

STUDENT CODE OF CONDUCT POLICY



STUDENT CODE OF CONDUCT

Administrative Division: Strategic Enrollment Management and Student Affairs

Responsible Unit: Vice President of Strategic Enrollment and Student Affairs

Contact: Dean of Student Affairs dhill@steu.edu 973-290-4318

Who Should Read this Policy: Students

Effective Date: July 1, 2022

Policy Statement

Saint Elizabeth University has adopted an educationally-based judicial process that is designed to deal swiftly and appropriately with any act or behavior that disrupts the academic pursuits of the learning community or otherwise infringes upon the rights or safety of others. As part of the judicial process, students will be guided into understanding their role in the community, reflecting on the causes and consequences of their actions, and gaining further insight into their rights and their responsibilities as well as assessing their own personal accountability.

Each alleged violation will be seen as an individual case with a focus on its unique facts and circumstances. The philosophy of the University's judicial process is not based upon guilt or innocence but rather upon student responsibility and personal growth. Understanding and accepting personal responsibility is a valued quality for members of our campus community and is an integral part of character and personal development. A primary consideration for all administrators involved in judicial proceedings is to balance the needs of the campus community with the highest standards of integrity and fairness to the student or students involved.

A student will be held accountable for a violation if the preponderance of the evidence, after weighing all facts, points to the student's responsibility. An administrative hearing officer, in a closed hearing, uses discussion, mediation and other methods of investigation to determine levels of responsibility, and when

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appropriate, apply various forms of educational sanctions. Sanctions may include loss of privileges, restitution, fines, suspension or removal from the residence hall(s) and/or the University. Additionally, support for the student may be provided in the form of mediation, counseling, peer support networks and various other educational methods to rectify the situation and return the student and the campus community to optimal functioning.

Students' rights and responsibilities that form the basis for this policy include:

- Students have the right to confront other members of the SEU community about their behavior if they feel that he/she is violating a University value, rule or policy.
- Students have the responsibility to ensure that their own behavior reflects the values, rules and policies of the University.
- Students have the right to live, learn and interact with one another in a safe campus environment.
- Students have the responsibility to make sure that they contribute to the campus environment to make it safe for others.
- Students have the right to live in an environment conducive to studying and sleeping.
- Students have the responsibility to be considerate of others by maintaining reasonable levels of noise and music, and to abide by rules governing quiet hours in the Halls.
- Students have a right to respectfully confront another's behavior that infringes upon their rights or privacy.
- Students have the responsibility to listen to another student, to take criticism in a constructive manner and to seek a compromise to resolve the issues at hand.
- Students have the right to privacy and the appropriate use of the residence hall room in regards to space and time.
- Students have the responsibility to work collaboratively with other members of the University community and to share resources appropriately and fairly.
- Students have the right to be treated in a respectful manner at all times by others.
- Students have the responsibility to treat others with dignity, so that they do not feel disrespected, slighted or devalued.
- Students have the right to clean facilities.

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- Students have the responsibility to help the University maintain clean, safe buildings and grounds.
- Students have the right to request, and receive, assistance from University officials including faculty, administration and staff.
- Students have the responsibility to aid the staff in their endeavors, and to participate and cooperate full as these individuals discharge their responsibilities.
- Students have the right to express ideas and opinion in a healthy, constructive manner.
- Students have the responsibility to foster an academic and social environment that allows others to constructively air their own opinions and thoughts.

Purpose of Policy

To address student conduct that violates Saint Elizabeth University's mission, values or established community standards.

The Policy

Saint Elizabeth University (SEU) will not tolerate actions that are inconsistent with its mission or core values. Sanctions shall be enforced when conduct adversely affects the University's educational objectives or disrupts the civil environment we enjoy. The following is a list that includes, but is not limited to, actions that constitute a violation of our community standards (code of conduct) and will be subject to campus judicial processes, whether the offense is attempted or completed. SEU students and their guests are bound by the following rules. Students should understand that policy violations are recorded, that discipline is progressive and that violations may impact them in other ways, including but not limited to the ability to study away, serving in leadership capacities on campus, application to graduate or professional schools, etc.

- **Abuse.** Inflicting mental or bodily harm upon any person, whether in person, electronic or third party means; engaging in any action from which mental or bodily harm could result; causing a person to believe that the offender may cause mental or bodily harm; demonstrating disrespect through verbal or physical action.
- **Actual or threatened sexual assault.** Refer to the [Title IX policy](#) which addresses sexual harassment and misconduct, including, domestic violence, dating violence, stalking, and sexual assault.

