

University Regulations and Disciplinary Procedures 2022-2023

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When students become members of the William Paterson University community they are expected to abide by the University's rules, regulations, and behavioral standards. These standards are reasonable and are based on the concept of responsible citizenship. The University does not attempt to regulate the lives or activities of students except to assure its ability to accomplish its educational mission and protect the health, safety, and security of its members of its community.

By choosing to affiliate with William Paterson University, all student members of the University are expected to uphold the standards of this community. For the purposes of enforcing the Code, students are defined as persons who have accepted an offer of admission and who have a continuing relationship with the University, including taking courses at the University, both full-time and part-time, pursuing undergraduate, graduate, professional studies, or continuing education. Persons who withdraw after allegedly violating the Student Code remain subject to the Code and its disciplinary action until the matter has reached a conclusion regardless if they have a continuing relationship with the University. With the exception of traditional winter or summer breaks, any individual who is not registered for classes at the time of a reported violation is viewed as a non-student but is still subject to Persona Non Grata status (see special circumstances).

These procedures have been developed to articulate the University's behavioral standards and to provide a format that ensures procedural fairness to all students. The disciplinary process is intended to be educational. The length of time of disciplinary procedures may vary in proportionality depending upon the gravity and nature of the alleged offense. In addition, the sanctions applied will fall within a range based upon the

Institutional Authority to Ensure Fulfillment of the University's Mission

The authority to discipline students for alleged violations of University policies, rules, and regulations is assigned by the President of the University to the Office of the Vice President for Student Development for implementation by the Vice President or designee. The Vice President for Student Development has assigned oversight of the student conduct process to the Dean of Students. The Director of Student Conduct, reporting to the Dean of Students, administers the student conduct process. The Director of Academic Advising, Service and Leadership, reporting to the Associate Vice President for Student Development, administers the student organization conduct process.

Definitions

Business day – weekday (Monday – Friday) when the University is open and operating.

Due process – the established course of conduct and procedure that provides participants in a proceeding with reasonable notice of the matter at issue, reasonable time to offer a statement or response and a reasonable opportunity to do so.

Discriminatory harassment – a direct or indirect act or omission intended to discriminate against a specific person, of the sort that are likely to start an immediate fight. This may include, but is not limited to: gender, racial, or religious insults. Correspondingly, this does not include all gender, racial or religiously insensitive or offensive statements, only those likely to incite an immediate fight.

Harassment – Intentionally or recklessly engaging in behaviors which are sufficiently severe, pervasive and objectively offensive so as to substantially disrupt University operations or substantially undermine another student's ability to participate in an educational activity.

Prohibition of illegal activity – actions, behavior and/or communication that causes others to violate Federal, state or local laws

Reasonable person standard – belief held, knowledge known or action taken or not taken by an ordinary person under similar circumstances

Reporting Student – The student who has provided the information necessary to pursuing an alleged violation

Responding student – The student who is charged with an alleged violation under the Student Code of Conduct

Restorative practices – category of resolution options that offer an opportunity to learn about PU's community expectations for non-criminal violations and corrected student behavior for first-time violations without incurring sanctions or a conduct record

Retaliation - any act against any individual or group of individuals involved in the report, investigation and/or resolution of an allegation of a policy violation. Retaliation can be committed by any individual or group of individuals. Retaliatory conduct is prohibited regardless of whether it occurs on or off campus, in person, or through social media, email, or other forms of communication

Substantive disruption of the educational process – actions, behavior and/or communication that causes obstruction and/or significant interference to the learning, research or teaching environment

True threat – actions, behavior and/or communication that endangers or threatens to endanger the health, safety or welfare of another person

Proscribed Conduct

student or student organization may be accountable to both the University and civil authorities for acts that violate the law as well as the Student Code of Conduct. Except in extraordinary circumstances, disciplinary action at the University will proceed during the pending criminal proceedings and will not be subject to challenge on the grounds that pending criminal charges involving the same student have been postponed, dismissed, or reduced. The University reserves the right to apply its own standard and procedure under this policy and to reach its own determination on violations of this code unaffected by the standard, procedure or outcome of any civil or criminal proceedings.

Generally, violations of rules and regulations in the residence halls will be handled by the Office of Residence Life. Alleged policy violations regarding student organizations will be adjudicated by the Office of

H Violation of published rules governing residence halls and /or recognized student organizations

I Possession, use, or brandishing a weapon of any kind The following items are strictly prohibited on campus: firearms of any kind including airsoft guns, BB guns, hunting rifles, paintball guns and actual guns or rifles fireworks, incendiary devices and other combustible materials any knife beyond that which would be utilized for food preparation or a pocket knife traditionally, the use of any item not typically utilized as a weapon in a manner that suggests this intent

J Failure or refusal to abide by or comply with directives issued by representatives of the University when they are acting within the scope of the authority

K Abuse and/or Bodily Harassment

L Bias related harassment, intimidation, or bullying which includes any single or series of, gesture[s], written, verbal or physical act[s], or electronic communication[s] that is reasonably perceived as being motivated by an actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or actual, physical or sensory disability, or by any other distinguishing characteristic, and that a reasonable person should have known would have the effect of:

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Cases Addressed by an Administrative Hearing Officer

(Director of Student Conduct or Designee and Graduate Resident Directors/Area Coordinators)

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Note: Hearings are not intended to be full re-hearings of the complaint. Hearings are confined to a review of the written documentation or record of the original hearing and pertinent documentation regarding the grounds for a appeal.

Cases Addressed by the University Hearing Board

Upon receipt of a violation serious enough to be brought before the University Hearing Board, the Director of Student Conduct or designee will contact the responding student or responding student organization member(s) to appear at a specified time and place to attend a re-hearing meeting. Prior to this meeting, the responding student will receive written details of alleged violation(s) of the Student Code of Conduct. If the information supporting the alleged violation(s) comes from a campus police report involving an arrest, the responding student may request the report from a campus Police. In these cases, the Office of Student Conduct has only received a redacted copy of the police report.

If the information supporting the alleged violation(s) comes from a student activities, Service & Leadership, all members of the student organization's executive board will receive a non-redacted copy of the investigation report.

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The University Hearing Board's Determination

The University Hearing Board's determination shall be based on the preponderance of evidence presented regarding the alleged policy violation(s). The question before the University Hearing Board will be whether it is more likely than not that the responding student violated the Student Code of Conduct. The University Hearing Board will make the final determination of whether a student is held responsible or not responsible for violating the Student Code of Conduct. The Director of Student Conduct, acting on behalf of the University Hearing Board, shall inform the responding student via all Paterson University email of the final outcome of the University Hearing Board, the sanction(s) imposed by the University Hearing Board, and the appeal process, if applicable. The Vice President of Student Development serves as the appeal officer for these cases.

The Appeal Process for Cases Addressed by the University Hearing Board

The appeal process can only be implemented in cases where the outcome has resulted in Loss of Housing, Suspension or Expulsion from the University. The implementation of sanctions involving loss of housing or class attendance may be delayed only when the responding student files an appeal regarding loss or suspension of these privileges. These privileges may be reinstated pending the conclusion of the appeal process.

The responding student has five (5) business days from the date they were notified of the University Hearing Board's decision to file a written appeal to the Vice President of Student Development. The written appeal must be received by 11:59 PM on the fifth business day following one or more of the following grounds for appeal:

If good cause exists, as determined by the Director of Student Conduct and in consultation with appropriate University officials, the student may be

| Please take note of the following: