.
- Tampering with the election of any Seminary recognized student government association at the Reformed Seminary.
- Casting or attempting to cast more than one ballot in any election or referendum on campus.

## 3. Disorderly Conduct

- Disruption or obstruction of teaching, research, administration or other Seminary activities.
- Engaging in conduct that causes or provokes a disturbance that disrupts the academic pursuits, or infringes upon the rights, privacy, or privileges of another person.
- Physical abuse, verbal abuse, threats, intimidation, harassment, coercion, and/or other conduct that threatens or endangers the health or safety of another person. In recognition and support of the First Amendment of the United States Constitution, freedom of expression and academic freedom shall be considered in investigating and reviewing these types of alleged conduct violations.
- Violation of Seminary policy and procedures regarding sexual harassment, other forms of harassment, and non-discrimination policies. For information regarding these policies and procedures see Seminary Catalog under Policies on Sexual Harassment. Sexual Harassment includes the followings:
  - a. Making unwanted verbal or physical advances or sexually explicit derogatory statements toward individuals, which cause them discomfort or humiliation or which interferes with their educational or employment opportunity.
  - b. Demanding sexual favors accompanied by implied or overt threats concerning one's job, or performance evaluation (grades).
  - c. Quid Pro Quo—Demanding sexual favors in exchange for a job or performance evaluation (grades) by a person in a position of authority over another.



## d. Physical assault.

- Violation of published Seminary policies, rules, or regulations.
- Failure to comply with directions of Seminary officials or law enforcement officers acting in performance of their duties and/or failure to identify oneself to these persons when requested to do so.
- Participating or assembling any demonstrations exceeding the bounds of free assembly and demonstrations engaging in unlawful acts that cause or imminently threaten injury to person or property, infringes on the rights of other members of the Seminary community leading to or inciting others to disrupt scheduled and/or normal activities within any campus building or area.
- Circulating any advertising media without approval from proper Seminary officials or in a manner that violates or is contrary to policies of the Department of Planning, Department of Promotion, Office of Student Affairs, the Seminary, and state or local law.

#### 4. Alcohol and Other Drug Related Misconduct

Georgia law prohibits possession or consumption of alcoholic beverages by those under the legal drinking age and prohibits making alcoholic beverages available to persons under the legal drinking age. The Reformed Seminary supports a program of alcohol education and expects those who choose to use alcohol to do so responsibly.

- All students and members of the Seminary under the age of 21 are prohibited from possession and consumption of alcohol. All students are prohibited from the use and possession of illegal drugs except as permitted by law.
- Any use, possession, distribution, or sale of alcoholic beverages or narcotic or other controlled substances within the Seminary premises is strictly prohibited.

#### 5. Theft, Damage and Disregard for Property

No Seminary member shall take, attempt to take, or keep in his/her possession items of Seminary property; items or services rented, leased or placed on the campus at the request of the institution; items belonging to students, faculty, staff, guests of the Seminary or student organizations; or items belonging to individuals or businesses off campus without proper authorization.

- Malicious or unwarranted damage or destruction of items of Seminary property; items rented, leased, or placed on the campus at the request of the institution; items belonging to students, faculty, staff, guests of the Seminary or student organizations; or items belonging to individuals or businesses off campus is prohibited.
- Selling or attempting to sell a textbook unless the seller is the owner of the textbook or has the permission of the owner to do so.
- Taking, attempting to take, or keeping items belonging to the library or items placed in the library for display.

#### 6. Weapons



Possessing firearms, explosives, other weapons, or dangerous chemicals on Seminary property is not permitted at all times.

Reformed Seminary takes student, faculty and staff safety very seriously. There will be no drugs, alcohol, weapons, sexual activities, violent activities and/or any illegal activities allowed on campus. There will be no exceptions excluding prescription medicines. Illegitimate possession of harmful material on campus shall result in termination of student status (i.e., expulsion) without any hesitation, and the Reformed Seminary shall formally seek legal actions against the violator to be reported to federal authorities in U.S.