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- **Assault.** The use, actual or threatened, of physical force against any member of the University community; intentionally or recklessly causing physical harm to any person on the University campus or at a University sponsored activity; intentionally or recklessly causing an individual to inflict physical harm on another person or on him/herself; verbal coercion; intimidation.
- **Bullying.** An in-person or virtual repeated, deliberate verbal, physical and/or social behavior that causes physical, social and/or psychological harm from one student to another, which a reasonable person would consider to improperly interfere with the student's school performance or participation. Bullying may occur on or off campus and may be in the form of written, verbal, or physical behavior.
- **Hazing.** Any activity expected of someone joining or participating in an organization that humiliates, degrades, abuses, endangers them, and/or is a violation of local, state, or federal law. An activity falling under these guidelines is considered hazing, irrespective of a person's willingness to participate.
- **Harassment and/or intimidation.** Engaging in conduct which threatens to cause physical harm to persons or damage to property; making unwanted sexual advances or requesting sexual favors. This also includes harassment or intimidation of persons involved in a University disciplinary situation and of persons in authority who are in the process of discharging their responsibilities.
- **Conduct Disruptive to University Functions:** Obstruction or disruption of any regular or special function of the University; participation in, or encouragement of, any effort to disrupt a class; creating a public inconvenience, annoyance, or alarm; unreasonable noise.
- **Disorderly conduct.** Conduct causing inconvenience and/or annoyance to another which includes any action which can reasonably be expected to disturb the academic pursuits or to interfere with or infringe upon the privacy rights, privileges, health or safety of members of the University community. This includes but is not limited to: engaging in fighting, threatening, or aggressive behavior; displaying violent or tumultuous behavior, or creating an unreasonably hazardous or physically dangerous condition.
- **Alcohol/Drug Infractions:** Any violation of the University's Alcohol, Marijuana and Other Drug Policy. This includes any violation of the law relating to consumption, possession, and purchase of alcohol [a]s under state, federal, or local law; or any violation of the law relating to consumption, possession, and sale/purchase of drug under state, federal, or local law.
- **Smoking:** Smoking is prohibited in any campus building, and must be limited to designated outdoor areas only.

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- **Failure to comply with the directives of University employees, University contracted vendors or municipal authorities.** To disregard or ignore the directions of University officials acting in the performance of their duties.
- **Failure to properly register as a sex offender.**
- **Interference with or failure or refusal to cooperate with an internal campus investigation.** This includes, but is not limited to intimidation of witnesses/retaliation by threatening (or other form of intimidation) directed at a complainant, a witness, or a supporter at any point before, during, or after an investigation, mediation, hearing, and/or appeal.
- **Possessing or exhibiting false identification with the intent to deceive.**
- **Unauthorized Recording:** Making or attempting to make, transmit or attempting to transmit audio or video or any other depiction recording of any person(s) in bathrooms, showers, bedrooms, or other premises where there is an explicit expectation of privacy, including but not limited to situations involving nudity and/or sexual activity, without the knowledge and consent of all participants subject to such recording.
- **False, Vicious, Malicious Allegations:** Knowingly bringing false allegations against the University or another person for any reason.
- **Assisting Another to Commit an Offense:** Aiding, abetting, or assisting another to commit, to plan, or to attempt to commit any violation of the student handbook.
- **Weapons and Explosives:** The sale, purchase, possession, distribution, or use of any weapon, including but not limited to any firearm, explosive, firecracker, incendiary materials, knives, or other weapons.
- **Taking:** Taking, or attempting to take, or borrowing without authorization, any University property or any private property of a member of the University community. The unauthorized use of the name “Saint Elizabeth University” or the University seal is considered taking.
- **Stolen Goods:** The sale, distribution, or knowingly purchase or possession of any property illegally obtained, either on or off campus.
- **Misuse of Documents:** Forgery, alteration, misappropriation, or unauthorized disclosure of University documents/records, official student documents/records, or student identification cards (IDs).
- **Behavior or activity which endangers the safety of oneself or others.** This includes, but is not limited to, destructive behavior by individuals and/or groups or self-destructive behavior.

