

STUDENT CODE OF CONDUCT



The SUNY Ulster Code of Conduct is a set of standards describing the behavior we expect of all who share our campus and its resources. These regulations are necessary to provide an environment conducive to the intellectual and personal development of all members of our campus community. It places an obligation on all of us to act in a manner that upholds the principles of respect, integrity and trust that make SUNY Ulster a safe, nurturing and engaging learning environment.

Prohibited Conduct

No person, either singly or in concert with others, shall:

- a. Willfully cause physical injury to any person, nor threaten to do so for the purpose of compelling or inducing such other person to refrain from any action which he or she has a lawful right to do or to do any act which he or she has a lawful right not to do.
- b. Physically restrain or detain any other person nor remove such person from any place where the person is authorized to remain.
- c. Willfully damage or destroy property of the institution or under its jurisdiction nor remove or use such property without authorization.
- d. Without permission, expressed or implied, enter into any private office of an administrative officer, member of the faculty, or staff member.
- e. Enter upon and remain in any building or facility for any purpose other than its authorized uses or in such manner as to obstruct its authorized use by others
- f. Without authorization, remain in any building or facility after it is normally closed.
- g. Refuse to leave any building or facility after being required to do so by an authorized administrative officer.
- h. Obstruct the free movement of persons and vehicles in any place to which these rules apply.
- i. Deliberately disrupt or prevent the peaceful and orderly conduct of classes, lectures, and meetings or deliberately interfere with the freedom of any person to express his or her views, including invited speakers.
- j. Knowingly have in his or her possession upon any premises to which these rules apply, any rifle, shotgun, pistol, revolver, or other firearm or weapon without the written authorization of the Chief Administrative Officer, whether or not a license to possess the same has been issued to such person.

- k. Willfully incite others to commit any of the acts herein prohibited with specific intent to procure them to do so.
- l. Take any action or create or participate in the creation of any situation which recklessly or intentionally endangers mental or physical health or which involves the forced consumption of liquor or drugs for the purpose of initiation into, or affiliation with, any organization.

In any case where violation of these rules does not cease after such warnings, or in cases of willful violation of these rules, the Chief Administrative Officer of the College or his or her designee shall have the violator removed from any premises which he or she occupies in such violation and shall initiate disciplinary action as provided in those documents or statutes previously cited. Disciplinary action excluding those penalties determined in a legally constituted court of law may be any of the actions described in the Maintenance of Order Policy.

The Chief Administrative Officer or his or her designee may apply to public law enforcement authorities for any aid deemed necessary in causing the ejection of any violator of these rules and may include a request that the legal counsel of the College apply to any court of appropriate jurisdiction for an injunction or other legal action as may be deemed appropriate or necessary to restrain the violation or threatened violation of this statement or those rules and regulations referred to herein.

The Board of Trustees affirms and upholds the right of freedom of speech and peaceful assembly and hereby affirms the right of each and every individual referred to herein to be afforded the due process of law as set forth in the Constitution of the United States, New York State Constitution, and all statutory law. It is understood by the Board of Trustees of Ulster County Community College that this statement in its entirety or in part may be amended or revised at any time that fuller consideration and experience may dictate or require, and that the filing of any such amendments to this statement in its entirety or in part must be filed within ten days after the adoption of such changes.

Code of Conduct

Due Process Hearing and Appeals Procedures for Students

A. Reporting Misconduct

Charges for violations of the student code may be initiated by a campus community member (faculty, student, staff, and administrator) or by an on-campus visitor.

1. Retaliation against the person reporting the violation is strictly forbidden and will result in disciplinary action.
2. Code violations (except charges of sexual harassment) are to be filed in writing within the semester of occurrence with the Associate Dean of Student Services, hereafter referred to as the Associate Dean, or designee, who will review the complaint and make a determination whether to proceed with

disciplinary action. If the determination is to proceed, the Associate Dean will notify the student in writing of the charges within seven and no more than 21 days from the original complaint. Sexual harassment complaints should be made to the Affirmative Action Officer within the reporting time limits contained in the Sexual Harassment Policy and Complaint Procedure.

B. Student Due Process Hearing

The Associate Dean will convene a hearing with the student.

1. The student shall have the right to plead his or her innocence and to present evidence or witnesses to that end.
2. The student shall have the right to seek the assistance of another student, faculty, or staff member in the representation of his or her defense. A student may not be represented by legal counsel.
3. The Associate Dean will render a verbal decision at the hearing or a written decision no later than five days thereafter.
4. Warnings, if issued, will stipulate specific beginning and ending dates.

C. Sanctions

Sanctions may include, but are not limited to, oral and written warnings, probation, probation with a limitation of college activities, restitution, community service, suspension, and dismissal.

D. Appeals

In those cases where the Associate Dean renders a formal disciplinary decision, the student shall have the right to appeal the decision of the Associate Dean to the Vice President of the College or the Vice President's designee. All such appeals must be in writing and filed within five business days of the notification of action; that is, warning, probation, suspension, dismissal or other sanction. In those cases where a designee of the Associate Dean has rendered a decision, appeals will be filed in writing to the Associate Dean within five business days of the action. All appeals will receive a response within ten business days. The decision of the Vice President, Associate Dean, or designee shall be final. The student shall not have the right of an in-person appeal.

E. Expedient Authority

1. Interim suspension: In the event a behavior represents, in the judgment of the Associate Dean, a danger to the campus community, the Associate Dean may suspend a student and declare the student persona non grata from the campus pending the convening of the Student Due Process Hearing. In all cases the student will be entitled to a hearing.
2. Removal from class: Should a faculty member determine that a student's behavior in a particular class is disruptive such that the normal purpose of the class cannot be fulfilled, then the faculty member may direct that the student leave the class. Should the student refuse the directive to leave, the faculty member may call Security to have the student removed from class. At the

conclusion of the class, the faculty member will file a written report with the Associate Dean, who will schedule a meeting with the student. The student may not return to class until he or she has met with the Associate Dean. Should mediation not be successful, the Associate Dean will initiate a Student Due Process Hearing as appropriate to the circumstances.

F. Off-Campus Jurisdiction

Violations of local, state, or federal laws, if committed off campus, shall be the subject of College disciplinary action when, in the judgment of the Associate Dean, it represents a danger to life, welfare, or property of members of the College community. The Associate Dean may choose to impose an interim suspension and a declaration of persona non grata pending the outcome of criminal process; however, the student shall be provided the opportunity for a Student Due Process Hearing subsequent to the finalization of the criminal process or, at the election of the student, during the pendency of the criminal matter.