

The Suffolk County Community College Student Code of Conduct is adapted in part, from The NCHERM Group Model Developmental Code of Student Conduct and is used here with permission.

Suffolk County Community College Student Code of Conduct

Section 1: Philosophy	2
Section 2: Definitions	3
Section 3: Jurisdiction	3
Section 4: Violations of the Law	5
Section 5: College Regulations	5
Section 6: Student Conduct Authority	11
Section 7: Formal Conduct Procedures	12
Section 8: Additional Procedures For Allegations/Violations of Title IX	24
Appendix A	32

students through social and ethical awareness. In addition, the College is committed to preserving a climate conducive to our dedication to academic endeavors, and protecting its property and that of its community members. It is important to treat all community members with equal care, concern, honor, fairness and dignity. The College has established core values of student conduct which meet our mission.

Core Values of Student Conduct

- x Integrity: College students exemplify honesty, honor and a respect for the truth in all of their dealings.
- x Community: College students build and enhance their community.
- x Social Justice: College students are just and equitable in their treatment of all members of the community and act to discourage and/or intervene to prevent unjust and inequitable behaviors.
- x Respect: College students show positive regard for each other, for property and for the community.
- x Responsibility: College students are given and accept a high level of responsibility to self, to others and to the community.

student conduct, the College considers an individual to be a student when an offer of admission has been extended as long as the student has a continuing educational affiliation with the College

The College retains conduct jurisdiction over students for any misconduct that occurred prior to a leave of absence with final graduation. If sanctioned, a hold may be placed on enrollment and/or the ability to obtain official transcripts.

5d j ET Qd [(t)as1 Td ()Tj q 0 0 612 792 re W*[(m /C2_1 12 Tf 128.54 620.74 Td [<0189>-4 <016F-0. <01c 2-3 21.

pteh. ()-792 reptelace d [(t)-4 (n 2 rep)66 650.02 Td [(0 0 6(s))T0 612ampmay)u6T /Ts.TT2 1 re-54.03s.

in this document. These expectations and rules apply to all students. The College encourages community members to report to college officials all incidents that involve the following actions. Any student found to have committed or to have attempted to commit the following misconduct is subject to the sanctions outlined in Section 7: Formal Conduct Procedures.

- 8) Rioting. Causing, inciting or participating in any disturbance that presents a danger to self or others, or causes physical harm to others, or damage and/or

- a) Intentionally or recklessly causing a fire which damages College or personal property or which causes injury
- b) Failure to evacuate a College controlled building during a fire alarm;
- c) Improper use of College fire safety equipment; or
- d) Tampering with or improperly engaging a fire alarm or fire detection/control equipment while on College property;

17) Security Cameras Tampering with and/or causing damage to College security cameras;

18) Animals Animals, with the exception of service animals, are not permitted on campus

19) Wheeled Devices Skateboards, roller blades, roller skates, bicycles and similar wheeled devices are not permitted to be used inside College buildings or on athletic courts. Additionally, skateboards and other wheeled items may not be ridden on railings, curbs, benches, stairs, or any such fixtures that may be damaged by these activities. Individuals may be liable for damage to College property. The use of motorized wheeled devices on College property is strictly prohibited.

20) Unmanned Aircraft Systems and Drones. The use of unmanned aircraft systems or drones for hobby or recreational purposes over College property is currently not permitted. In the event the use of a drone over College property is necessary to fulfill an academic or research purpose, prior written permission must be requested from the Director of Fire and Public Safety. No unmanned aircraft systems or drones are allowed over any and all property owned, rented, leased, or controlled by the College unless prior written permission has been obtained from the Director of Fire and Public Safety

Social Justice: Students recognize that respecting the dignity of every person is essential for creating and sustaining a flourishing college community. They understand and appreciate how their decisions and actions impact others.

