

IV. Administrative Policies

A. Disruptive Student Conduct in the Classroom or Other Learning Environment - RESCINDED February 9, 2022 by the Administrative Council

DEFINITION:

Disruptive student behavior is student behavior in a classroom or other learning environment (to include both on and off-campus locations), which disrupts the educational process. Disruptive class behavior for this purpose is defined by the instructor. Such behavior includes, but is not limited to, verbal or physical threats, repeated obscenities, unreasonable interference with class discussion, making/receiving personal phone calls, text messages or pages during class, excessive tardiness, leaving and entering class frequently in the absence of notice to instructor of illness or other extenuating circumstances, and persisting in disruptive personal conversations with other class members. For purposes of this policy, it may also be considered disruptive behavior for a student to exhibit threatening, intimidating, or other inappropriate behavior toward the instructor or classmates outside of class.*

PREAMBLE:

When disruptive behavior occurs in the class, the instructor shall make reasonable effort to address the Disruption with the student, preferably in private. Georgia State encourages members of the university community to try to resolve problems informally whenever possible. Toward that end, the instructor and student may consult with the office of the Ombudsperson, the Dean of Students office, or other university offices to discuss ways to resolve the situation informally at any time during the process set forth in this policy. Should the instructor elect to withdraw the disruptive student, the following procedures should be followed. Individual college or academic units may have supplementary procedures to deal with disruptive student behavior so long as those procedures are consistent with this policy. Where this policy conflicts with the *Student Code of Conduct*, this policy will prevail with respect to disruptive behavior in the academic setting.

PROCEDURE:

STEP ONE: INSTRUCTOR'S RESPONSE TO DISRUPTIVE BEHAVIOR

When disruptive behavior occurs in a class:

1. The instructor will warn the student. The warning will consist of orally notifying the student that his/her behavior is disruptive and that it must cease immediately, or the student will face removal from the class.
2. If the student fails to comply with the instructor's warning, the instructor may require the disruptive student to immediately leave the classroom for the remainder of the class period. If the student refuses to leave, the instructor may summon the campus police to remove the student.
3. If the instructor believes the disruptive behavior poses an immediate threat to the safety of the instructor, the student, or any other students or persons, the instructor may summon the campus police to remove the student, regardless of whether a warning has been issued. This action should be immediately reported by the instructor to the Dean of Students for review with respect to whether the student's behavior poses an imminent threat to self or others such that s/he should be removed from the university, pending disciplinary proceedings.
4. If the instructor chooses to allow the student to return to the class and continue in the course, the process is resolved. If at any time the instructor or student believes it would be beneficial to contact the university office of the Ombudsperson, s/he may consult an Ombudsperson in an effort to resolve the matter.
5. If the instructor believes the student should not be permitted to return to the class to continue in that course, s/he should proceed to Step Two, below.

STEP TWO: WITHDRAWAL PROCESS

A. THE INSTRUCTOR

1. If the instructor decides that withdrawing the student from the course is necessary, s/he shall, within one (1) working day of the disruptive incident, provide the department Chair with a written report of the disruptive incident(s).
2. If the Instructor has the disruptive student in more than one class, and the Instructor decides that the student is disrupting learning in more than one of those classes, or when the student is exhibiting threatening and/or intimidating behavior outside the class (e.g., in the instructor's office, outside the classroom, etc.), the instructor has the authority under this policy to initiate removal of the student from all courses taught by that instructor, with the signed approval of the Chair and Dean or Associate Dean of the college, or the Dean or Associate Dean's designated representative.

B. DEPARTMENT CHAIR

Except for extenuating circumstances, the Chair will:

1. Notify the student in writing, via e-mail and U.S. Mail, within 1 day of receiving the Instructor's notice that the matter has been submitted to the department Chair for a decision on whether the student should be removed from the course, and that s/he may not return to the class until the issue is resolved. This notice shall include a written description of the disruptive behavior complained of and a copy of the *Disruptive Student Conduct in the Classroom or Other Learning Environment Policy*, which includes a description of the appeals process. The student will also be informed that if s/he wishes to respond to the complaint, s/he must submit a written statement to the Chair and meet with the Chair within five 5 working days from the date of the written notice. The Chair's contact information and the contact information for the office of the Ombudsperson should be included.
2. Make her/himself available to meet with the student as soon as possible within 5 working days after written notice to the student.
3. Decide on the appropriate outcome and send notice of the decision, with an explanation of the basis for the decision, to the student. The decision may consist of:
 - Allowing the student to return to course or courses, with or without conditions;
 - Allowing or requiring the student to transfer to another course section or sections; or
 - Withdrawing the student from the involved course or courses.
4. Notify the student via e-mail and U.S. mail of his/her decision within 5 working days of receiving the student's response. If the Chair decides that the student should be removed from the involved course or courses, s/he will notify the Dean of Students, who will send an email requesting the withdrawal to the Registrar. A copy of the withdrawal email to the Dean of Students will be mailed to the student by the Chair via e-mail and U.S. mail at the time the Chair's written notice of his/her decision is sent. The Chair will also include notice that the student may appeal the decision by submitting a written appeal to the College Dean, which shall detail the basis of the student's denial of the charges, within 5 working days from the date of the Chair's written notice of his/her decision.
5. Notify the Academic Dean and the Dean of Students of the charges and action taken.