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- **Damage/Vandalism.** Damage, destruction, or defacement of University property, or the private property of any member of the University, as a result of deliberate action or as a result of reckless or imprudent behavior.
- **Cyber Harassment.** No student shall engage in unsolicited or persistent misbehavior through text messages, electronic mail, instant messages, Internet, chat rooms, any social media platform or electronic devices.
- **Theft of property.** This includes, but is not limited to, theft of University property, possession of stolen property, or personal unreported knowledge of stolen property.
- **Providing False Information:** Knowingly misrepresenting information to the University, or an official; or, engaging in fraud; embezzlement, counterfeiting, or other wrongful acts.
- **Disruptive Behavior Directed at a University Official:** To interfere or disrupt the activities of University officials acting in the performance of their duties.
- **Misuse of University ID/Access Card or failure to present the University ID Card to any campus official upon request.** This includes lending an ID card to another individual, failure to return the ID card when requested to do so, or possessing more than one official SEU ID card.
- **Unauthorized Entry/Trespassing or Use:** The unauthorized entry into, or use of, any University-owned building or property or privately owned building or property on the University campus, either forcibly or non-forcibly; unauthorized entry into any designated restricted area; unauthorized use or duplication of keys (including electronic keys).
- **Interfering with Freedom of Expression:** Knowingly or substantially interfering with the freedom of expression of others on the University campus or at University-sponsored activities.
- **Misuse of telephone.** No student shall make or assist in making unauthorized or annoying telephone calls or otherwise misuse or abuse telephone equipment.
- **False reporting of emergency.** The false reporting of fire, bomb, medical emergency, or any other emergency by means of activating a fire alarm or in any other manner.
- **Interfering with Fire Safety:** Tampering with, damaging, or misusing fire safety equipment such as, but not limited to, fire extinguishers, smoke alarms, heat sensors, sprinkler systems, or exit signs; unauthorized burning of any material in any University building, or on or near University property; disregarding a fire alarm or refusing to evacuate a building or section of a building when a fire alarm is sounding; falsely initiating any report, alarm, warning or threat of fire,

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explosion, or other emergency on the University campus or at University sponsored activities. Obstruction of fire escapes, corridors, or stairways.

- **Misuse of Computer or the Network:** Any misuse of the University's computing network or equipment.
- **Improper Solicitation:** The unauthorized sale of goods on the University campus without University-issued permission or license; the unauthorized request for donations, on or off the University campus.
- **Violation of Sanctions:** Violating the terms of any sanction or restriction previously imposed by the University. Failure to comply or complete a sanction is considered a violation of sanctions and can result in further sanctions.
- **Violation of Campus Housing Regulations:** Any violations of the Residence Life/Rules and Regulations and the housing agreement, including visitation, health and safety regulations, and any additional regulations imposed during break housing.
- **Use of hover boards in buildings.** Use of hover boards in university housing is prohibited in the state of New Jersey.
- **Use of sports equipment in the residence halls that may be reasonably expected to cause disruption or damage.** This includes but is not limited to bats, balls, rollerblades, skateboards etc.
- **Use of drones on campus.** Due to the proximity of campus to the Morristown Airport, unauthorized use of drones is prohibited.
- **Violation of Campus Car/Parking Regulations:** Any violation of the campus car/parking regulations as issued through Campus Security.
- **Violation of Public Law:** All Saint Elizabeth University students are bound by local, state, and federal laws. The University will not interfere with the administration of public law. Criminal and quasi-criminal offenses can result in disciplinary action by the University, even if they occur off-campus. Students are encouraged to report criminal acts committed against them to local law enforcement.
- **Violation of any University policy.**

Criteria (If Applicable)

Procedures to Implement this Policy

All student judicial violations fall under the jurisdiction of the Vice President of Strategic Enrollment Management and Student Affairs, who is the final authority on student judicial matters. However, all judicial matters (whether they occur in the residence halls or not) are initially handled by the Director of Residence Life &

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Chief Judicial Officer. Appeals will be heard by the Dean of Student Affairs. Some lesser code of conduct violations may be heard by the Residence Life judicial board at the discretion of the Chief Judicial Officer. Generally, cases are heard within ten working days.