- b) Failure to provide, destroying or concealing information during an investigation of an alleged policy violation;
- c) Failure to report, or failure to cooperate with, the campus student conduct system;
- d) Harassment (verbal or physical) and/or intimidation of a member of a campus conduct body prior to, during, and/or following a campus conduct proceeding;
- e) Failure to comply with the sanction(s) imposed by the campus conduct system;
- f) Influencing, or attempting to influence,

- 34) Drugs Use, possession, cultivation, sale or distribution of illegal drugs and other controlled substances or drug paraphernalia, except as expressly permitted by law and College policy. Notwithstanding the foregoing, the use, possession, cultivation, sale or distribution of recreational marijuana or cannabis, in any form, shall be strictly prohibited in accordance with the federal Drug-Free Schools and Communities Act and the Drug-Free Workplace Act.
- 35) Failure to Comply Failure to comply with the reasonable directives of College officials, faculty, administrators, Public Safety officers or law enforcement officers during the performance of their duties and/or failure to identify oneself when requested to do so
- 36) Student Identification Card Failure to obtain a student identification card, to carry the card whenever on College premises or at an approved College event to present it when requested by any College official
- 37) Traffic Safety and Parking Regulations Failure to comply with College traffic safety and parking regulations;
- 38) Other Policies Violating other published College policies or rules
- 39) Health and Safety Creation of health and/or safety hazards (dangerous pranks, hanging out of or climbing from/on/in windows, roofs, etc;)
- 40) Violations of Law Evidence of violation of local, state or federal law when substantiated through the College. It is the obligation of every student to notify his/her Campus Associate Dean of Student Services of any felony or misdemeanor arrests occurring at any time after the student is admitted to the College through graduation or separation from the College, regardless of geographic location of the arrest or specific crime alleged. Failure to do so may result in conduct charges by the College

SECTION: STUDENT CONDUCT AUTHORITY

A. Authority

The Student Conduct Board

they cannot make an objective determination must recuse themselves from the proceedings. The Campus Associate Dean of Student Services or his/her designee shall be the non-voting Chair of the Board.

The Campus Associate Dean of Student Services, or designee will assume responsibility for the investigation of an allegation of misconduct to determine if the complaint has merit.

In the case of a possible Title IX violation of the College Deputy Title IX Coordinator (i.e., a Campus Associate Dean of Student Services or designee) under the guidance of the College Title IX Coordinator will assume responsibility for the investigation of an allegation of sexual misconduct or sexual harassment. (See special

- x Take place at organizations sponsored or cosponsored events, whether sponsorship is formal or tacit;
- x Have received the consent or encouragement of the organization or of the

Code of Conduct, found in violation, but allowed to return to the classroom, the student must be given the opportunity to make up any academic work missed, and cannot suffer any form of academic penalty for work missed during the period of the interim suspension.

The College may also impose interim measures and restrictions that may include no contact orders between the parties.

TheCampus

vote, whether by a preponderance of the evidence, is more likely than not that the responding student has violated the Student Code of Conduct. The Campus Associate Dean of Student Services or designee will be present and available as a resource during deliberations.

If there is a finding that the responding student violated the Student Code of Conduct, the Board will determine an appropriate sanction(s), making such a determination the Campus Associate Dean of Student Services or designee is responsible for informing the panel of any previous violations of the Student Code of Conduct.

- 9) The Campus Associate Dean of Student Services will inform the responding student of the final determination within three business days of the hearing. Notification will be made in writing and may be delivered either in person by a College official or mailed (via certified mail) to the local or permanent address of the student as indicated in official College records and e-mail.

shall remain on the academic transcript permanently.

10) Other Sanctions Additional or alternate sanctions may be created and designed as deemed appropriate to the offense, with the approval of the Associate Dean of Student Services or designee. For the student who withdraws from the institution while conduct charges are pending, and declines to complete the disciplinary process, the institution shall make a notation on the transcript that the academic transcript permanently.

The following sanctions may be imposed upon groups or organizations found to have violated the Student Code of Conduct

- 1) One or more of the sanctions listed above, and/or
- 2) Deactivation, de-recognition, loss of all privileges (including status as a College registered group/organization), for a specified period of time.

J. Parental Notification

The College may notify the parents/guardians of students involved in the Student Code of Conduct process, upon consent of such students, or as otherwise permitted pursuant to the Student Records Policy, promulgated in accordance with the Family Educational Rights and Privacy Act (FERPA).