The Seminary takes 3-R measures to deal with emergency situations recommended by the U.S. Department of Education: Readiness, Response and Recovery. We like to prevent all unsafe situations by asking all members of Reformed Seminary to use their common sense. The Reformed Seminary is pursuing more effective measures to contact students in case of emergency; the Department of Campus Security shall transmit electronic message (SMS) via student's cellular phone and his/her email account to exert alertness and readiness for safety.

#### 7. Unauthorized Entry/Use of Seminary Property/Facilities/Keys

- Unauthorized entry or attempted entry into any building, office, or other Seminary facility.
- Making or attempting to make unauthorized use of Seminary facilities.
- Unauthorized possession, use, or duplication of Seminary keys or other methods of controlled access (i.e. cards, codes).

#### 8. Student Housing

- Unauthorized entry, attempted entry, or remaining in restricted areas, including roofs, of any Seminary-owned student residence.
- Failure to comply with policies established in various housing facilities for the protection of the privacy, rights, privileges, health or safety of the community. (See The Campus Housing Guidance)

#### 9. Gambling

Conducting, organizing, or participating in any activity involving games of chance or gambling except as permitted by law and Seminary policy.

#### 10. Hazing

The Seminary does not condone hazing in any form. Hazing is defined as any intentional, negligent or reckless action, activity or situation that causes another pain, embarrassment, ridicule or harassment, regardless of the individual's willingness to participate. Such actions and situations include, but are not limited to, the following:

- Forcing or requiring the drinking of alcohol or any other substance;
- Forcing or requiring the consumption of food or any other substance;



- Calisthenics (push-ups, sit-ups, jogging, runs, etc);
- Line-ups;
- Theft of any property;
- Causing fewer than six (6) continuous hours of sleep per night;
- Conducting activities that do not allow adequate time for study;
- Forcing or requiring nudity at any time;
- Performing acts of unwanted personal servitude for members;
- Forcing or requiring the violation of Seminary policies, federal, state or local law.

#### 11. Shared Responsibility for Violations

- Acting in concert to violate Seminary conduct regulations.
- Knowingly condoning, encouraging, or requiring behavior that violates Seminary conduct regulations.
- Allowing, condoning, permitting or providing opportunity for a guest to violate Seminary conduct regulations.

#### 12. Non-Compliance with Official Direction

Failure to comply with reasonable direction of Seminary officials acting in performance of their duties.

#### 13. Animals

Bringing an animal (including, but not limited to, cats, dogs, and snakes) into any Seminary building, with the exception of guide animals, animals used for authorized laboratory purposes, or animals for which expressed permission has been granted.

#### 14. Under aged visitors within the Seminary Premises

Unless permitted by the President in advance and his/her written consent, at any circumstances, members of Seminary Community shall not be allowed to accompany his/her under aged children or siblings into the Seminary Premises. When injuries or any other bodily damages occur within the Seminary Premises either intentionally or unintentionally, the Seminary shall not be liable or responsible for the damage.

#### 15. Political Activities

Unauthorized use of Seminary facilities or equipment for political activities.

#### 16. Local, State, Federal Laws and Ordinances

Violation of a local, state, or federal law or ordinance violates this Code and is subject to proceedings under this Code which may go forward against the accused who has been subjected to criminal prosecution only if the Seminary determines that its interest is clearly distinct from that of the community outside of the Seminary. Ordinarily the Seminary will not impose sanctions if public prosecution is anticipated or until law enforcement officials have disposed of the case.



## ACCEPTANCE OF GIFTS

It is the Seminary's desire to at all times preserve and protect its reputation and to avoid the appearance of impropriety through implementation of the following standards:

- Gifts from Students: Members of the Seminary Community are prohibited from soliciting tips, personal gratuities, or gifts from students and from accepting monetary tips or gratuities. If a student or another individual wishes to present a monetary gift, he/she should be referred to the Office of Finance regardless of purpose or the value of gratuities.
- Gifts Influencing Decision-making: Members of the Seminary Community shall not accept gifts, favors, services, entertainment, or other things of value to the extent that decision-making or actions affecting the Seminary might be influenced. Similarly, the offer or giving of money, services or other things of value with the expectation of influencing the judgment or decision-making process of any purchaser, supplier, customer, government official or other person by the Seminary is absolutely prohibited. Any such conduct must be reported immediately either to the President.
- It is the Seminary's firm decision not to retain any gifts or gratuities from vendors or any affiliates who may receive positive decisions to be profited.