1. Any member of the University community, visitor or guest may allege that a student has violated University policy, and when appropriate, the University may choose to file allegations on behalf. All allegations of conduct policy violations should be submitted to the Director of Residence Life & Chief Judicial Officer. Formal allegations must be made in writing, such as a letter, email or incident report.
2. If a student poses an immediate danger or threat to the health, safety, or well-being of the University community and/or its members, the Vice President of Strategic Enrollment Management and Student Affairs or the Dean of Student Affairs, or designee, may impose a temporary suspension or separation from the University, room change, or other restriction with no prior notice, effective until a hearing is held and a determination is reached.
3. Individuals may also choose to file a complaint with the local police department. However, the University may hear the case before criminal charges on the same incident are resolved.
4. A student alleged of a violation will be contacted by the Chief Judicial Officer to discuss the allegations, which often may be at the same time of the Administrative Meeting. Email is the primary form of communication for all students. Each student is responsible to check and respond to their University Email (@steu.edu) account.
5. In cases of major and/or repeat offenses (those which potentially could result in a removal from the residence halls or suspension/expulsion from the University), the Chief Judicial Officer will meet with the student to review the allegations and the Student Conduct procedures prior to the Administrative Meeting. Should a student fail to schedule or attend this meeting in the time designated by the Chief Judicial Officer, the process will continue in his/her absence.
6. Administrative Meeting: The goal of an Administrative Meeting is to arrive at a finding of “responsible” or “not responsible,” (using a preponderance of evidence standard) and impose appropriate sanctions in a timely and fair manner.
7. If there is more than one allegation and the student accepts “responsibility” to one allegation but not to the other, the administrator shall determine if the case needs to be referred to an Administrative Meeting.

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8. Should a student fail to schedule or attend an Administrative Meeting in the time designated by the Chief Judicial Officer, the student's case will be decided in his/her absence. In cases where a student withdraws from the University, the case may either be adjudicated in a timely manner, or placed on hold and listed as unheard.

Procedures for an Administrative Meeting

Students charged with a violation of the Student Conduct Policy will be directed to meet with a Chief Judicial Officer, and will receive notice of the alleged violations prior to a meeting. In cases of Title IX/Sexual Harassment and Misconduct Policies, students will be subject to that policy's procedures.

The Chief Judicial Officer will meet with the student(s) to:

1. Discuss the complaint and alleged conduct, allowing the student to present his/her understanding of the events related to the incident(s).
2. Conduct the process in a timely fashion. (In cases where incidents occur near the end of a semester, the case may need to be adjudicated at the beginning of the next semester or during a break period).
3. Permit the student to be accompanied by a silent supporter drawn from the University Community.
4. Permit the accused to speak on his/her own behalf and present appropriate and pertinent information and witnesses. The hearing officer will make all determinations on what information or witnesses may be presented for consideration. Character witnesses are not permitted.
5. Determine an appropriate finding of either "responsible" or "not responsible" for each alleged policy violation based upon the preponderance of evidence.
6. If a student is found responsible, the Chief Judicial Officer will advise the student of the sanction(s) imposed.
7. After a decision has been rendered, the student will receive notice via email of the outcome and sanctions. It is the student's responsibility to complete all sanctions as imposed. Failure to abide by or complete a sanction may result in additional sanctions.
8. In certain cases, deemed appropriate by the proper authorities, information on an offense may be disclosed to individuals or to the entire University community. In accordance with guidelines established in the Family Educational Rights and Privacy Act (FERPA), the record of most disciplinary proceedings findings is not open to the public. The Jeanne Clery Disclosure

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of Campus Security Policy and Campus Crime Statistics Act, permits the disclosure of campus disciplinary system findings to victims of "crimes of violence" upon written request. In addition, FERPA permits the final results of campus disciplinary proceedings for crimes of violence to be disclosed to victims, including the name of the accused held responsible and the nature of the offense.

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Appeals

The appeal process is in place to safeguard the student's, and to a lesser degree, the University's interests. The right of a student found responsible to one appeal is guaranteed. In any case, appeals will only be heard if one of the three following conditions is met:

1. Evidence of a procedural error which substantially impacts the outcome of the case or that precluded a fair and impartial hearing. Deviations from designated procedures will not be a basis for sustaining an appeal unless significant prejudice results.
2. A sanction that is too severe or inconsistent, relative to the sanctioned behavior.
3. New or newly discovered evidence/information which could not have been presented at the hearing.