K. Notification of Outcomes

The outcome of a campus hearing is part of the education record of the responding student, and is protected from release under FERPA, except under certain conditions permitted by FERPA, when a student is accused of a policy violation that would constitute a possible sex offense. The College will inform the alleged victim/party bringing the complaint, in writing, of the final results of a hearing regardless of whether the College concludes that a violation was committed. The College will also inform the responding student of the final results of a hearing and the sanctions imposed (if applicable).

In cases where the College determines through the student conduct process that a possible sex offense, the College may also release the above information publicly and/or to any third party.

- 1) Arson
- 2) Assault offenses (includes stalking)

- 3) Burglary
- 4) Criminal Homicide or manslaughter by negligence
- 5) Criminal Homicide or murder and non-negligent manslaughter
- 6) Destruction/damage/vandalism of property
- 7) Kidnapping/abduction
- 8) Robbery
- 9)

with conduct sanctions is satisfactorily achieved. This determination will be made by the Campus Associate Dean of Student Services.

N. Appeal Review Procedures

A student found in violation of the Student Code of Conduct may request an appeal of the decision by filing a written request to the Campus Executive Dean (CED) subject to the procedures outlined below. All sanctions imposed by the original hearing body remain in effect, and all parties should be timely informed of the status of requests for appeal, the status of the appeal consideration, and the results of the appeal decision.

GROUNDINGS FOR APPEAL REQUESTS

Appeal requests are limited to the following grounds:

- 1) A procedural error occurred that significantly impacted the outcome of the hearing.
- 2) New evidence, unavailable during the original hearing investigation that could substantially impact the original finding or sanction, is available for the first time. A summary of this new evidence and its potential impact must be included;
- 3) The sanctions imposed are substantially disproportionate to the level of the violation.

The written notice of the outcome of the hearing will include a date by which an appeal must be submitted, which shall be ten business days from the date of the written notice of the outcome of the hearing. Appeals must be filed in writing with the Campus Executive Dean (CED) by the date specified in the written notice of the outcome of the hearing. Any exceptions are made at the discretion of the Campus Executive Dean (CED) and, when appropriate, the Title IX Coordinator (see Section 8 of this Code).

In Title IX cases only, the Campus Associate Dean of Student Services will provide a copy of the written request to appeal to the non-appealing party or parties.

The Campus Executive Dean (CED) will conduct an initial review to determine if the appeal request meets the limited grounds and is timely.

If the appeal is not timely or substantively eligible, the original finding and sanction will be affirmed and the decision is final. If the appeal is permissible, the Campus Executive Dean will retain the option of meeting with the student to obtain any additional information that s/he determines may be necessary to make a decision. The appeal may result in one of the following actions: affirmation of the original decision and sanction(s); reversal of the original decision and sanction(s); alteration of the sanction(s) which either increase or decrease the level of the sanction(s); or a directive that the

reporting individual acting in good faith that discloses any incident of domestic violence, stalking or sexual assault to College officials or law enforcement will not be subject to College code of conduct action for violation of alcohol and/or drug use policies occurring at or near the time of the commission of the domestic violence, dating violence, stalking or sexual assault.

factors used by the College to determine whether or not to honor such a request from the reporting individual include, but are not limited to:

- x Whether the accused has a history of violent behavior or is a repeat offender;
- x Whether the incident represents escalation in unlawful conduct on behalf of the accused from previously noted behavior;
- x The increased risk that the accused will commit additional acts of violence;
- x Whether the accused used a weapon or force;
- x Whether the reporting individual is a minor; and
- x Whether the institution possesses other means to obtain evidence such as security footage, and whether available information reveals a pattern of perpetration at a given location or by a particular group.

A team of individuals which may include the Title IX Coordinator, Deputy Title IX Coordinator, Director of Public Safety, Deputy General Counsel, Vice President for Student Affairs and Executive Dean will weigh the risks to the reporting individual and other members of the institution's community. The team will make a good faith determination whether or not the process should continue against the wishes of the reporting individual to not have the College come forward. The team will notify the reporting individual of the outcome of this review and take immediate action as necessary to protect and assist the reporting individual.