## PERSONAL USE OF SEMINARY ASSETS

No Member of the Seminary Community shall convert assets of the Seminary to personal use. All Seminary property shall be used and business shall be conducted in a manner designed to further the Seminary's interest rather than the personal interest of individual Members of the Seminary Community. Members of the Seminary Community are prohibited from the unauthorized use or taking of the Seminary's equipment, supplies, materials, or services. Prior to engaging in any activity during working hours which will result in remuneration to Members of the Seminary Community or the use of the Seminary's equipment, supplies, materials, or services for personal or non-work related purposes, Members of the Seminary Community shall obtain the approval of the appropriate business unit or other management of the Seminary.

## SANCTIONS

The purpose of sanctions is to provide a fair educational opportunity for all found responsible for their actions. The followings are the sanctions in discretion of judicial proceedings and decisions:

Warning: Notice to the offender, orally or in writing, that continuation or repetition of prohibited conduct may be cause for further disciplinary action.

Censure: A written reprimand for violation of specified regulations, including a warning that continuation or repetition of prohibited conduct may result in further disciplinary action within a specified period stated in the letter of reprimand. A copy of the Censure shall be kept in the student's file in the Office of Student Affairs.



Disciplinary Probation: May include exclusion from participation in privileged or curricular activities for a specified period; additional restrictions or conditions may be imposed. Violations of disciplinary probation terms, or any other Code violation during the probation period, will normally result in suspension or expulsion from the Seminary. A copy of the Censure shall be kept in the student's file in the Department of Student Affairs, and additional copy shall be electronically stored in student's database for further reference.

Residence Probation: May include exclusion from participation in privileged residence facilities for a specified period. A copy of the residence probation letter will be retained in the student's file in the Department of Student Affairs, and additional copy shall be electronically stored in student's database for further reference.

Restitution: Repayment to the Seminary or to all affected parties for damages resulting from a violation of this Code.

Suspension: Exclusion from classes and other privileges or activities as set forth in a written notice for a definite period of time not to exceed one year.

Residence Suspension/Permanent Removal: Exclusion from the residence facilities for a specified period, or permanent removal from the residence hall.

Expulsion: Termination of Student status and permanent exclusion from Seminary privileges and activities. A copy of the expulsion notice and the decision proceedings minutes will be retained in the student's file in the Department of Student Affairs, and additional copy shall be electronically stored in student's database for further reference.

Denial of Employment: Suspension or exclusion from current or future Seminary employment. A copy of the Denial notice and the decision proceedings minutes will be retained in the faculty file in the Office of Academic Affairs, and additional copy shall be stored in the faculty file in the Human Resources Department for further reference.

Other sanctions as deemed appropriate.

#### **PROCEDURE - DISCIPLINARY CONFERENCE**

Students or faculty accused of offenses that may result in penalties less than expulsion, suspension, or termination of employment from the Seminary are subject to a disciplinary conference in the Office of Student Affairs or the Office of Academic Affairs. A disciplinary conference is an informal process designed to gather and consider relevant information regarding alleged violations of the Code and to determine a sanction, if applicable.

Students accused of offenses that may result in suspension or expulsion from the Seminary will be referred for a formal



hearing to the Faculty Committee on Academic Standing or an appropriate administrative hearing officer.

Faculties accused of offenses that may result in suspension or expulsion from the Seminary will be referred for a formal hearing to the Faculty Committee on Faculty Assessment or an appropriate administrative hearing officer. Every effort will be made to expedite proceedings pursuant to allegations within a reasonable period.