STEP THREE: THE APPEALS PROCESS

The student may appeal the decision of the department Chair to the Dean of the College. The student's appeal must be received by the Dean, in writing, within 5 working days of the date of the Chair's decision. The Dean's decision shall be made and, except for extenuating circumstances, will be sent to the student within five 5 working days of receipt by the Dean of the student's appeal via mail and U.S. mail.

The student may appeal the decision of the Dean of the College to the university Provost. This appeal must be in writing and received within 5 working days of the date of notification of the Dean's decision. The Provost, except for extenuating circumstances, will make a decision within 5 calendar days and notify the student via e-mail and U.S. mail.

The student may appeal the decision of the Provost to the university President. This appeal must be in writing and received within 5 working days of the date of notification of the Provost's decision. The President, except for extenuating circumstances will make a decision within 15 calendar days and notify the student via e-mail and U.S. mail. The

President's decision shall be final at the university level.

To appeal to the Board of Regents, the student may make an application for review to the Board of Regents within 20 calendar days of the date of the President's decision. The application 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. If the application for review is granted, the Board will, except for extenuating circumstances, investigate the matter thoroughly and render its decision thereon within 60 calendar days from the date of any hearing that may have been held. The Student will be notified according to the set procedures of the Board. The decision of the Board shall be final and binding for all purposes.

If the Board of Regents:

- 1) issues a final decision, then the university system administrative appeals process has been exhausted; or
- 2) remands the matter to the university for further consideration, then administrative deliberation on the dispute continues until such point as a final administrative decision on the dispute is made.

[Note: After a final administrative decision on the student appeal is made within the university system hierarchy, then there is the "possibility" of the student seeking judicial review of the matter.]

STEP FOUR: FINAL RESOLUTION

Students withdrawn for disruptive behavior from a course will receive a grade of W or WF, according to university policy. If the charge of disruptive behavior is upheld, regardless of whether the student is allowed to return to the course, the student is responsible for any loss of financial aid. In the event a decision is made at any point in this process that the student was removed without sufficient cause, then the student will be allowed to immediately return to the course without penalty and the chair will work with the student to facilitate the completion of any work missed.

The Department Chair or Dean of the College, depending upon where the decision ends, will notify the Dean of Students of the final decision on the matter. If the appeal goes to the university President or to the Board of Regents, the President will notify the Dean of Students and the Dean of the College. The Dean of Students will maintain a record of any disciplinary action and may initiate additional disciplinary processes at his/her discretion.

*For purposes of this document, the word "class" is defined as one specific meeting of students and professor while the word "course" refers to the entire section.

Amended by the Senate on April 20, 2006

(See next page for flow chart.)