The burden of proof for an appeal rests with the student, and may result in one of three possible actions:

1. Return for a new hearing
2. Amendment of the sanction to be more consistent with similar cases/
3. Denial of the appeal

Decisions following the hearing must be appealed by the student within five (5) business days of receipt of the written results of such hearing. Appeals must be submitted in writing, via email, to the Director of Residence Life & Chief Judicial Officer or designee, as described in the outcome letter.

Sanctions

The University maintains the right to impose any sanction(s) upon students found responsible for violating the Student Conduct Policy or other University policy. Penalties or sanctions are imposed for two purposes: to protect the University community from behaviors that are detrimental to the educational process and to assist students' growth in identifying acceptable parameters of their activities and consequences of future behaviors.

Violations of these policies may result in a variety of sanctions, ranging from severe penalties to less stringent measures, as appropriate to the underlying conduct, course of conduct, or overall student conduct history. The primary

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purpose of sanctions is generally educational and rehabilitative, although in some matters, the protection of the Saint Elizabeth University community will be important as well.

Any of the following penalties may be imposed for any act of misconduct.

1. **Revocation of Admission:** Admission to the University may be revoked for fraud, misrepresentation, or a violation of the University policies.
2. **Revocation of Degree:** A degree awarded to a student by the University may be revoked for fraud, misrepresentation, or other violation of University standards in obtaining the degree.
3. **Withholding Degree:** The University may withhold the awarding of a degree otherwise earned until the completion of the process set forth in the Student Conduct Policy, including the completion of all sanctions imposed, if any.
4. **Expulsion from the University:** Unconditional and permanent separation from the University. The expelled student shall be barred from the University campus and all University sponsored activities.
5. **Expulsion from the Residence Halls:** Unconditional and permanent separation of the student from residing in, being around, participating in activities within, or visiting the residence halls.
6. **Suspension from the University:** The student is separated from the University for a specified period of time with the privilege of applying for re-entry after the period of suspension. In making a determination on the reentry application, the University will evaluate the documented (as appropriate) progress the student has made and/or any positive indication that the student is ready for re-entry. The student will need to obtain clearance from the Vice President of Strategic Enrollment Management and Student Affairs, Dean of Student Affairs, or designee, in order to return to academic work. The student will be barred from campus during his/her time of suspension, and will be treated as a trespasser if found on campus during their period of separation.
7. **Suspension from the Residence Halls:** The student is required to move out of the residence hall and may not reside in, be around, participate in activities within, or visit the residence halls for a specified period of time with the privilege of applying for re-entry as a residential student after the period of suspension. In making a determination on the re-entry application as a residential student, the University will evaluate the documented (as appropriate) progress the student has made and any positive indication

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that the student is ready to return to the residence halls. The student will need to obtain clearance from the Director of Residence Life & Chief Judicial Officer, or designee, in order to return to the residence halls. The student will be barred from being in or around campus housing during his/her time of suspension, and will be treated as a trespasser if found in or around campus housing during their period of separation.

8. **Restriction:** The student is restricted from facilities, programming, participating in certain University events and activities, holding leadership positions at any level in campus organizations, or from remaining a resident on campus. Certain restrictions are imposed for a specified period of time, while others may be permanent.
9. **Probation:** The student is placed under a status whereby any further violation of University regulations is considered in the context of the original violation and with prejudice. Additionally, the student is more likely to be suspended or expelled from Housing or the University during the time of probation status if found responsible of further student conduct violations. The period of probation lasts for a specified period of time. Probationary status may impact a student's ability to study abroad and/or to hold leadership positions in student organizations.
10. **Residence Hall Relocation:** Room re-assignment to another residence hall or floor.
11. **Warning:** Written notification to the student that any repetition of the behavior will result in more severe disciplinary action.
12. **Restitution:** Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
13. **Disclosure:** In certain cases deemed appropriate by the proper authorities, information on an offense may be disclosed to individuals or the entire University community, including parents or guardians.
14. **Discretionary Sanctions:** Educational assignments, essays, trainings, assessments, service to the community with a specified length of time, or other related discretionary assignments.

Since the hearings are not legal proceedings, lawyers are not permitted to attend. Records regarding judicial proceedings are retained for a period of one year following a student's graduation.

Exception(s) None

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Definition(s)

Preponderance of Evidence: one type of evidentiary standard used in a burden of proof analysis. Under the preponderance standard, the burden of proof is met when the party with the burden convinces the fact finder that there is a greater than 50% chance that the claim is true. The University applies this standard of evidence when investigating and adjudicating claims of misconduct or policy violations.