The following procedural guidelines shall be applicable in disciplinary hearings:

1. Respondents shall be given notice of the hearing date and the specific charges against them at least five (5) business days in advance.
2. The respondent will have reasonable access to the case file prior to and during the hearing; personal notes of Seminary staff members or complainants are not included. This file will be retained in the Office of Student Affairs or in the Office of Academic Affairs depending on the position of the respondents.
3. The presiding person may call witnesses upon the motion of any hearing body member or of either party and shall summon witnesses upon request of the Office of Student Affairs or in the Office of Academic Affairs depending on the position of the respondents, and shall be personally delivered or sent by certified mail, returned receipt requested.
4. Seminary students and employees are expected to comply with such summons, unless compliance would result in significant and unavoidable personal hardship or substantial interference with normal Seminary activities.
  - Failure to comply with said requests may result in sanctions against the summoned witness.
  - Witnesses that provide false information can be charged with violation.
  - In the event that the respondent fails to appear after proper notice, the hearing will proceed, as scheduled, in the absence of the respondent.
5. Hearings will be closed to the public.
6. The presiding person shall exercise control over the proceedings to avoid needless consumption of time and to achieve orderly completion of the hearing. Any person, including the respondent, who disrupts a hearing, may be excluded by the presiding person.
7. Hearings shall be tape recorded.
8. Witnesses shall be asked to affirm that their testimony is truthful and may be subject to charges of intentionally providing false information to the Seminary.
9. Prospective witnesses, other than the complainant and the respondent, may be excluded from the hearing during the testimony of other witnesses. All parties, the witnesses, and the public shall be excluded during Committee deliberations.
10. Finding the respondent responsible shall be established by evidence which, when fairly considered, produces the stronger impression, has the greater weight, and is more convincing as to its truth when weighed against the evidence in opposition thereto.
11. Formal rules of evidence shall not be applicable in disciplinary proceedings conducted pursuant to this Code. Unduly repetitious or irrelevant evidence may be excluded, as determined by the presiding person.



12. Complainants and respondents shall be accorded all opportunity to question those witnesses who testify for either party at the hearing.
13. Every statement or assertion need not be proven. Committee members may take notice of matters that would be within the general experience of Seminary students and faculty members.
14. A finding of responsible shall be followed by a deliberation as to sanction. The past disciplinary record of the respondent will only be supplied to the hearing body after a determination of responsible.
15. Any finding of responsible will be supported by written findings that will be placed in the case file and made available to the respondent.

### **APPEALS**

Any disciplinary determination may be appealed by the respondent to the Director of Academic Affairs or his/her designee. Requests for appeals must be submitted in writing to the Director of Academic Affairs or designee within five (5) business days from the date of the letter notifying the respondent of the original decision. Failure to appeal within the allotted time will render the original decision final and conclusive.

The Director of Academic Affairs or designee will not conduct a re-hearing of the case, but will consider an appeal based on the respondent's claim of one, or more of the following:

- a) a flaw in the Seminary constituent's right of due process
- b) evident bias in the decision of the hearing;
- c) presence of relevant new evidence or information, not available at the time of the conference or hearing,
- d) sanction out of proportion to the offense. The Director of Academic Affairs or designee may uphold or reverse a 'found responsible' decision, reduce a sanction, or refer the case for re-hearing.
- e) new evidence or insufficient consideration of all aspects of the situation.

### **DISCIPLINARY FILES AND RECORDS**

Disciplinary files and records are protected by the Family Educational Rights and Privacy Act (FERPA) regulations and are maintained by the Office of Student Affairs or by the Office of Academic Affairs depending on the position at the Seminary. In the event of student expulsion and other sanctions for which it is deemed appropriate, a disciplinary notation will be included in the permanent student record maintained by the Office of Admissions.

### **CONFIDENTIALITY OF RECORDS**

A student or faculty may authorize the release of his/her disciplinary record to any party by making a written request. Any other party seeking access to a record of a Seminary judicial hearing must file a written request pursuant to the Georgia Open Records Act (O.C.G.A. §§ 50-18-70, et seq.) with the Office of Public Relations. Certain information, such as medical information and social security numbers, may be removed from a student's record before it is released to a third party.



**DESTRUCTION OF RECORDS**

All records of cases in the Seminary Judicial System shall be maintained in a location designated by the Director of Academic Affairs until such time as they are destroyed in accordance with the destruction schedule established by the Director of Academic Affairs in compliance with the schedule by the order of President.