Procedure Chart for Removal of Student from Classroom for Disruptive Behavior

Procedure	Time Frame	Actions in Process	Notification Requirements
Step One	Working Day 1	Incident Occurs	The Instructor may: <ol style="list-style-type: none"> 1. Issue an oral warning. 2. Require student to leave the class. 3. Have security remove the student. 4. Readmit the student to class.
Step Two	Working Day 2	Instructor elects to remove student from course or courses	The Instructor will: <ol style="list-style-type: none"> 1. Notify the chair. 2. Include written report of the incident.
	Working Day 3	The Chair notifies the student	The chair via e-mail and U.S. mail will: <ol style="list-style-type: none"> 1. Provide the Student with notice that (a) request for removal has been submitted to the chair and (b) student may not return to the classes in question until issue is resolved. 2. Include written report of disruptive behavior, copy of <i>Disruptive Student Conduct in Classroom</i> policy, and contact information for Chair and Ombudsperson. 3. Alert student to complete appeal to chair within 5 days of notification date.
	Working Days 3-8	Student may respond	The Student may: <ol style="list-style-type: none"> 1. Submit a written statement to the Chair. 2. Meet with the Chair within five (5) working days from the date of the written notice. 3. Consult with office of the Ombudsperson, the Dean of Students office, or other university offices.
	Working Days 9-13	Chair notifies student of decision <ol style="list-style-type: none"> 1. To allow the student to return to course or courses, with or without conditions; 2. To allow or require the student to transfer to another course section or sections; or 3. To withdraw the student from the involved course or courses. 	The Chair will: <ul style="list-style-type: none"> • Notify the Student of his/her decision via e-mail and U.S. mail (within 5 working days). • If the decision is to withdraw the student, the Chair will also send an email requesting a withdrawal to the Dean of Students. <ol style="list-style-type: none"> 2. Send an email notification to the student. 3. Include notice that the Student may appeal the decision by submitting a written appeal to the Dean, which shall detail the basis of the student's denial of the charges. 4. Notify academic Dean and Dean of Students of charges and action taken. 5. Notify the Dean of Students to withdraw the student from the class, if a class withdrawal is desired.
Step Three	Working Days 14-18	Student may appeal to Dean	The Student may submit written appeal to Dean within 5 working days.
	Working Day 23	Dean responds to students appeal	The Dean will: <ol style="list-style-type: none"> 1. Notify student of decision via e-mail and U.S. mail within 5 working days. 2. Notify student of right to appeal to Provost. 3. Alert student to complete appeal to Dean within 5 days of notification date. 4. Notify Dean of Students of charges and action taken.
	Working Day 28	Student may appeal to the Provost	The Student may submit written appeal to Provost within 5 working days.
	Working Day 33	Provost responds to students' appeal	The Provost will: <ol style="list-style-type: none"> 1. Notify student of decision via e-mail and U.S. mail within 5 working days 2. Notify student of right to appeal to the President. 3. Notify academic Dean and Dean of Students of action taken.
	Working Day 38	Student may appeal to President	Student may submit written appeal within 5 working days.
	Calendar Day 53	President responds to student's appeal	The President will: <ol style="list-style-type: none"> 1. Notify student of decision via e-mail and U.S. mail within 15 calendar days. 2. Notify student of right to appeal to the President. 3. Notify academic Dean and Dean of Students of action taken.
	Calendar Day 73	Student may appeal to Board of Regents	Student may submit written appeal within 20 calendar days.
	Day 133	The Board of Regents responds to student's appeal	The Board of Regents will respond in accordance with Board procedures within 60 calendar days. The President will notify the academic Dean and Dean of Students of action taken.

B. Non-Discrimination Policy

1. Non-Discrimination

Georgia State University does not discriminate against individuals on the basis of race, color, sex, religion, creed, age, sexual orientation, gender, disability, national origin, or veteran status in employment or the administration of the program and activities conducted by Georgia State University or any of its several departments now in existence or hereafter established. Additionally, no Registered Student Organization may engage in discriminatory conduct whether collectively or through the actions of its individual members. (*See Code Section I. Registering Student Organizations.*)

2. Reporting

Members of the university community who believe they have been discriminated against by the university or a Registered Student Organization should contact the following offices to report the incident and for direction in filing a formal complaint:

- a. Discrimination by student organizations should be reported to the Dean of Students, office of the Dean of Students, Suite 303, Student Center East, 404-413-1515, deanofstudents@gsu.edu.
- b. Discrimination by faculty or staff should be reported to the Assistant Vice President of Human Resources, office of Opportunity Development/Diversity Education Planning (ODDEP), Suite 527, 1 Park Place South, 404-413-2567.

3. Review Process

The Dean of Students will conduct a timely review of all complaints of discrimination against student organizations, including interviewing individuals identified in the complaint to determine whether there is sufficient basis to believe that a violation of the Non-Discrimination Policy may have occurred. Based upon the findings of fact during the review, if the Dean of Students determines that there is sufficient basis to believe that a violation of the Non-Discrimination Policy may have occurred, the Dean of Students will initiate Code charges regarding the alleged Code violation (*See Student Code of Conduct – General Conduct Policy and Procedures*).

4. Sanctions for Student Organization Violations of the Non-Discrimination Policy

- a. Violations of this policy by a Registered Student Organization will be adjudicated and may result in disciplinary action up to and including revocation of the organization's university registration.
- b. In addition to the foregoing sanctions, the Dean of Students may impose the following sanctions:
 1. A student organization that fails to respond to the Dean of Student's requests on any matter including, but not limited to, a request to meet concerning allegations of the Discrimination and Discriminatory Harassment policies, shall be subject to sanctions up to suspension of its university registration for one (1) year.
 2. A student organization that provides any false information or false testimony shall be subject to sanctions up to suspension of its university registration for two (2) years.
 3. A student organization that is found responsible for a second violation of the Non-Discrimination Policy, within six (6) years of the prior violation shall be subject to a minimum of a six (6) year suspension up to permanent revocation of its university registration.