E. Retaliation

No member of the College community shall retaliate, intimidate, threaten, coerce or otherwise discriminate against a person who files a Title IX complaint, serves as a witness, or assists or participate in a Title IX proceeding in any manner. Participants who experience retaliation should report the incident to the Campus Associate Dean of Student Services/Deputy Title IX Coordinator.

F. External Criminal Investigations

The conduct process must run concurrently with a criminal justice investigation and proceeding,

G. Appeal rights during the conduct process

Interim measures

Upon receipt of a report, the Deputy Title IX Coordinator will confer with the Title IX Coordinator on interim actions that may be necessary.

H. Additional Hearing Procedures

Notification - At least three (3) business days before any scheduled formal hearing, the following will occur:

1. Both the Complainant and the responding student may deliver to the Campus Associate Dean of Student Services, or designee, a written statement of support or response to the complaint;
2. Both the Complainant and the responding student will deliver to the Campus Associate Dean of Student Services, or designee, a written list of all witnesses they wish the College to call at the hearing. If the College has any additional witnesses it intends to call, such list of witnesses shall be simultaneously provided to both parties in advance of the hearing, with sufficient time permitted for either party to raise any objections to such witnesses;
3. Both the Complainant and the responding student will notify the Campus Associate Dean of Student Services, or designee, of the names of any advisors/advocates who may be accompanying the parties at the hearing.

The Campus Associate Dean of Student Services/Deputy Title IX Coordinator or designee, will ensure that the hearing information and any other available written documentation is shared with the parties at least three business days prior to any scheduled hearing.

Advisors- The parties are entitled to be accompanied by their advisor in all meetings and interviews at which the party is entitled to be present, including intake interviews, hearings and appeals.

Alternative Testimony- Whether the alleged victim is serving as the party bringing the complaint or as a witness, alternative testimony options may be provided, such as placing a privacy screen in the hearing room or allowing the alleged victim to testify outside of the physical presence of the responding party such as from another room via audio or audio/video technology. While these options are intended to help make the reporting party more comfortable, they are not intended to work to the disadvantage of the responding party.

Sexual History Generally, the prior sexual history of the complainant or responding student, will not be permitted. In a case where the responding student raises consent as a defense, a current or prior consensual relationship between the parties may be deemed relevant, but not necessarily determinative. Any information relating to sexual history sought to be admitted by a party will be presumed irrelevant.

until a showing of relevance is made, in advance of the hearing, to the Chair. The parties will be notified in advance if any such information is deemed relevant, and upon such a determination, will be introduced at the hearing.

I. Conduct Sanctions

Available Sanctions When there is a finding of responsibility of sexual assault SUNY policy and state law dictate that the two available sanctions are:

- x College Suspension with additional requirements Separation from the College for a specified minimum period of time, after which the student is eligible to return. Eligibility may be contingent upon satisfaction of specific conditions noted at the time of suspension. During the suspension period, the student is banned from College property, functions, events and activities without prior written approval from the Campus Associate Dean of Student Services. Additional requirements may include sanctions outlined in the Code. This sanction will be noted on the student's record.
- x College Expulsion Permanent separation from the College. The student is banned from College property, functions, events and activities without prior written approval from the Campus Associate Dean of Student Services. This sanction will be noted on the student's record.

The [Sexual Violence Response Policy](#) provides students the right to make an

APPENDIX A

The State University of New York Suffolk County Community College is committed to providing options support and assistance to victims/survivors of sexual assault, domestic violence, dating violence to ensure that they can continue to participate in college campus programs, activities, and employment.

All victims/survivors of these crimes and violations, regardless of race, color, national origin, religion, disability, sex, gender identity or expression, sexual orientation, familial status, disability, genetic characteristics, military status, domestic violence victim status, or criminal conviction, have the right to participate in college campus programs, activities, and employment, regardless of whether the crime or violation occurs on campus, off campus, or while studying.

‡

‡

‡

‡

‡

‡

‡

‡

‡

‡

‡

Receive + Receive
Receive

Victims/survivors have
many options that can
be pursued
simultaneously,
including one or more
of the following: